

Mark Your Calendars: USCIS Raises Filing Fees Effective December 23

November 2, 2016

The United States Citizenship and Immigration Services (USCIS) announced on October 24, 2016 that effective December 23, 2016 fees for most nonimmigrant and immigrant petitions will increase by an average of 21 percent. This is the first fee increase since 2010; even though the law requires USCIS to review fees biannually to ensure sufficient funding to administer the nation's immigration benefits petitions and applications.

Notably, business immigration will be the most impacted by this increase. Specifically, employers that sponsor temporary workers most often filed Form I-129. The fee for the I-129 Form is currently \$325. On December 23 it will be \$460. H-1B visas filed this spring in the H-1B cap will cost employers with more than 25 employees \$2,460 for filing fees alone. If the employer would like adjudication of the H-1B petition prior to October 1, 2017 – when the H-1B employment would start – they will need to pay the Premium Processing fee of \$1,225. As such, the typical H-1B will cost \$3,685 in USCIS filing fees alone.

The I-140 Immigrant Petition to sponsor employment based green cards will increase from \$580 to \$700. Considering USCIS is taking about 9 months to adjudicate I-140 petitions; it is not clear whether the increase in fees will result in an increase of service.

The new fee schedule is available at: <https://www.uscis.gov/forms/our-fees>

If you have any questions, please contact your Proskauer Immigration professional.