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If you have questions regarding the information in this alert or would like to receive further information regarding our Business Immigration practice, please contact:

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USCIS Adjusts Filing Fees for Immigration Benefits

On September 23, 2010, the United States Citizenship and Immigration Services (USCIS) announced a final rule adjusting fees for immigration applications and petitions. The new filing fees will take effect on November 23, 2010.

Impact of Fee Adjustments

The final rule increases overall fees by a weighted average of about 10 percent. USCIS has reduced some fees, while raising other fees. The new fees are as follows for frequently-used business immigration:

Form Number	Application/Petition Description	Current Fee	New Fee
I-129	Petition for a Nonimmigrant Worker (includes H-1B, L-1A, L-1B and E-2) <ul style="list-style-type: none"> \$500 anti-fraud fee and \$1,500 or \$750 training fee may also apply Additional fees of \$2,000 or \$2,250 may apply if company employs 50 or more employees in the United States and over 50 percent of company employees are H or L nonimmigrants 	\$320	\$325
I-131	Application for Travel Document	\$305	\$360
I-140	Immigrant Petition for Alien Worker	\$475	\$580
I-485	Application to Adjust Status (includes I-131 and I-765 adjudications) Children under 14 who file concurrently with their parent	\$930 \$600	\$985 \$635
I-539	Application to Extend/Change Nonimmigrant Status	\$300	\$290
I-765	Application for Employment Authorization	\$340	\$380
I-907	Application for Premium Processing	\$1,000	\$1,225
Biometrics	Capturing, Processing and Storing Biometrics	\$80	\$85

New Fee for Immigrant Visa Processing

The final rule also establishes a new \$165 fee to recover USCIS costs related to the processing of immigrant visas granted by the Department of State. The Department of State will collect this fee on behalf of the USCIS.

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Scope of Fee Increase

The fee increase impacts immigration petitions and applications filed with USCIS. It does not impact Blanket L-1A/L-1B petitions or E applications filed at a United States Consulate abroad.

Reasons for Fee Increase

USCIS is primarily a fee-based organization. Fee revenues in fiscal years 2008 and 2009 were much lower than projected and fee revenues in fiscal year 2010 remain low. USCIS has determined that it must raise fees to recover the costs of its operations and meet application processing goals.

Contact Us

The final rule and a detailed chart identifying the adjusted fees for all immigration applications and petitions filed with USCIS is available at www.uscis.gov. If you have questions regarding the fee increase or other business immigration matters, please contact Carol A. Friend at cfriend@honigman.com (313.465.7374), Jamie T. McCoy at jmccoy@honigman.com (313.465.7458), or Meghan N. Covino at mcovino@honigman.com (313.465.7406).

About Us

Honigman's Business Immigration Practice Group provides a full range of legal services to national and international companies based throughout the United States. We are experienced in matters such as counseling employers on immigration laws and regulations; Form I-9 compliance, audits and policies; PERM labor certification; H-1B Petitions and Labor Condition Application compliance; E-1 and E-2 applications and registration; L-1A and L-1B individual and blanket petitions; O-1 petitions; J-1 waivers; obtaining TN status under the North American Free Trade Agreement; immigrant petitions based on the first, second and third employment-based preferences; Adjustment of Status and Consulate Visa Processing; and counseling companies on the impact of mergers, acquisitions and other corporate reorganizations on immigration matters.

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