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BLG Newsflash – May 4, 2016 - USCIS Proposes 21% Fee Hikes

USCIS released proposed fee hikes for all immigration petitions in the Federal Register on May 4, 2016. After a public comment period of 60 days the fees should go into effect. While some fee increases are minimal others are quite substantial. We are attaching the chart from the Federal Register for your review. **The takeaway from this announcement is: If you've been procrastinating filing for Permanent Residence (\$155 increase), Green Card Renewal (\$90 increase), Naturalization (\$45 increase), or a Certificate of Citizenship (\$580 increase!) now is the time to file.**

If you are interested in learning more about these new developments, please contact our firm at (713) 980-9939 or admin1@barnett-lawgroup.com.

Table 9 depicts the current and proposed USCIS fees for immigration benefits and biometric services. For a

more detailed description of the basis for the changes described in this table, see Appendix Table 4 in the FY 2016/

2017 Fee Review Supporting Documentation accompanying this proposed rule.

TABLE 9—PROPOSED FEES BY IMMIGRATION BENEFIT

Immigration benefit request	Current fee (\$)	Proposed fee (\$)	Delta (\$)	Percent change
G-1041 Genealogy Index Search Request	\$20	\$65	\$45	225
G-1041A Genealogy Records Request (Copy from Microfilm)	20	65	45	225
G-1041A Genealogy Records Request (Copy from Textual Record)	35	65	30	86
I-90 Application to Replace Permanent Resident Card	365	455	90	25
I-102 Application for Replacement/Initial Nonimmigrant Arrival-Departure Document	330	445	115	35
I-129 Petition for a Nonimmigrant worker	325	460	135	42
I-129F Petition for Alien Fiancé(e)	340	535	195	57
I-130 Petition for Alien Relative	420	535	115	27
I-131/I-131A Application for Travel Document	360	575	215	60
I-140 Immigrant Petition for Alien Worker	580	700	120	21
I-290B Notice of Appeal or Motion	630	675	45	7
I-360 Petition for Amerasian Widow(er) or Special Immigrant	405	435	30	7
I-485 Application to Register Permanent Residence or Adjust Status	985	1,140	155	16
I-526 Immigrant Petition by Alien Entrepreneur	1,500	3,675	2,175	145
I-539 Application to Extend/Change Nonimmigrant Status	290	370	80	28
I-600/600A/800/800A Orphan Petitions	720	775	55	8
I-601A Application for Provisional Unlawful Presence Waiver	585	630	45	8
I-687 Application for Status as a Temporary Resident under Section 245A of the Immigration and Nationality Act	1,130	1,130	0	0
I-690 Application for Waiver of Grounds of Inadmissibility	200	715	515	258
I-694 Notice of Appeal of Decision	755	890	135	18
I-698 Application to Adjust Status From Temporary to Permanent Resident (Under Section 245A of the INA)	1,020	1,670	650	64
I-751 Petition to Remove Conditions on Residence	505	595	90	18
I-765 Application for Employment Authorization	380	410	30	8
I-800A Supp. 3 Request for Action on Approved Form I-800A	360	385	25	7
I-817 Application for Family Unity Benefits	435	600	165	38
I-824 Application for Action on an Approved Application or Petition	405	465	60	15
I-829 Petition by Entrepreneur to Remove Conditions	3,750	3,750	0	0
I-910 Application for Civil Surgeon Designation	615	785	170	28
I-924 Application for Regional Center Designation Under the Immigrant Investor Program	6,230	17,795	11,565	186
I-924A Annual Certification of Regional Center	0	3,035	3,035	N/A
I-929 Petition for Qualifying Family Member of a U-1 Nonimmigrant	215	230	15	7
N-300 Application to File Declaration of Intention	250	270	20	8
N-336 Request for Hearing on a Decision in Naturalization Proceedings	650	700	50	8
N-400 Application for Naturalization	595	640	45	8
N-470 Application to Preserve Residence for Naturalization Purposes	330	355	25	8
N-565 Application for Replacement Naturalization/Citizenship Document	345	555	210	61
N-600/N-600K Application for Certificate of Citizenship	600	1,170	570	95
I-191, I-192, I-193, I-212, I-601, I-602, I-612 Waiver Forms	585	930	345	59
USCIS Immigrant Fee	165	220	55	33
Biometric Services	85	85	0	0

X. Statutory and Regulatory Reviews

A. Regulatory Flexibility Act

In accordance with the RFA, 5 U.S.C. 601(6), USCIS examined the impact of this rule on small entities. A small entity may be a small business (defined as any independently owned and operated business not dominant in its field that qualifies as a small business per the Small Business Act, 15 U.S.C. 632), a small not-for-profit organization, or a small governmental jurisdiction (locality with fewer than 50,000 people). Below is a summary of the small entity analysis. A more detailed analysis is available in the rulemaking docket at <http://www.regulations.gov>.

Individuals rather than entities submit the majority of immigration and naturalization benefit applications and petitions. Entities that would be affected by this rule are those that file and pay the fees for certain immigration benefit applications and petitions. There are four categories of USCIS benefits that are subject to a RFA analysis for this rule: Petition for a Nonimmigrant Worker, Form I-129; Immigrant Petition for an Alien Worker, Form I-140; Application for Civil Surgeon Designation, Form I-910; and the Application for Regional Center

Designation Under the Immigrant Investor Program, Form I-924.⁷⁷

DHS does not believe that the increase in fees proposed in this rule will have a significant economic impact on a substantial number of small entities that are filing Form I-129, Form I-140, or Form I-910. However, DHS does not have sufficient data on the revenue collected through administrative fees by regional centers to definitively determine the economic impact on small entities that may file Form I-924.

⁷⁷ Also captured in the dataset for Form I-924 is the Supplement Form I-924A, which regional centers must file annually to certify their continued eligibility for regional center designation.