

USCIS Extends Temporary Suspension of Biometrics Submission

U.S. Citizenship and Immigration Services (USCIS) has extended the temporary suspension of the biometrics submission requirement for certain applicants filing Form I-539, Application to Extend/Change Nonimmigrant Status, requesting an extension of stay in or change of status to H-4, L-2, or E nonimmigrant status. The previously announced suspension, which was initially in place until May 17, 2023, has been extended through September 30, 2023.

USCIS will allow adjudications for those specific categories to proceed based on biographic information and related background checks without capturing fingerprints and a photograph. However, USCIS retains discretion, on a case-by-case basis, to require biometrics for any applicant, and applicants may be scheduled for an application support center appointment to submit biometrics.

Form I-539 applicants meeting the biometrics suspension criteria, you **do not** need to submit the \$85 biometric services fee for Form I-539 during the suspension period. USCIS will return a biometric services fee if submitted separately from the base fee and will reject paper Form I-539 applications if the applicant meets the criteria and submits a single payment covering both the filing fee and the \$85 biometrics services fee. If USCIS rejects the paper application because the applicant included the \$85 biometrics service fee, the applicant will need to re-file Form I-539 without the biometric services fee.

As mentioned in its Fiscal Year 2022 Progress Report, USCIS plans on establishing a permanent biometrics exemption for all Form I-539 applicants in the coming months.

We will continue to monitor any changes in this temporary suspension.



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