

Changes to USCIS Fee Schedule and Forms

On August 3, 2020, U.S. Citizenship and Immigration Services (USCIS) issued a final rule that alters the USCIS filing fee schedule. On average, the filing fees were increased overall by approximately 20 percent. A few of the notable fee changes relating to employment-based filings include the following:

I-129 Petition for an H-1B Nonimmigrant Worker	\$555 (Increase of \$95)
I-129 Petition for an L-1 Nonimmigrant Worker	\$805 (Increase of \$345)
I-131 Application for Travel Document	\$590 (Increase of \$15)
I-140 Immigrant Petition for Alien Worker	\$555 (Decrease of \$145)
I-485 Application to Adjust Status – Applicants Under 14	\$1,130 (Increase of \$380)
I-485 Application to Adjust Status – Applicants Over 14	\$1,130 (Decrease of \$10)
I-539 Application to Extend/Change Nonimmigrant Status	\$400 (Increase \$30)
I-765 Application for Employment Authorization	\$550 (Increase of \$140)
N-400 Application for Naturalization	\$1,170 (Increase of \$530)

Currently, the filing of the I-485 application for permanent residence is filed jointly with the I-765 application for employment authorization and the I-131 application for a travel document with one fee of \$1225. The \$1225 filing fee includes the I-485, I-765, I-131 and biometrics fee. Under the new fee schedule, the I-485 filing fee has been decreased from \$1225 to \$1,130. However, I-485 applications for permanent residence will now require separate fees for Forms I-765 (\$550) and Forms I-131 (\$590) filed in connection with the Form I-485 fee (\$1,130). There will be no biometrics fee. As of October 2, 2020, filing for permanent residence, along with work authorization and travel authorization, will require filing fees of \$2,270, an increase of \$1,045, per applicant. In addition, the final rule removes the reduced Form I-485 filing fee for children under the age of 14 filing with their parent. All applicants will pay the same filing fee for the I-485.

In addition to the fee changes, certain USCIS forms will also change, including the Form I-129 Petition for Nonimmigrant Worker, and the Form I-765 Application for Employment Authorization. On August 25, 2020, USCIS published a new version of Form I-765 Application for Employment Authorization to be utilized immediately. USCIS will only accept the 08/25/20 edition of Form I-765. At this time, no new version of Form I-129 Petition for Nonimmigrant Worker has been posted. However, USCIS will post the new and revised form and supplements online at least 30 days before the new rule goes into effect.

Finally, the final rule lengthens the timeframe for premium processing requests, increasing the time from 15 calendar days (approximately two weeks) to 15 business days (approximately three weeks). The premium processing fee of \$1,440 remains the same.

USCIS will provide a grace period of up to 60 days in which it will accept both the previous and the new versions of certain forms as long as payment of the new, correct fees accompanies the forms. Applicants and petitioners must use the new or revised forms by October 2, 2020.

All of the specific changes can be found in the published [final rule](#).

We will keep clients advised of any additional updates as they are released by USCIS.



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