

## FEBRUARY 2007 IMMIGRATION UPDATE



by  
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### USCIS Proposes Large Fee Increases for Immigration Applications

On February 1, 2007, the United States Citizenship and Immigration Services (USCIS) published in the Federal Register its proposal to increase most immigration applications in the near future. The proposal would increase almost all immigration applications a substantial amount. The table below shows the current fees for some of the most common immigration applications and petitions:

Form type	Current fees (dollars)	Form type	Current fees (dollars)
I-90	190	I-698	180
I-102	160	I-751	205
I-129	190	I-765	180
I-129F	170	I-817	200
I-130	190	I-821	50
I-131	170	I-824	200
I-140	195	I-829	475
Waiver Applications	265	I-881	285
I-290B / Motions	385	I-905	230
I-360	190	I-914	270
I-485	325	N-300	120
I-526	480	N-336	265
I-539	200	N-400	330
I-600/600A	545	N-470	155
I-687	255	N-565	220
I-690	95	N-600/600K	255
I-694	110	Biometrics	70
I-695	65		

Based on this proposal, a marriage-based adjustment of status case may soon cost \$1,340.00 (including the fees for the I-130, I-485 and I-765 applications typically filed in

such a case). Currently, this same case would cost \$765.00. This is an increase of \$575.00.

Naturalization applicants who now pay \$400.00 would soon pay \$675.00 if the proposal passes.

There are several major reasons why this massive fee hike is wrong and illogical:

First, USCIS' budget for Fiscal Year 2008 is \$2.6 billion. Almost \$2.54 billion (99% of this budget) comes from fees associated with immigration applications. That's right – the U.S. immigration system is almost entirely funded by the immigrants themselves based on the applications they file. Despite the massive economic benefits associated with immigration, the U.S. government provides almost no funding to cover the costs associated with immigration cases. It is time for Congress to fund USCIS if USCIS and the federal government are serious about reaching its stated goal of adjudicating cases within 6 months of filing.

Second, in an era when the government has expressed its concern to deal with the illegal immigration situation, increasing fees so dramatically will undoubtedly cause some immigrants who may be eligible for certain immigration benefits to not apply due to such a high cost. If those who are eligible to file for certain immigration benefits in order to stay legal or to become legal do not file due to the high cost, this will increase the number of illegal immigrants.

#### **Update on Labor Certification Backlog Reduction:**

Our office has seen an increase in pre-PERM labor certification approvals in recent months, indicating that the Department of Labor's efforts of reducing the backlog in pre-PERM labor certification cases. The Department of Labor recently announced that, at the time the labor certification system was converted from the "old" system to the "new" PERM system, there were 362,000 labor certifications filed under the "old"/pre-PERM system. The Department of Labor transferred these cases to two Backlog Reductions Centers (one in Dallas and one in Philadelphia). As of January 25, 2007, 67% of these cases have been adjudicated. The Department of Labor expects to have all of these "old" cases adjudicated by September 30, 2007.

#### **Government Proposes Fee for PERM Labor Certification Cases:**

Congress will soon consider a fee to be imposed on PERM labor certification cases. There is no timetable for this fee. Currently, the PERM labor certification process is funded by the government and no fees are charged to employers using the PERM labor certification system. That could soon change as Congress will soon consider a fee to be imposed on PERM labor certification cases. There is no timetable for this fee. Stay tuned to [www.longchangoonline.com](http://www.longchangoonline.com) for further updates on this issue.

**Passports Required for Air Travel Between U.S. and Canada, Mexico, Central America, South America, the Caribbean and the Bahamas:**

Beginning January 23, 2007, all individuals traveling between the United States and Canada, Mexico, Central America, South America, the Caribbean and the Bahamas are required to have a passport.

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