

# GMS Flash Alert

## Immigration

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## United States – Visa Integrity Fee Introduced, Changes to USCIS Fees

On July 4, 2025, H.R.1, the *One Big Beautiful Bill Act* (“OBBBA”), was signed into law (Public Law 119-21).<sup>1</sup> It outlines a new Visa Integrity Fee that will affect individuals who need to secure a visa at a U.S. embassy or consulate outside the United States. Beginning on October 1, 2025, a \$250 fee will be imposed on foreign nationals applying for non-immigrant visas. While the fee is refundable, it remains unclear how the amount will be credited back to applicants.

On July 18, 2025, U.S. Citizenship and Immigration Services (USCIS) announced the implementation of new fees to be collected beginning on July 22, 2025, in line with the OBBBA.<sup>2</sup> This will impact individuals filing Forms I-589, I-765 (for asylum, parolee, and TPS categories), I-360, and I-821. The agency stated that fee changes to Forms I-131 and I-102 will be implemented by the Department of Homeland Security (DHS) moving forward but are not covered in the current *Federal Register* Notice (FRN).

### WHY THIS MATTERS

Employers should remain aware of the rising expenses associated with bringing foreign talent to the U.S. given the recently introduced Visa Integrity Fee and increases in USCIS fees. Notably, hiring nationals from countries that require visas is now becoming increasingly expensive. The Visa Integrity Fee, which takes effect on October 1, 2025, will add to the “suite” of existing Department of State processing fees, including the Machine-Readable Visa (MRV) fee, reciprocity fees, anti-fraud fees, and others.

### Visa Integrity Fee and I-94 Fee Increase

The Visa Integrity Fee is intended to address visa over-stays. By providing an incentive to receive the fee back after complying with the terms of the visa, the government aims to reduce non-compliance by foreign nationals. This fee of \$250 is expected to increase over time in proportion to inflation.

The Visa Integrity Fee does not apply to individuals who are visa-exempt, such as Canadian nationals or nationals of Visa Waiver Program (VWP) countries who are required to apply for Electronic System for Travel Authorization (ESTA). However, any fees associated with the ESTA application will still be applicable.

According to the OBBBA, the Visa Integrity Fee will be refunded to applicants at the expiration of their visa period, provided they have demonstrated compliance with the visa terms.

Further, the OBBBA stipulates that applicants requesting Form I-94, *Arrival/Departure Record*, will be subject to a fee of no less than \$24. This fee will also be adjusted over time to account for inflation but will not be refundable.

## USCIS Updates Fees Based on OBBBA

A *Federal Register* Notice published by USCIS on July 18, 2025, provided new USCIS processing fees for certain forms, as follows:

- \$100: Applicants filing **Form I-589, *Application for Asylum and for Withholding of Removal***.
- \$100: **Annual Asylum Fee** to be paid online by all applicants with a **pending Form I-589** for each calendar year that the application remains pending.
  - USCIS will issue personal notices to applicants when their fee is due, including: amount, when it must be paid, how to pay, consequences of failing to pay.
- \$550: Initial applications of **Form I-765, *Application for Employment Authorization for asylum, parolee, and Temporary Protected Status*** categories → (a)(4), (a)(12), (c)(8), (c)(11), (c)(19), and (c)(34).
  - Exception: If an applicant requests an EAD after USCIS approves a new period of parole (re-parole) by filing Form I-131, *Application for Parole Documents*, the fee will be \$275.
- \$275: **Extension applications of Form I-765** in the aforementioned categories.
- \$250: Applicant as a special immigrant juvenile filing **Form I-360, *Petition for Amerasian, Widow(er), or Special Immigrant***.
- \$50 to \$500 range: Maximum cost to register for TPS with **Form I-821, *Application for Temporary Protected Status***.

USCIS will begin collecting the new fees with applications postmarked on or after July 22, 2025. USCIS will reject any form postmarked on or after August 21, 2025, without the proper fees. Fees will be charged in addition to current USCIS fees, and each fee must be submitted separately. If the requestor is eligible for a fee waiver of existing fees, they may submit Form I-912, *Request for Fee Waiver*. However, this only applies to current fees, not new fees announced under OBBBA.

### Change in Period of Employment Authorization

For parolees, the initial employment authorization period has now been changed to a period of no more than one year or for the duration of the foreign national's parole, whichever is shorter.

For TPS holders, the initial and renewal employment authorization period has now been changed to a period of no more than one year or for the duration of the TPS holder's status, whichever is shorter.

## KPMG LAW LLP INSIGHTS

The increase in USCIS fees aligns with the current administration's broader goals of enhancing border security and discouraging non-compliance with terms of authorized stays in the United States.<sup>4</sup>

Unlike other visa-related charges, the Visa Integrity Fee is intended to be refundable. However, the process for obtaining this refund remains unclear at this time, raising potential concerns for both employers and visa applicants. Additionally, any breach in visa compliance will result in the forfeiture of this fee, making its reimbursement less likely in certain scenarios. Questions have arisen as to whether the Visa Integrity Fee can even be recouped considering the potential for delays in the refund process and the risk of forfeiture.

Employers should keep these factors in mind as they plan for recruiting and relocating foreign talent, as the additional costs and potential delays could impact hiring strategies.

Employers concerned about the potential impact of the Visa Integrity Fee on internal budgets may wish to consider having employees apply for non-immigrant benefits before October 1, 2025, when the Visa Integrity Fee is set to take effect. **The window to file USCIS petitions using current fees that have seen increases under OBBBA will be a shorter one, ending on August 21, 2025.**

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### FOOTNOTES:

1 For the text and stages of the OBBA, see the Congress.gov website at: <https://www.congress.gov/bill/119th-congress/house-bill/1>.

On the announcement of the signing of the OBBBA, see the "One Big Beautiful Bill" [webpage](#) on the White House website.

2 See "[USCIS Immigration Fees Required by HR-1 Reconciliation Bill: A Notice by the Homeland Security Department on 07/22/2025](#)" (in the *Federal Register* (online)).

3 Id.

4 See the White House webpage: <https://www.whitehouse.gov/issues/border-immigration/>.

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## Contact us

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