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**This Immigration Update<sup>©</sup> from FosterQuan, LLP contains important information regarding the following:**

1. FILING FEE INCREASED ANNOUNCED BY U.S. CITIZENSHIP & IMMIGRATION SERVICES GOES INTO EFFECT NOVEMBER 23, 2010
2. IMMIGRANT VISA AVAILABILITY ADVANCES UNDER THE OCTOBER 2010 VISA BULLETIN BUT STALLS COMPLETELY FOR THE REMAINDER OF SEPTEMBER

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**1. FILING FEE INCREASE ANNOUNCED BY CIS GOES INTO EFFECT NOVEMBER 23, 2010**

On September 24, 2010, the U.S. Department of Homeland Security (DHS) published a Final Rule increasing U.S. Citizenship & Immigration Services (CIS) filing fees for most types of petitions and applications for immigration benefits. The average increase is approximately 10%.

The fee increase will go into effect on November 23, 2010. The following chart lists some of the most common types of petitions and applications, along with their current and new filing fees:

<b>Form</b>	<b>Description</b>	<b>Current Fee</b>	<b>Fee on Nov. 23<sup>rd</sup></b>
I-129	Nonimmigrant Visa Petition (e.g. H, L, O, P visa petitions)	\$320	\$325
I-130	Petition for Alien Relative (e.g., for spouse of U.S. Citizen)	\$355	\$420
I-131	Application for Travel Document (e.g., Advance Parole, Reentry Permit)	\$305	\$360
I-140	Immigrant Visa Petition (employment-based)	\$475	\$580
I-485	Application to Adjust Status ("green card" application)	\$930	\$985
I-526	Immigrant Petition by Alien Entrepreneur ("investor visa")	\$1,435	\$1,500
I-539	Application to Extend or Change Nonimmigrant Status	\$300	\$290
I-751	Petition to Remove Conditions on	\$465	\$505

	Permanent Residence		
I-765	Application for Employment Authorization	\$340	\$380
I-829	Petition by Entrepreneur to Remove Conditions	\$2,850	\$3,750
I-907	Request for Premium Processing Service	\$1,000	\$1,225
N-400	Application for Naturalization (U.S. Citizenship)	\$595	\$595
Biometrics	Capturing, Processing & Storing Biometrics	\$80	\$85

As always, FosterQuan will continue to update clients on government filing fee increases and will provide additional information via our firm's [website](#) and future Immigration Updates©.

## 2. IMMIGRANT VISA AVAILABILITY ADVANCES UNDER THE OCTOBER 2010 VISA BULLETIN BUT STALLS COMPLETELY FOR THE REMAINDER OF SEPTEMBER

Each month the U.S. Department of State (DOS) publishes the [Monthly Visa Bulletin](#), reporting current immigrant visa availability under the annual quota system for U.S. immigration. The October 2010 Visa Bulletin is the first bulletin for Fiscal Year 2011, and it shows modest forward movement across many categories. The Employment-Based, Third (EB-3) preference category advances approximately three weeks for all countries of birth, and reopens with a cut-off date of April 22, 2001, for applicants born in Mexico.

The EB-1 preference category remains current for all countries of birth, and the EB-2 preference category remains current for all countries of birth except India and China, which have respective cut-off dates of May 8, 2006, and May 22, 2006. There is little movement in cut-off dates under the "other workers" category for all countries of birth, but visa availability progresses modestly to a cut-off date of January 15, 2002, for applicants born in India, and reopens with a cut-off date of April 22, 2001, for applicants born in Mexico.

While overall visa availability makes a slight progression for the month of October, the U.S. Department of State has announced that for the remainder of Fiscal Year 2010, which ends in a few days on September 30, 2010, immigrant visas are no longer available. This means that no immigrant visas may be issued at U.S. Consulates abroad, and no Applications to Adjust Status may be approved by U.S. Citizenship & Immigration Services until October 1, 2010.

For more information on any of these employment-based classifications, or to initiate the permanent residency process and establish a priority date for a foreign national employee, contact your FosterQuan immigration attorney. Your FosterQuan immigration attorney will be able to assist you by developing a case-specific strategy for pursuit of permanent residency under an appropriate employment-based category for your company's employees. As always, we will continue to monitor changes in immigrant visa availability and will make further information available in future Immigration Updates© and on our website at [www.fosterquan.com](http://www.fosterquan.com).