



IT PAYS TO “SHOP” EARLY AT USCIS THIS HOLIDAY SEASON

MANY FILING FEES TO INCREASE NOVEMBER 23, 2010

Because USCIS relies on fees paid by applicants and petitioners to cover the majority of its budget, the law requires a review of the fees and a determination as to whether the fees collected are sufficient to cover the Services budget every two years. This is no small task, considering the fiscal year 2011 budget request was \$2.8 billion. As a result, many of the filing fees will increase by an average of 10 percent effective November 23, 2010. The following fee increases will be of interest to employers:

Form	Description	Current Fee	Fee effective 11/23/10
I-102	Application for Replacement of I-94 (Arrival/Departure Record)	\$320	\$330
I-129	Petition for Non-Immigrant Worker (Ex: H1B, L1, TN)	\$320	\$325
I-131	Application for Travel Document	\$305	\$360
I-485	Application to Register Permanent Residence or Adjust Status	\$930	\$985
I-765	Application for Employment Authorization	\$340	\$380
I-907	Request for Premium Processing Service	\$1,000	\$1,225
Biometrics	Taking, processing, and storing biometric information	\$80	\$85



USCIS will reduce the fees for six individual applications and petitions. Notably, the filing fee for Form I-539, Application to Extend/Change Nonimmigrant Status, currently is \$300 and will be \$290 on November 23, 2010.

Finally, USCIS recognizes the importance of naturalization (applying for citizenship). Accordingly, there will be no fee increase for filing Form N-400, Application for Naturalization.

Considering an employment based nonimmigrant visa application can involve the filing of several forms and/or fees, the cost of hiring foreign nationals is going up. So, if you're considering filing an employment-based petition, your "black Friday" is now and expires on November 23, 2010.

— [Mary Ellen B. Jordan](#)



Remember that these legal principles may change and vary widely in their application to specific factual circumstances. You should consult with counsel about your individual circumstances. For further information regarding these issues, contact:

Sidney F. Lewis, V
Partner, Jones Walker
201 St. Charles Avenue
New Orleans, LA 70170-5100
504.582.8352 *tel*
504.582.8352 *fax*
slewis@joneswalker.com

Labor & Employment Practice Group

H. Mark Adams
Jennifer L. Anderson
Norman E. Anseman, III
Timothy P. Brechtel
Gregory Brumfield, Jr.
Susan K. Chambers
Laurie M. Chess
Amy C. Cowley
Anita B. Curran
Tracy P. Curtis
Jennifer L. Englander
Cade A. Evans

Virginia W. Gundlach
Jane H. Heidingsfelder
Cornelius R. Heusel
Thomas P. Hubert
R. Scott Jenkins
Mary Ellen B. Jordan
Tracy E. Kern
Jennifer F. Kogos
Celeste C. Laborde
Joseph F. Lavigne
Sidney F. Lewis, V
Joseph J. Lowenthal, Jr.

Ian A. Macdonald
Christopher S. Mann
James Rebarchak
Kirkland E. Reid
Veronica Rivas-Molloy
Victoria J. Sisson
Mary M. Spell
David K. Theard
Patrick J. Veters
Kary B. Wolfe
Robert B. Worley, Jr.

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