

New, Higher USCIS Filing Fees Take Effect April 1, 2024

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Many USCIS filing fees are being adjusted upward beginning on April 1, 2024. That date, of course, is particularly significant. It is the earliest date that Cap H-1Bs can be filed.

The H-1B filing fee, for example, will rise from \$460 to \$780. The ACWIA Fee (to fund the training of U.S. workers) and the Fraud Fee will remain the same: \$750-\$1,500 (depending on the employer's size) and \$500, respectively. USCIS is adding an Asylum Program Fee (APF) of \$600 for most employers filing I-129s (Petitions for Nonimmigrant Workers). That brings the total H-1B fee for most employers up to \$3,380 (without any premium processing).

The only fee increase that will not affect this year's cap cases is the registration fee. It will remain at \$10 per registration for the 2024 lottery season. Next year, the registration fee will jump to \$215 per registration.

There will be an exception to the H-1B filing fee increase for small employers (those with fewer than 25 full-time equivalent employees, or FTEs) and nonprofits. For those groups, the filing fee will remain at \$460. They will also be excepted from the full APF. Instead of \$600, the APF will be \$0 for nonprofits and \$300 for small employers.

In instituting the new fees, USCIS, which is fee-funded, notes that the filing fees have not been fully updated since 2016. The new fees have been set to cover adjudication costs completely and balance "beneficiary pays" and "ability to pay" principles. USCIS received more than 5,400 comments in response to their notice of rulemaking and that led to some changes in the final rule. A few fees went down – none went up. Basically, the [most significant fee increases are still for employment-based cases](#), with some small discounts for online filings where possible.

Examples of the new filing fees for employers with more than 25 FTEs include:

- Form I-129 L visa fees – go from \$460 up to \$1,385 plus the \$600 APF
- Form I-129 O visa fees – go from \$460 up to \$1,055 plus the \$600 APF
- Form I-129 H-2B for Temporary Nonagricultural Season Workers (with named beneficiaries) –

go from \$460 to \$1,080 plus the \$600 APF

- Form I-539 Applications for Dependents – go from \$370 up to \$470
- Form I-140 Immigrant Visa Petition – go from \$700 up to \$715 plus the \$600 APF
- Form I-485 Application to Register Permanent Residence of Adjust Status – go from \$1,140 up to \$1,440
- Form I-765 Applications for Employment Authorization – go from \$410 up to \$520
- Form I-526/526E Immigrant Petition by a Standalone/Regional Center Investor – go from \$3,675 up to \$11,160

The full table of fee increases takes up [eight pages in the Federal Register](#).

Along with the new fees, revised forms will go into effect on April 1, 2024. USCIS will accept prior forms during a grace period that will run through June 3, 2024. However, there will be no grace period for several forms including Forms I-129 and Forms I-140.

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