

2026 Immigration Policy Changes Guide

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The U.S. immigration landscape continues to evolve with new fee structures, updated income requirements, shifting enforcement priorities, and fluctuating processing times. This guide covers the five most impactful policy areas for immigrants and their families in 2026. Each section includes practical impact statements so you understand exactly how these changes affect your case and your budget.

USCIS Fee Increases

Major fee changes took effect April 1, 2024 and remain current for 2026. Form I-130 increased to \$535, N-400 (naturalization) rose to \$710, I-485 (adjustment of status) jumped to \$1,440, and I-765 (EAD) is now included at no extra charge when filed with I-485.

Practical Impact:

A family filing I-130 + I-485 + I-765 now pays \$1,975 in USCIS fees alone (up from \$1,760 previously). Budget accordingly and file promptly to avoid further increases.

The 2026 USCIS fee schedule reflects the largest fee increase in USCIS history. Key changes beyond the headline numbers: asylum applications (I-589) now carry a \$50 fee for the first time ever, work permits filed standalone cost \$410, and biometrics fees have been eliminated (rolled into application fees). Fee waivers remain available for applicants below 150% of the poverty guidelines. For families planning multiple filings, consider submitting all applications simultaneously to lock in current fee levels.

2026 Poverty Guidelines for I-864

The 2026 HHS Federal Poverty Guidelines set the minimum income requirements for sponsors filing the Affidavit of Support (I-864). For the 48 contiguous states: a household of 2 requires \$21,150 (125% = \$26,438), household of 4 requires \$32,150 (125% = \$40,188), and household of 6 requires \$43,150 (125% = \$53,938).

Practical Impact:

A family of 4 sponsoring an immigrant now needs a household income of at least \$40,188 per year. If the petitioner does not meet this threshold, a joint sponsor is required.

The I-864 Affidavit of Support is a legally binding 10-year obligation. Sponsors remain financially responsible until the immigrant naturalizes, earns 40 qualifying quarters of work, dies, or permanently departs the U.S. For 2026, the income requirement increases by approximately 3.2% over 2025. Active-duty military sponsors qualify at 100% (not 125%) of the poverty guidelines. Assets can supplement income at a 3:1 ratio (or 5:1 for non-spouse family members).

TPS Designation Updates

As of early 2026, TPS designations remain active for multiple countries including Sudan, Syria, Yemen, Somalia, Lebanon, Haiti, Venezuela, Afghanistan, Ukraine, and Myanmar. Several designations have been extended through 2026-2027, though some face legal challenges and potential termination.

Practical Impact:

TPS holders must re-register during designated periods to maintain their status. Missing a registration deadline results in loss of TPS status and work authorization.

TPS holders from Arab-majority countries should note: Sudan TPS has been designated since 1997 and was most recently extended. Syria TPS has been in effect since 2016. Yemen TPS remains active with periodic extensions. Lebanon received an initial TPS designation following the 2020 Beirut explosion. Each designation has specific registration periods — missing these windows means losing work authorization and protection from removal. Re-registration typically requires filing Form I-821 with supporting documentation.

Processing Time Trends

USCIS processing times in 2026 show mixed trends. I-130 processing for immediate relatives averages 12-16 months. N-400 naturalization applications take 8-14 months. I-485 adjustment of status ranges from 10-24 months depending on category. Asylum office affirmative cases continue to face multi-year backlogs.

Practical Impact:

File early and maintain complete documentation. Incomplete applications trigger RFEs that add 2-4 months to processing. Consider premium processing (\$2,805) where available for employment-based petitions.

To minimize processing delays: (1) Use the USCIS online filing system where available — online cases process 20-30% faster than paper filings. (2) Respond to RFEs within 60 days, not the full 87 days allowed. (3) Proactively submit secondary evidence with initial applications. (4) Monitor your case status weekly through the USCIS online portal. (5) Consider congressional inquiries for cases outside normal processing times. (6) Premium processing is now available for I-140, I-129, and certain I-539 applications.

Enforcement Policy Changes

The current administration has expanded interior enforcement priorities, increased worksite enforcement operations, and implemented stricter criteria for prosecutorial discretion. ICE enforcement actions have increased significantly compared to prior years, with a focus on individuals with criminal records and final orders of removal.

Practical Impact:

Maintain valid immigration status at all times. Respond promptly to all USCIS notices. Consult an immigration professional before any travel if you have pending applications or prior immigration violations.

Key steps to protect yourself: (1) Carry valid immigration documents at all times. (2) Know your rights during encounters with immigration officers. (3) Have an immigration attorney's contact information readily available. (4) Keep copies of all immigration documents in a secure location outside your home. (5) Do not sign any documents you do not understand. (6) Do not open your door to immigration officers without a judicial warrant. (7) Exercise your right to remain silent and request an attorney.

Questions About How These Changes Affect You?

Our bilingual team can review your specific situation and help you navigate these policy changes. Call us today for a consultation.

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