

USCIS Removes Biometric Services Fee for Form I-539

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On Sept. 25, 2023, U.S. Citizenship and Immigration Services (USCIS) [announced](#) that effective Oct. 1, 2023, applicants will no longer have to pay the \$85 biometric services fee when filing Form I-539, the Application to Extend or Change Nonimmigrant Status. This exemption applies to all applicants whose applications are postmarked on or after Oct. 1, 2023, including those seeking extensions of stay or changes of status to H-4, L-2, E-1, E-2, or E-3 nonimmigrant categories.

Avoiding Application Rejection

If you mistakenly submit the biometric services fee separately from the Form I-539 fee, USCIS will return the biometric services fee and process your Form I-539. But, if the biometric services fee is combined with the Form I-539 filing fee, the *entire* application will be rejected. If a credit card payment combines both fees, USCIS will accept the application and only charge the application fee. If your application is rejected, you will need to timely refile the application prior to the expiration of your current nonimmigrant status.

Appointments

For applications filed before Oct. 1, 2023, certain filers may still be

scheduled for an Application Support Center appointment for biometric services. However, after Oct. 1, most applicants will not be scheduled for biometric services appointments unless determined necessary by USCIS.

Background

USCIS first introduced a temporary suspension of biometric requirements for specific Form I-539 applicants in May 2021, providing relief from additional fees and appointments. This suspension was extended through September 2023, acknowledging the need for a streamlined immigration process, especially during the COVID-19 pandemic. USCIS had been cueing this change since issuing its Fiscal Year 2022 Progress Report. In the report, USCIS made a commitment for FY 2023 to eliminate the need for Form I-539 applicants to submit biometrics, in line with the goal of improving efficiency and addressing backlogs.

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