

## Understanding the Sharp Increase in U.S. Immigration Fees



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Immigration is a word that is in the news frequently. Lately, it seems to be about the southern border and enforcement. What has received far less attention is the exponential increase in fees for adjudication of petitions and applications.

Immigration fees are generally considered to be user fees. That means the government does not collect and expend taxes to operate the immigration function for the country, but that the collected fees should suffice for the operations of U.S. Citizenship and Immigration Services. A significant diversion from this in the new fees that go into effect on April 1, 2024, is the imposition of a Standard Asylum Program Fee on every I-129 (work permit petition) and I-140 (employment-based green card petition). An asylum fee has nothing to do with the petitions against which the fee is being levied. These fees will range from \$300-\$600 per filed petition.

Numerous filing fees are rising at rates that exceed 100% and even 200% of the current filing fees. If the government bureaucracy is to be believed, these fees will speed up service. Past experience suggests that this is wishful thinking.

The Premium Processing Fee, whereby an additional filing fee guarantees a response in 15 days or less, is increasing by a modest 12%. For this extra fee, a petitioner or applicant gets nothing more than a trip to the front of the line. For the added fee which begins early on February 26, 2024, the petitioner or applicant will receive slower service. You read that right—with the added fees comes a longer adjudication period. The guaranteed time frame has been increased from 15 calendar days to 15 business days.

U.S. Citizenship and Immigration Services has room for improvement in their adjudication times. Time will tell if these higher fees will make a difference.

If you or someone you know has questions regarding fees related to U.S. immigration, please contact Lippes Mathias immigration practice team members Eileen M. Martin ([emartin@lippes.com](mailto:emartin@lippes.com)) or Elizabeth M. Klarin ([eklarin@lippes.com](mailto:eklarin@lippes.com)).

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