

USCIS Increases Filing Fees Effective December 23, 2016

For the first time since November 2010, the filing fees for many of the petitions and applications filed with the U.S. Citizenship and Immigration Services (USCIS) will increase, effective December 23, 2016. All applications or petitions mailed, postmarked, or otherwise filed with USCIS on or after that date must include the new fee.

Employers who regularly file H-1B visa petitions on behalf of foreign professionals should take special note that the base filing fee for Form I-129, Petition for a Nonimmigrant Worker, is increasing from \$325 to \$460, an increase of 43%. This fee is in addition to the \$500 Fraud Prevention and Detection Fee paid by employers for initial, change of employer, and concurrent employment H-1B visa petitions, the \$1,500/\$750 American Competitiveness and Workforce Improvement Act (ACWIA) Fee paid by employers who do not otherwise qualify for an exemption (e.g., institutions of higher education), the \$4,000 fee paid by H-1B visa dependent employers (those that employ 50 or more employees in the U.S. and 50% of those employees are in H-1B status), and the \$1,225 fee for premium processing service paid by those employers seeking processing of their petitions in 15 calendar days or less.

Other commonly used petitions and applications that will see fee increases include, but are not limited to:

- Form I-140, Immigrant Petition for Alien Worker, will increase from \$580 to \$700;
- Form I-485, Application to Register Permanent Residence or Adjust Status, will increase from \$985 to \$1,140;
- Form I-539, Application to Extend/Change Nonimmigrant Status, will increase from \$290 to \$370; and
- Form I-765, Application for Employment Authorization, will increase from \$380 to \$410.

There is no increase to the Form I-907, Request for Premium Processing fee (\$1,225), or the biometrics services fee (\$85) that is required for certain petitions. A complete list of the new fees for all petitions and applications can be found [here](#).

If you have any questions about this Information Memo, please contact [Joanna L. Silver](#), any of the [attorneys](#) in our [Immigration Law Practice](#), or the attorney in the firm with whom you are regularly in contact.



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