

Premium Processing Fee Increase Effective Immediately (10/19/2020)

On Friday, October 16, 2020, U.S. Citizenship and Immigration Services (USCIS) announced that it will increase fees for premium processing, to take effect Monday, October 19, 2020, as required by the Continuing Appropriations Act, 2021 and Other Extensions Act, Pub. L. No. 116-159, signed into law on October 1, 2020. The USCIS premium processing service allows petitioners to pay an additional filing fee to expedite the adjudication of certain petitions within 15 days. The Act included the Emergency Stopgap USCIS Stabilization Act, which requires USCIS to establish and collect additional premium processing fees, and to use those additional funds for expanded purposes.

Pub. L. No. 116-159 increases the fee for Form I-907, Request for Premium Processing, from \$1,440 to \$2,500, for all filings except those from petitioners requesting H-2B or R-1 nonimmigrant status. The premium processing fee for petitioners filing Form I-129 requesting H-2B or R-1 nonimmigrant status is increasing from \$1,440 to \$1,500.

Any Form I-907 postmarked on or after October 19, 2020, **must** include the new fee amount. USCIS has noted that if they receives a Form I-907 postmarked on or after October 19, 2020, with the incorrect filing fee, they will reject the Form I-907 and return the filing fee. For filings sent by commercial courier (e.g., UPS, FedEx, and DHL), the postmark date is the date reflected on the courier receipt.

Pub. L. No. 116-159 also gives USCIS the ability to expand premium processing to additional forms and benefit requests. However, at this time USCIS is not yet taking that action. Any expansion of premium processing to other forms will be implemented as provided in the legislation.



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