

ALERTS AND UPDATES

Immigration Fees Increase; November Cut-Off Dates See Little Movement

November 2, 2010

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November Visa Bulletin

The [November 2010 Visa Bulletin](#) indicates that visas in the Employment-Based First and Second Preference categories (EB-1 and EB-2) are current, with the exception of EB-2 applications from Mainland China and India. The cut-off date for Chinese nationals in the EB-2 category advanced by a week to June 1, 2006, and there was no movement for Indian nationals, whose cut-off date remains at May 8, 2006. Priority dates in the Employment-Based Third Preference category (EB-3) advanced by almost two weeks for all nationalities, except for nationals from India and Mexico, for whom the dates advanced approximately one week. Similarly, the dates for the Other Workers category inched forward by a week.

Employment-Based Preference Category	All Chargeability Areas Except Those Listed	China—Mainland Born	India	Mexico	Philippines
EB-1	Current	Current	Current	Current	Current
EB-2	Current	June 1, 2006	May 8, 2006	Current	Current
EB-3	Jan. 22, 2005	Nov. 22, 2003	Jan. 22, 2002	May 1, 2001	Jan. 22, 2005

Immigration Filing Fees Increase on November 23, 2010

Effective on Tuesday, November 23, 2010, the filing fees for almost all U.S. Citizenship and Immigration Services (USCIS) immigration applications and petitions will increase by approximately 10 percent. The fee increase follows in the wake of a mandatory fee review conducted by USCIS every two years to determine whether the agency is capable of meeting its budget, 90 percent of which is derived from fees paid by applicants and petitioners seeking immigration benefits. The [final rule](#) on the fee increase was published in the *Federal Register* on September 24, 2010.

Businesses filing I-140 petitions for immigrant workers will face an increase of over \$100. Premium processing fees will be raised by \$225.

Adjustment of status fees will increase by \$55, and fees associated with I-129 petitions for nonimmigrant workers will increase by \$5.

Additionally, three new fees will be imposed:

1. to establish a regional center designation under the Immigrant Investor Pilot Program (EB-5);
2. for individuals seeking civil surgeon designation; and
3. for recovery of the cost of processing immigrant visas granted by the U.S. Department of State. Reductions in fees will go into effect for the following six individual applications and petitions:
 - Petition for Alien Fiancé(e) (Form I-129F);
 - Application to Extend/Change Nonimmigrant Status (Form I-539);

- Application to Adjust Status from Temporary to Permanent Resident (Form I-698);
- Application for Family Unity Benefits (Form I-817);
- Application for Replacement Naturalization/Citizenship Document (Form N-565); and
- Application for Travel Document (Form I-131), when filed for Refugee Travel Document.

A complete schedule of the adjusted fees that will take effect on November 23, 2010, alongside the existing fees in effect until that date, can be found at the USCIS website.

The schedule is below:

Form No.	Application / Petition Description	Existing Fees (effective through Nov. 22, 2010)	Adjusted Fees (effective from Nov. 23, 2010)
I-90	Application to Replace Permanent Resident Card	\$290	\$365
I-102	Application for Replacement / Initial Nonimmigrant Arrival-Departure Document	\$320	\$330
I-129/129CW	Petition for a Nonimmigrant Worker	\$320	\$325
I-129F	Petition for Alien Fiancé(e)	\$455	\$340
I-130	Petition for Alien Relative	\$355	\$420
I-131	Application for Travel Document	\$305	\$360
I-140	Immigrant Petition for Alien Worker	\$475	\$580
I-191	Application for Advance Permission to Return to Unrelinquished Domicile	\$545	\$585
I-192	Application for Advance Permission to Enter as Nonimmigrant	\$545	\$585
I-193	Application for Waiver of Passport and/or Visa	\$545	\$585
I-212	Application for Permission to Reapply for Admission into the U.S. after Deportation or Removal	\$545	\$585
I-290B	Notice of Appeal or Motion	\$585	\$630
I-360	Petition for Amerasian, Widow(er), or Special Immigrant	\$375	\$405
I-485	Application to Register Permanent Residence or Adjust Status	\$930	\$985
I-526	Immigrant Petition by Alien Entrepreneur	\$1,435	\$1,500

I-539	Application to Extend / Change Nonimmigrant Status	\$300	\$290
I-600/600A I-800/800A	Petition to Classify Orphan as an Immediate Relative / Application for Advance Processing of Orphan Petition	\$670	\$720
I-601	Application for Waiver of Ground of Excludability	\$545	\$585
I-612	Application for Waiver of the Foreign Residence Requirement	\$545	\$585
I-687	Application for Status as a Temporary Resident Under Sections 245A or 210 of the Immigration and Nationality Act	\$710	\$1,130
I-690	Application for Waiver of Grounds of Inadmissibility	\$185	\$200
I-694	Notice of Appeal of Decision Under Sections 245A or 210 of the Immigration and Nationality Act	\$545	\$755
I-698	Application to Adjust Status from Temporary to Permanent Resident (Under Section 245A of Public Law 99-603)	\$1,370	\$1,020
I-751	Petition to Remove the Conditions of Residence	\$465	\$505
I-765	Application for Employment Authorization	\$340	\$380
I-817	Application for Family Unity Benefits	\$440	\$435
I-824	Application for Action on an Approved Application or Petition	\$340	\$405
I-829	Petition by Entrepreneur to Remove Conditions	\$2,850	\$3,750
I-881	Application for Suspension of Deportation or Special Rule Cancellation of Removal (Pursuant to Section 203 of Public Law 105-110)	\$285	\$285
I-907	Request for Premium Processing Service	\$1,000	\$1,225
.	Civil Surgeon Designation	\$0	\$615
I-924	Application for Regional Center Under the Immigrant Investor Pilot Program	\$0	\$6,230
N-300	Application to File Declaration of Intention	\$235	\$250
N-336	Request for Hearing on a Decision in Naturalization Proceedings	\$605	\$650

N-400	Application for Naturalization	\$595	\$595
N-470	Application to Preserve Residence for Naturalization Purposes	\$305	\$330
N-565	Application for Replacement Naturalization/Citizenship Document	\$380	\$345
N-600/600K	Application for Certification of Citizenship / Application for Citizenship and Issuance of Certificate Under Section 322	\$460	\$600
.	Immigrant Visa DHS Domestic Processing	\$0	\$165
Biometrics	Capturing, Processing, and Storing Biometric Information	\$80	\$85

For Further Information

If you have any questions about this *Alert*, please contact any of the [attorneys](#) in our [Employment, Labor, Benefits and Immigration Practice Group](#) or the attorney in the firm with whom you are regularly in contact.

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