Applying for Asylum with USCIS for *Ms. L.* Settlement Class Members

Alert: Litigation Update on *Ms. L. v. ICE* and Applicability of Certain HR-1 Fees

See less

As of Feb. 5, 2026, USCIS paused the collection of certain fees required by Pub. L. 119-21 ("HR-1") from *Ms. L.* Settlement Class members and their Qualifying Additional Family Members (QAFMs) pursuant to a decision issued in *Ms. L. v. ICE*, 18-cv-00428 (S.D. Cal.). The Department of Homeland Security does not concur with this decision and is evaluating its options.

If you are a *Ms. L.* Settlement Class member or QAFM who received a notice informing you that you are required to pay one of the below-listed HR-1 fees, and you did not already make a payment prior to Feb. 5, 2026, the payment notice is rescinded and you are not required to pay the HR-1 fee. USCIS will notify you if any further information is necessary to continue processing your application.

If you are a *Ms. L.* Settlement Class member or QAFM, you are not required to pay the following HR-1 fees as of Feb. 5, 2026:

- Immigration Parole Fee (8 U.S.C 1804)
- Parolee Initial Employment Authorization Document (EAD) Fee (8 U.S.C 1803(b)) (Form I-765 based on a category (c)(11) initial EAD)
- Parolee Renewal EAD Fee (8 U.S.C 1809) (Form I-765 based on a category (c)(11) renewal EAD
- Asylum Application Fee (8 U.S.C 1802)
- Annual Asylum Fee (8 U.S.C. 1808)

Please see www.together.gov and the *Ms. L.* Settlement Agreement for information on who may qualify as a *Ms. L.* Settlement Class Member or QAFM. Individuals must register on together.gov or juntos.gov and be confirmed by the Family Reunification Task Force Research Committee to qualify as *Ms. L.* Settlement Class members.

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Note for Asylum Applicants: If you are applying for asylum with USCIS as a *Ms. L.* Settlement Class Member or QAFM, **you must write "Ms. L Settlement Class Member" or "Ms. L. Settlement QAFM" on the top of the first page of your paper Form I-589** and mail your paper application according to the Form I-589 filing instructions in order for USCIS to process your application without the HR-1 Asylum Application Fee. **Do not file your Form I-589 online. If you file your Form I-589 online, we may reject it.** See Applying for Asylum with USCIS for Ms. L. Settlement Class Members for more information.

On Dec. 11, 2023, the U.S. District Court for the Southern District of California approved a class action settlement agreement (PDF) in *Ms. L. v. ICE*, 18-cv-00428 (S.D. Cal.) ("Settlement Agreement"). This lawsuit relates to families who were apprehended together by the U.S. government at the U.S.-Mexico border between Jan. 20, 2017 and Jan. 20, 2021, but were then separated and kept apart. For more information about the Settlement Agreement and who may qualify as a *Ms. L.* Settlement Class member, please visit www.together.gov/mslvice.

The Settlement Agreement provides benefits for *Ms. L.* Settlement Class members applying for asylum. To take advantage of these asylum-related settlement benefits, *Ms. L.* Settlement Class members must be in the United States and follow the instructions below in order to apply for asylum with USCIS using Form I-589, Application for Asylum and for Withholding of Removal, or to request reopening of a prior asylum application filed with USCIS. The process to follow will depend upon whether the class member previously applied for asylum with USCIS.

Please note that to be eligible to apply for asylum with USCIS, *Ms. L*. Settlement Class members must **not** currently:

- Be in removal proceedings or withholding-only proceedings before an immigration court;
- Have an expedited removal order or a reinstated order of removal issued by DHS; or
- Be in expedited removal proceedings or reinstatement proceedings with DHS.

However, *Ms. L.* Settlement Class members whose removal or withholding-only proceedings are dismissed or terminated by an immigration judge may then apply for asylum with USCIS or, if applicable, request reopening of a prior asylum application filed with USCIS. Similarly, if DHS cancels a *Ms. L.* Settlement Class member's expedited removal or reinstatement proceedings, the *Ms. L.* Settlement Class member may apply for asylum with USCIS. Finally, if DHS rescinds a *Ms. L.* Settlement Class member's expedited removal order or reinstated order of removal, the *Ms. L.* Settlement Class member may apply for asylum with USCIS or request reopening of a prior asylum application filed with USCIS. *Ms. L.* Settlement Class members must contact the Family Reunification Task Force at FRTF@dhs.gov to request cancellation of expedited removal or reinstatement proceedings or rescission of an expedited removal order or reinstated order of removal.

Deadlines

Ms. L. Settlement Class members must submit a Form I-589 to USCIS or submit a request to reopen a prior asylum application to USCIS by the deadline specified in the settlement agreement in order to be eligible for special processing under the settlement agreement. Filing deadlines are specific to each class member. Please see www.together.gov/mslvice and the settlement agreement for details.

What to Submit

When submitting your new Form I-589 or request to reopen a prior asylum application to USCIS, please:

- Include a copy of the email confirmation of class membership received from the Family Reunification Task Force after registering on together.gov or juntos.gov;
- Write or type "Ms. L. Settlement Class Member" on the envelope – **do not include any information that can be used to identify you on the outside envelope of your submission**; and
- Follow the instructions below for where to file.

If submitting a new Form I-589, you must also properly file by following the form instructions.

Where to File

***Ms. L.* Settlement Class members who have never previously had a Form I-589 pending with USCIS:** You may apply for asylum with USCIS using a paper Form I-589 according to the most current Form I-589 filing instructions for mailing an application to the correct Lockbox. *This includes *Ms. L* Settlement Class members who filed an asylum application with the immigration court while in removal proceedings and later had their removal proceedings dismissed or terminated. The Lockbox for mailing your paper Form I-589 is based on your current residence. **Do not file your Form I-589 online**. **If you file your Form I-589 online, we may reject it.**

If you are a Ms. L. Settlement Class member who applied for asylum with USCIS and want your application to be processed under the Settlement Agreement and one of the following occurred before Dec. 11, 2023 (the effective date of the settlement agreement), then you must ask USCIS to reopen your application:

- Your application was referred or transferred to the immigration court;
- Your application was denied by USCIS; or
- Your application was administratively closed by USCIS .

To ask USCIS to reopen your application, you should write to the asylum office with jurisdiction over your current residence, and ask that office to reopen your asylum application. To find the correct asylum office for your current residence, use the USCIS Asylum Office Locator Tool.

If you are a *Ms. L.* Settlement Class member and we referred or transferred your asylum application to the immigration court, you must have your removal proceedings terminated or dismissed by the immigration judge before you ask us to reopen your asylum application. Please note, the asylum office with jurisdiction

over your current residence may be a different asylum office from the one that reviewed your asylum application.

Ms. L. Settlement Class members who applied for asylum with USCIS before Dec. 11, 2023: If you already registered on together.gov or juntos.gov and the Family Reunification Task Force has confirmed your class membership, then you do not need to take additional steps to identify yourself to USCIS as a Ms. L. Settlement Class member. If the Family Reunification Task Force has already confirmed your class membership, we will identify your pending application for processing under the Settlement Agreement as appropriate. However, if you are already listed as a dependent applicant on another pending Form I-589 and you now wish to file Form I-589 as a principal applicant, you are a simultaneous filer. You must file your own Form I-589 by mail to the Asylum Vetting Center as indicated in the "Special Instructions" section of the Form I-589 webpage. Do not file at a USCIS Lockbox or online.

Additional Resources

DHS Family Reunification Task Force

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