



The USCIS Fee Rule: What you Need to Know

August 3, 2020, USCIS published a new rule that, in a nutshell, exponentially increases immigration application fees, charges asylum seekers for filing asylum applications (for the first time) and removes most fee waivers and fee exemptions. **The new fee increases will not take effect until October 2, 2020.**

Toplines from the USCIS Fee Rule:

- Introduces a non-waivable \$50 fee for asylum applications. However, UC's in removal proceedings are exempt from the \$50 asylum application fee (I-589)
- Exponential increase in fees for all applications, for instance: naturalization (83% increase); adjustment of status (51% increase for families); and refugee travel documents (10% increase) [see chart below for more information]
- Eliminates most fee waivers and exemptions for applications
- Incentivizes filing online versus submitting paper applications by offering a \$10 reduction in cost for filing fees

When will the rule go into effect?

October 2, 2020

How the USCIS Fee Increases Impact: Refugees and SIV's, Asylum Seekers, UC's and SIJ's, and DACA?

1. Refugees and SIV's

Refugees are exempt from the adjustment of status application fees (I-485) and for filing initial Employment Authorization (EAD) form I-765. Refugees will be charged for applying for naturalization (Form N-400).

SIV's can request a fee waiver for Naturalization, Certificates of Naturalization applications and when filing for Adjustment of Status (I-485). This fee waiver is only available for: Afghan or Iraqi Interpreter, an Iraqi National employed by or on behalf of the U.S. Government, or an Afghan National employed by the U.S. Government or the International Security Assistance Forces (ISAF)

2. Asylum Seekers

A historic first for the U.S, asylum seekers will have to pay a \$50 application fee for filing for asylum and will not have the option of requesting a fee waiver.

Fee waivers for filing an initial Form I-765 will be provided to individuals who were granted asylum (asylees). No fee waivers will be made available to asylum seekers (individuals who have not had their asylum granted) in connection with filing Form I-765 with USCIS.

Asylum applicants applying for employment authorization will be required to pay a \$30 fee for biometric services for Form I-765

3. Children (UC’s and SIJs)

Unaccompanied children in removal proceedings are exempt from the \$50 asylum application fee (I-589)

Fee waiver requests for SIJ’s are available for: Adjustment of Status, Naturalization, Certificates of Naturalization on the condition that:

- SIJs who, at the time of filing, have been placed in out-of home care under the supervision of a juvenile court or a state child welfare agency

4. DACA

DHS will maintain the DACA policy fees as in effect before September 5, 2017, at \$410 for employment authorization and \$85 for biometric services.

Snapshot of the Fee Increases

Immigration Benefit/Application	Current Fee	Final Fee	Change	% Increase
I-130 Petition for Alien Relative (paper filing)	\$535	\$560	\$25	5%
I-130 Petition for Alien Relative (online filing)	\$535	\$550	\$15	3%
I-131 Refugee Travel Document	\$135	\$145	\$10	7 %

for an individual age 16 or older				
I-131 Refugee Travel Document for a child under the age of 16	\$105	\$115	\$10	10%
I-485 Application to Register Permanent Residence	\$1,140	\$1,130	-\$10	-1%
I-485 Application to Register Permanent Residence (For children's adjustment of status as a derivative of her/his parent)	\$750	\$1,130	\$380	51%
I-765 Application for Employment Authorization (Non-DACA)	\$410	\$550	\$140	34%
N-400 Application for Naturalization (online filing)	\$640	\$1,160	\$520	81%
N-400 Application for Naturalization (paper filing)	\$640	\$1,170	\$530	83%
I-212 Application for Permission to Reapply for	\$930	\$1,050	\$120	13%

Admission into the U.S. After Deportation or Removal				
I-290B Notice of Appeal or Motion	\$675	\$700	\$25	4%
I-881 Application for Suspension of Deportation or Special Rule Cancellation of Removal (For individuals)	\$285	\$1,810	\$1,525	535%
I-881 Application for Suspension of Deportation or Special Rule Cancellation of Removal (For families)	\$570	\$1,810	\$1,240	218%