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Chapter 3 - Fees

Guidance

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Requestors must include any required fees with the submission of a benefit request to USCIS. This payment must be in U.S. currency. [1]

The fee amount for each benefit request is controlled by regulation $\frac{[2]}{2}$ and is published in the Fee Schedule (Form G-1055). The total fee amount for each request is not determined solely by the fee required for the associated form. Additional fees may be required, such as a biometric services fee $\frac{[4]}{2}$ or the fraud detection and prevention fee.

The additional services needed in a given situation dictate which additional fees, if any, are added to the total amount. <u>Form G-1055</u> indicates which fees are required.

USCIS may waive the fee for certain immigration benefit requests if the individual requests that the fee be waived and meets the eligibility criteria for the fee waiver. [6] Certain forms and categories of requestors are exempt from fees. In addition to Form G-1055, the Filing Fees webpage provides information about how to pay USCIS fees. Requestors can use the Fee Calculator to determine the exact filing fee for any form processed at a USCIS Lockbox facility. [7]

A. Fee Submission

1. Submission of Benefit Request with Fee

Once USCIS receives the proper fee [8] and determines the benefit request meets all other acceptance criteria, [9] USCIS accepts the submission of the benefit request and sends the benefit requestor a receipt notice. USCIS rejects submissions that do not contain valid payment of the correct fee amount or otherwise do not meet the acceptance criteria. [10] If the payment is not collectable and USCIS has approved the benefit request, USCIS may revoke, rescind, or cancel the approval with notice. [11]

The <u>USCIS online system</u> guides those benefit requestors filing online through the process of paying fees online. Once the form is ready for submission, the system directs the benefit requestor to <u>Pay.gov</u> to pay. If the payment is declined, the request cannot be submitted due to lack of payment.^[12]

2. Unfunded Payments

USCIS fees are generally non-refundable and must be paid when the benefit request is filed. [13] If the requestor pays a fee by credit card and the credit card is declined for any reason, USCIS does not attempt to process the credit card payment a second time and may reject the associated request for lack of payment. [14] If a check or other method of payment used to pay a fee is dated more than 1 year before USCIS receives the request, USCIS may reject the payment and request. [15]

If a form of payment other than a credit card is used to pay a fee, and it is returned as unpayable because of insufficient funds, USCIS resubmits the payment to the remitter institution one time. [16] If the remitter institution returns the form of payment as unpayable a second time, USCIS may reject or deny the filing. [17] USCIS does not resubmit payments returned as unpayable for a reason other than insufficient funds. [18]

If a payment is unfunded at the time of filing, USCIS does not generally issue a receipt. However, if a receipt was issued, the unfunded payment renders it void and the requestor does not retain the receipt date. [19]

If a payment was unfunded after the benefit request was approved, USCIS may revoke, rescind, or cancel the approval with notice, typically in the form of a Notice of Intent to Revoke (NOIR). USCIS may at its discretion separately bill the requestor for the unpaid fee instead of sending a NOIR. If a requestor receives such a NOIR, the requestor may respond with payment of the correct fee amount.

USCIS does not ultimately revoke, rescind, or cancel the approval on the basis of an unfunded fee payment if the requestor cures the deficiency noted in the NOIR with payment of the correct fee amount. USCIS may revoke the approval with notice of an approved benefit request that required multiple fees if any single fee is unfunded. In such cases, any other fees paid for the approved benefit request are non-refundable.^[21]

B. Forms of Payment

USCIS accepts different payment methods depending on whether the benefit requestor resides inside or outside of the United States or the nature of the request. USCIS does not accept all forms of payment. Details regarding acceptable forms and methods of payment can be found on the <u>Filing Fees</u> webpage.

Benefit requestors filing from inside the United States may pay their fees in one of the following ways, depending on the form that is being submitted:

- Online using a credit card, debit card, or bank withdrawal; or
- By mail with an Authorization for Credit Card Transactions (Form G-1450), check, or money order.

In limited circumstances, an individual may submit a benefit request directly at a USCIS field office. In such cases, the benefit requestor may submit their request and appropriate fee by mail to the field office using either a check or <u>Form G-1450</u>. [22]

Benefit requestors filing from outside the United States should go to the <u>Forms</u> webpage to determine whether a form may be filed from outside of the United States. Depending on the form, the benefit requestor may pay fees online, by mail, or in person at a U.S. embassy or consulate. [23]

1. Credit Card, Debit Card, or Pre-paid Card

USCIS accepts payments by credit card, debit card, or pre-paid card for fees associated with benefit requests filed with one of the USCIS Lockbox facilities, the appropriate Service Center, and most USCIS field office locations.

Applicants filing by mail must use <u>Form G-1450</u> to pay with a credit card, debit card, or pre-paid card. USCIS uses the information provided on <u>Form G-1450</u> to process a credit card, debit card, or pre-paid card payment through either the U.S. Department of Treasury Pay.gov Collection Control Panel (CCP) or the Trusted Collections Service (TCS).

CCP and TCS are web-based applications that allow federal government agencies to process payments by credit, debit, or prepaid cards. After USCIS processes Form G-1450, USCIS destroys the authorization, regardless of whether USCIS accepts or rejects the associated benefit request.

2. Check

Benefit requestors may generally pay fees with bank drafts, cashier's checks, certified checks, personal checks, and money orders drawn on U.S. financial institutions and payable in U.S. funds. Some USCIS field offices and international immigration offices no longer accept money orders or cashier's checks. Benefit requestors should refer to the form instructions and form landing page on <u>uscis.gov</u> for the most up-to-date information. [24]

3. Cash

USCIS does not accept payment by cash to pay fees associated with benefit requests.

C. Refunds

Fees submitted to USCIS are generally non-refundable regardless of the ultimate decision on the benefit request or how much time is required to issue a decision. [25] There are a few exceptions to this rule, such as if USCIS makes an error that results in the inappropriate filing of a form or if USCIS collects the wrong fee. [26]

If a benefit requestor believes they are entitled to a refund of a fee, the requestor should contact the <u>USCIS Contact Center</u> or submit a written request for a refund to the USCIS office with jurisdiction over the benefit request.

USCIS reviews the request for a refund and either approves or denies the request based on the available information. If the officer finds USCIS made an error, the officer should complete a Request for Refund of Fee (Form G-266). USCIS then notifies the requestor of its decision on the request. All Forms G-266 must be signed by a District or Service Center Director, or a person within the chain of command that has been delegated that authority.

Fees paid to USCIS using a credit card, debit card, or pre-paid card are not subject to dispute, chargeback, forced refund, or return to the cardholder for any reason except at the discretion of USCIS. [27]

Footnotes

- [<u>^ 1</u>] See <u>8 CFR 103.2(a)(7)(D)</u>. See <u>8 CFR 106.1</u>.
- [^2] See <u>8 CFR 106.2</u>. See the USCIS <u>All Forms</u> webpage for a complete list of all forms and form instructions.
- [<u>^ 3</u>] See <u>8 CFR 106.2</u>.
- [^4] See <u>8 CFR 103.17</u>. Most forms no longer require a separate biometric services fee. See the form instructions for specific information about biometric services fee requirements.
- [^5] See 8 CFR 106.2(c).
- [<u>^ 6</u>] See <u>INA 286(m)</u> (authorizing USCIS fees to recover the costs of services provided without charge). See <u>8 CFR 106.3(a)</u>. For more information on Fee Waivers, see Chapter 4, Fee Waivers and Fee Exemptions [<u>1 USCIS-PM B.4</u>].
- [^7] For more information, see the <u>Forms Processed at a USCIS Lockbox</u> webpage.
- [^8] Unless the requestor is otherwise exempt from the fees or has an approved fee waiver.
- [^9] For more information, see the <u>Filing Guidance</u> and <u>Tips for Filing Forms by Mail</u> webpages. For forms that are available for online filing, see the <u>Tips for Filing Forms Online</u> webpage.
- [^ 10] See 8 CFR 103.2.
- [<u>^ 11</u>] See <u>8 CFR 103.2(a)(7)(ii)(D)</u>. See also <u>8 CFR 106.1(c)(2)</u>.
- [<u>^12</u>] For more information on submitting an online payment, see the <u>Tips for Filing Forms Online</u> webpage.
- [<u>^ 13</u>] See <u>8 CFR 103.2(a)</u>.

[<u>^ 14</u>] See <u>8 CFR 103.2(a)(7)(ii)(D)(3</u>).

[<u>^ 15</u>] See <u>8 CFR 103.2(a)(7)(ii)(D)(4)</u>.

[<u>^ 16</u>] See <u>8 CFR 103.2(a)(7)(ii)(D)(2</u>).

[<u>^ 17]</u> See <u>8 CFR 103.2(a)(7)(ii)(D)(2)</u>.

[<u>^ 18</u>] See <u>8 CFR 103.2(a)(7)(ii)(D)(3</u>).

[<u>^ 19</u>] See <u>8 CFR 106.1(c)(1)</u>.

[<u>^ 20</u>] See <u>8 CFR 103.2(a)(7)(ii)(D)</u>. See also <u>8 CFR 106.1(c)(2)</u>.

[<u>^ 21</u>] See <u>8 CFR 106.1(c)(2)</u>.

[^22] Applicants submitting an Application for Travel Documents, Parole Documents, and Arrival/Departure Records (Form I-131) with an emergency advance parole request must make an appointment with the USCIS Contact Center, apply in person with their payment (if applicable) and supporting documentation, and pay the application fee by credit card with Form G-1450 or check at the field office.

[<u>^ 23</u>] For information on how to pay USCIS fees outside of the United States, see the <u>International Immigration Offices</u> webpage or contact the appropriate <u>U.S. Embassy or Consulate</u>.

[<u>^ 24</u>] For more information on paying by check, see the <u>Filing Fees</u> webpage.

[<u>^ 25</u>] See <u>8 CFR 103.2(a)(1)</u>.

[^26] For example, when USCIS requests that an applicant file a waiver application for a ground of inadmissibility that was not necessary.

[<u>^ 27</u>] See <u>8 CFR 106.1(e)</u>.

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