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Court Order on Partial Stay of DHS 2024 USCIS Fee Rule

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On Nov. 12, 2025, the United States District Court for the District of Colorado issued a decision in *Moody v. Noem*, No. 24-cv-00762-CNS (D. Colo.), staying certain EB-5 related fees that were codified by DHS in the [2024 Fee Rule](#), which became effective April 1, 2024. The court determined that the EB-5 Reform and Integrity Act of 2022 precluded DHS from adjusting EB-5 program fees in the 2024 Fee Rule. DHS and USCIS believe the Court’s decision is incorrect but are working to implement it.

In accordance with the Nov. 12 order, and effective immediately, USCIS will accept the fees that were in effect until March 31, 2024, which are listed in the “Current Fee” schedule below. **Petitioners and applicants should pay fees according to the “Current Fee” schedule, not the higher “Previous Fee” schedule.** However, for items postmarked Nov. 26, 2025 or earlier, USCIS will also accept payment of the “Previous Fee.” For items postmarked after that date, USCIS will reject petitions or applications that are accompanied by the “Previous Fee.”

Requests should be submitted on the current version of the relevant form. The following table summarizes the applicable forms and fees.

Immigration Benefit Request	Current Fee (based on 03/31/24 Fee*)	Previous Fee** (04/01/24)
Form I-526, Immigrant Petition by Standalone Investor	\$3,675	\$11,160
Form I-526E, Immigrant Petition by Regional Center Investor	\$3,675	\$11,160
Form I-829, Petition by Investor to Remove Conditions on Permanent Resident Status	\$3,750	\$9,525
Form I-956, Application for Regional Center Designation	\$17,795	\$47,695



Immigration Benefit Request	Current Fee (based on 03/31/24 Fee*)	Previous Fee** (04/01/24)
Form I-956F, Application for Approval of an Investment in a Commercial Enterprise	\$17,795	\$47,695
Form I-956G, Regional Center Annual Statement	\$3,035	\$4,470

*Reinstated as of Nov. 13, 2025.

**For information only. Do not pay this amount.

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