

OCTOBER 27, 2016 BULLETIN TO ALL IMMIGRATION CLIENTS

## Updates on the Department of Homeland Security's New Electronic Visa Update System and Immigration Fee Schedule

The Department of Homeland Security (DHS) recently issued two final immigration rules. First, DHS has established a new Electronic Visa Update System. Second, DHS has issued a new U.S. Citizenship and Immigration Services (USCIS) Filing Fee schedule for all nonimmigrant and immigrant visa petitions.

### **New Electronic Visa Update System**

DHS recently issued a final rule to establish the Electronic Visa Update System (EVUS), which will require all Chinese nationals holding an unrestricted maximum (10 year) validity B1/B2 (visitor) visa to enroll online, provide biographic information, and obtain a notification of compliance generally valid for a two-year period, prior to travel to the United States. EVUS stems from a reciprocal agreement between the governments of the United States and China to issue visitor visas with 10-year validity periods. The arrangement recognized that travelers would be required to periodically complete an online form updating their biographical information. EVUS may eventually be expanded to include a number of other countries and nonimmigrant visa categories.

**Starting on November 29, 2016, Chinese national B1/B2 visa holders must have a valid EVUS enrollment to travel to the United States.** To enroll in EVUS, visit [www.evus.gov](http://www.evus.gov) and enter the requested passport, visa, and other biographic information. The system may take up to 72 hours to adjudicate enrollment. Upon successful enrollment in EVUS, U.S. Customs and Border Protection (CBP) will issue an electronic notification of compliance, which indicates that the submission was successful and serves as proof of compliance with EVUS. CBP will not send an electronic or paper notification to the B1/B2 visa holder regarding the enrollment status. Instead, it is the visa holder's responsibility to verify whether he or she has a valid notification of compliance. Travelers who are subject to EVUS requirements but do not have valid enrollments will not be able to obtain a boarding pass or enter through a land port of entry.

CBP expects to begin accepting early EVUS enrollments on a voluntary basis in mid-October, before enrollments become mandatory on November 29, 2016. CBP and the Department of State will issue an announcement when the system is active, at which time all Chinese nationals carrying maximum validity B1/B2 visas in their passports may enroll in EVUS to ensure that they do not experience any inconvenience on or after November 29, 2016. The fee to enroll in EVUS is \$8.

Please note that Chinese nationals who currently hold valid maximum B1/B2 visas issued before November 29, 2016 are not required to obtain new visas but must enroll in EVUS to use their visas any time after the launch of the program. Applicants who receive 10-year B1/B2 visas on or after November 29, 2016 must enroll before their initial trip to the United States. Enrollment for all applicants will remain valid for two years or until the traveler's visa or passport expires, whichever comes first. Visa holders must then re-enroll in EVUS prior to the expiration of the notification of compliance to receive a new notification of compliance and to avoid revocation of his or her B1/B2 visa before traveling to the United States again.

### **New USCIS Filing Fee Schedule**

DHS also recently issued a final rule regarding a new fee schedule for immigration and naturalization benefit requests processed by USCIS. Immigration filing fees have increased, for the first time in six years, by 21%. Because USCIS is almost entirely funded by the fees paid by applicants and petitioners, the law requires USCIS to conduct fee reviews every two years to determine the funding levels necessary to administer the nation's immigration laws, process benefit requests, and provide the infrastructure needed to support those activities. **The new fee schedule will take effect on December 23, 2016.** Applications and petitions postmarked or filed on or after this date must include the new fees or USCIS will not accept them. Below please find a brief summary of the new nonimmigrant and immigrant visa filing fees for some of the more common benefits:

<b>Immigration Benefit</b>	<b>New</b>	<b>Old</b>
I-90 Application to Replace Permanent Resident Card	\$455	\$365
I-129 Petition for a Nonimmigrant worker	\$460	\$325
I-129F Petition for Alien Fiancé(e)	\$535	\$340
I-130 Petition for Alien Relative	\$535	\$420
I-131/I-131A Application for Travel Document	\$575	\$360
I-140 Immigrant Petition for Alien Worker	\$700	\$580
I-485 Application to Register Permanent Residence or Adjust Status	\$1,140	\$985
I-485 Application to Register Permanent Residence or Adjust Status (under the age of 14 years)	\$750	\$635
I-539 Application to Extend/Change Nonimmigrant Status	\$370	\$290
I-765 Application for Employment Authorization	\$410	\$380
N-400 Application for Naturalization	\$640	\$595

Please contact any member of the Cohen & Grigsby Immigration Department if you have any questions regarding the above at 412.297.4900. To receive future bulletins, please send an e-mail to [bulletins@cohenlaw.com](mailto:bulletins@cohenlaw.com)

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