

## Immigration fees, including H-1B visas, are about to jump. Here's how much more they'll cost

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Fees for many types of immigration applications, including green cards and H-1B visas, will increase next month for the first time since 2016 — raising concerns about the potential financial burden for low-income applicants and sparking a lawsuit challenging fee increases for businesses that pay for their employees' work visas.

The price increases are scheduled to go into effect April 1, according to the U.S. Citizenship and Immigration Services, the federal agency that manages the country's naturalization and immigration system.

According to officials, the vast majority of the agency's funding — 96% — comes from filing fees, rather than from taxes via Congress. Revenue dropped 40% when immigration plunged during the COVID-19 pandemic, and staffing is still down, officials said in an FAQ on the USCIS website.

But application numbers have rebounded to record levels, with 10.9 million immigration filings in 2023. The result has been chronic case backlogs, officials said.

USCIS announced on Jan. 30 that the new rule will allow the agency to increase staffing and process new applications faster, while covering its operational costs and mandated pay raises.

"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," USCIS Director Ur M. Jaddou said in a news release.

### What are the increases?

The new rules apply to more than 100 types of immigration filings made by individuals and employers, according to the agency's website.

For individuals, fee hikes are generally capped to no more than the Consumer Price Index increase since 2016, which is 26%, and many increases are well below that, the agency said.

The biggest increase by far will be for large employers paying for H-1B visas, which allow 85,000 highly skilled workers to enter the U.S. annually. The current fee of \$460 will jump to \$780 — a 70% increase. The fee for small employers and nonprofits (with fewer than 25 employees) will remain the same at \$460, according to a USCIS chart.

For individual naturalization applications, the fee for online filing will increase 11%, from \$640 to \$710. Paper filings will cost 19% more, rising from \$640 to \$760. However, the agency said that the previous cost included a separate \$85 biometric services fee for fingerprinting, for a total of \$725 for most applicants. That separate fee has been eliminated, effectively lowering the total cost by 2% for online filers and raising it 6% for those who file paper applications.

Those seeking permanent residency, known as a green card, will pay 26% more to file form I-485, with the fee rising from \$1,140 to \$1,440.

I-130 forms filed by U.S. citizens and green card holders to sponsor certain family members will increase 17% for online filings, from \$535 to \$625. Paper filings will cost 26% more, rising from \$535 to \$675.

U.S. citizens filing to bring a fiancée into the country will also pay 26% more, with the fee for I-129F petition rising from \$535 to \$675.

A few types of application fees will decrease. And the new rules also offer some price breaks, officials said. Those include a \$50 discount for online applications, special fee discounts for nonprofits and small employers, and expanded fee exemptions for special immigrant juveniles and victims of human trafficking, crime and domestic violence, U.S. military service members and Afghan allies and families pursuing international adoption.

For a full list of the new rules, click on the "New Fee Schedule Table" tab on the USCIS Frequently Asked Questions webpage.

### Concerns about impact

Some Bay Area immigration lawyers say the fee increases will impact many low-income immigrants who already struggle financially to pay for the application fees and basic needs like food, rent and transportation.

The new prices could also affect businesses' ability to pay for an employee's sponsorship, making it harder for immigrants to find work, the lawyers said. The fee changes have resulted in at least one lawsuit in which groups representing employers are attempting to block the changes on procedural grounds.

"We have a lot of clients that (are) going to be forced to live under the shadows, maybe even work under the table, which is illegal and puts them in a very compromising position," said Stephanie Quintero, an attorney on the immigration legal services team for Catholic Charities East Bay in Oakland.

While many of the immigration forms have about a 26% increase, Quintero said, some of the changes may effectively result in much higher fees.

For example, the fee for a family-based adjustment of status form — a "vital" form that helps reunite families, Quintero said — previously could be bundled with other forms, like a work and travel permit, for \$1,225 per person. With the new changes, Quintero said, all forms must be submitted separately, bringing the filing fee to \$2,330.

"It's going to be very difficult for them to have to be able to try to get money by working if they don't have a work permit because jobs require a work permit," said Quintero, adding that Catholic Charities is trying to file as many applications before the change goes into effect April 1.

Quintero said the new rule could also have an effect on nonprofit agencies that pay for applicants' filing fees. "It's going to create an extra burden on us as well," she said.

In most cases, employers are required to pay all of the filing and legal fees for H-1B visas, said Sophie Alcorn, founder of Alcorn Immigration Law in Mountain View, which helps startups and founders obtain U.S. visas and green cards.

"People who are bootstrapping or at an early stage and have a limited time runway for their startups ... will also feel these increased fees as well," Alcorn said, adding that it will also affect employees' ability to get a new job if they require sponsorship.

USCIS also recently increased premium processing fees — which guarantees a decision in 15 days — for employers to petition on behalf of an immigrant employee. The cost went from \$2,500 to \$2,805. The processing time frame has also changed from calendar days to business days, effectively extending the application period.

"That could be a significant slowdown for people as well because in a lot of these cases, for businesses, it's like yes, the money is important, but every day that they can't hire the person is also, you know, a business loss as well," said Alcorn.

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