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Immigration

## USCIS Issues Guidance on Fee Rule Following Litigation

**Legal Update**

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*This article was prepared with the assistance of ABIL, the Alliance of Business Immigration Lawyers, of which Loan Huynh, Fredrikson Immigration Department Chair, is a member.*

On September 29, 2020, a U.S. district court preliminarily enjoined the Department of Homeland Security (DHS) from implementing or enforcing any part of U.S. Citizenship and Immigration Services' (USCIS) rule on its fee schedule and changes to certain other immigration benefit request requirements.

USCIS said that while the rule is preliminarily enjoined, the agency will continue to:

- Accept USCIS forms with the current editions and current fees; and
- Use the current regulations and guidance to adjudicate applications and petitions. This includes accepting and adjudicating fee waiver requests as provided under Adjudicator's Field Manual chapters 10.9 and 10.10.