

The Department of Homeland Security has published a final rule increasing USCIS premium processing fees, and the change is tied to inflation for the period covering June 2023 through June 2025. The rule is not a surprise, at least not on paper. The USCIS Stabilization Act authorizes DHS to adjust premium processing fees every two years to reflect inflation.

The new premium processing fees take effect **March 1, 2026**.

## **What is premium processing, in plain terms?**

Premium processing is an optional service offered by USCIS for certain forms and classifications, but only when USCIS has specifically announced that premium processing is available for that particular filing.

When it is available and properly requested, premium processing provides a guaranteed USCIS response within 15 calendar days.

A “response” does not always mean an approval. It means USCIS will take one of the standard actions, for example:

- Approval
- Denial
- Request for Evidence (RFE)
- Notice of Intent to Deny (NOID)

- Other case-related action that meets the premium processing response requirement

So the value is speed and predictability of an initial decision point, not necessarily a favorable outcome.

## Why are the fees increasing?

DHS is adjusting the fees to reflect inflation, consistent with the authority given under the [USCIS Stabilization Act](#). This is part of a broader effort to maintain more sustainable USCIS funding without relying as heavily on unpredictable swings in filing volumes.

DHS has stated that the added revenue is intended to support:

- Premium processing services themselves
- Improvements to adjudication processes
- Backlog reduction and backlog processing efforts
- Funding for USCIS operations more broadly, including adjudication and naturalization services

Whether the increase will directly translate into faster overall processing or meaningful [backlog reduction](#) is something we will only be able to evaluate after implementation. The intent is clear, the results will take time to measure.

## Effective date: March 1, 2026 (and why that matters)

The new premium processing fees take effect **March 1, 2026**.

That date matters for a simple but painful reason: **incorrect fees submitted on or after March 1, 2026 will be rejected.**

Rejections can be more than an inconvenience. They can create gaps in work authorization planning, disrupt start dates, and in some cases affect status maintenance if a filing is time-sensitive. This is one of those situations where a small mistake can turn into a big one.

If you are filing close to the effective date, it is worth planning carefully around mailing dates, delivery confirmation, and the fee amount included.

## New premium processing fees (effective March 1, 2026)

USCIS premium processing fees will be updated as follows:

| Form / Category                                     | New Premium Processing Fee (Effective March 1, 2026) |
|---|--|
| <b>Form I-129</b> (H-2B or R-1 nonimmigrant status) | <b>\$1,780</b>                                       |

|   |                |
|---|----------------|
| <b>Form I-129</b> (all other classifications eligible for premium processing) | <b>\$2,965</b> |
| <b>Form I-140</b> ( <a href="#">employment-based immigrant petition</a> )     | <b>\$2,965</b> |
| <b>Form I-539</b> (F, M, or J categories)                                     | <b>\$2,075</b> |
| <b>Form I-765</b> (OPT or STEM OPT)   | <b>\$1,780</b> |

A couple of quick notes that tend to get missed:

- These are **premium processing fees**, meaning they are generally paid in addition to the underlying filing fee(s).
- Premium processing is **not automatically available** for every filing of these forms. Eligibility and availability depend on USCIS announcements and the classification being requested.

## Who may feel the impact the most?

In a law firm setting, we see premium processing used as a tool. Sometimes it is essential, sometimes it is just a preference. Fee increases tend to hit certain groups harder.

## **Employers, especially smaller employers**

Large employers may treat premium processing as a predictable cost of doing business. Smaller employers often have to weigh the fee against payroll, recruiting costs, and cash flow. When the premium fee climbs, the question becomes sharper: do we truly need it, or can we wait?

That can affect hiring timelines and planning, particularly for:

- Time-sensitive H-1B changes of employer (when eligible for premium)
- [O-1 cases tied to projects or performances](#)
- Cap-exempt filings where start dates matter

## **Students and recent graduates (OPT and STEM OPT)**

For many F-1 students, the OPT clock is not forgiving. Delays can affect start dates and employment eligibility. A higher premium processing fee for **Form I-765 (OPT/STEM OPT)** may be an especially difficult increase for students who are already budgeting for filing fees, living expenses, and relocation costs.

## **Employment-based permanent residence planning**

For **Form I-140**, premium processing can be part of a larger green card strategy, sometimes used to speed up eligibility for certain next steps, or to reduce uncertainty when planning extensions or travel. A higher fee may cause some employers and employees to reconsider where premium processing fits into the overall case timeline.

## **Will higher premium processing fees mean faster results overall?**

DHS has said the increased revenue is intended to improve adjudication processes, address backlogs, and support USCIS funding.

The intention is positive. But it is also fair to say that the effectiveness of the increase, in terms of measurable faster processing or reduced backlogs, is uncertain until after implementation and real-world data becomes available.

In the meantime, premium processing remains what it has been for many filers. A paid option for a faster guaranteed response window on eligible cases. Not a guarantee of approval, and not a guarantee that the entire immigration system feels faster.

## A final note on fairness and accessibility

Any fee increase tends to spark debate.

Supporters argue that premium processing is a discretionary service and that inflation-based adjustments are necessary for USCIS to cover costs and maintain service levels. Critics often point out that higher fees can create financial strain, especially for students, smaller employers, and less affluent applicants, and can deepen inequities in who can access faster processing.

From a policy perspective, this is the [balancing act. Efficiency, fairness, accessibility](#). And the balance is delicate, because immigration timelines can have life-changing consequences.

For now, the practical takeaway is simple: the increase is scheduled, the amounts are known, and planning ahead is the best way to avoid avoidable problems.