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New Immigration and Naturalization Fee Structure to Take Effect April 2024

First fee adjustment since 2016: USCIS updates immigration and naturalization fees to reflect operational costs

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U.S. Citizenship and Immigration Services (USCIS) on January 30 published a final rule to adjust fees for certain immigration and naturalization benefit requests. This change, the first since 2016, aims to help the agency recover a greater share of its operational costs and facilitate more efficient processing of new applications.

The decision follows a comprehensive fee review as mandated by law, building upon a notice of proposed rulemaking published in January 2023, USCIS said. The review highlighted the current fee schedule's inadequacy in covering the full cost of agency operations, including the expansion of humanitarian programs, federally mandated pay raises, staffing requirements, and other crucial

investments.

USCIS Director Ur M. Jaddou emphasized the importance of this update, stating, “For the first time in over seven years, USCIS is updating our fees to better meet the needs of our agency, enabling us to provide more timely decisions to those we serve.” She praised the USCIS workforce for its customer service improvements and backlog reduction despite years of inadequate funding.

In response to the proposed rulemaking in January 2023, USCIS received over 5,400 unique public comments. The final rule incorporates several key updates based on stakeholder feedback, including:

- A reduction in the agency’s annual cost recovery requirement by \$727 million, factoring in improved efficiency measures.
- Expanded fee exemptions for Special Immigrant Juveniles, victims of human trafficking, crime, and domestic violence; U.S. military service members and Afghan allies; and families pursuing international adoption.
- Special fee discounts for nonprofit organizations and small business employers.
- Reduced fees for certain Employment Authorization Document applications and adjustment of status applicants under specific conditions.
- Expanded eligibility for a 50% fee reduction for naturalization applications for households with incomes between 150% and 400% of the Federal Poverty Guidelines.
- A standard \$50 discount for online filers.

Limitations on Fee Increases

The final rule ensures that every fee is either the same or lower than proposed, with a cap on increases for most individual filers to no more than 26 percent —aligning with the Consumer Price Index increase since 2016.

The new fees will enable USCIS to continue using innovative solutions to improve customer experience and address backlog growth. Despite these increases, USCIS acknowledges the ongoing need for congressional funding to manage the rising volume of cases, particularly those related to recent border crossings.

The new fees will take effect on April 1, 2024. USCIS will offer a grace period from April 1, 2024, to June 3, 2024, accepting both previous and new editions of certain forms with the correct fee. However, there will be no grace period for new editions of forms like I-129, I-129 CW, I-140, I-600A, and I-600, due to revised fee calculations.

USCIS said it will determine the applicable form version and fees based on the postmark date but will use the receipt date for any regulatory or statutory filing deadlines. For more details, USCIS encourages stakeholders to visit the Frequently Asked Questions page on its website.