



Use of Fee Waivers:

Policies and Data

Second Quarter, Fiscal Year 2023

August 16, 2023

Fiscal Year 2023 Report to Congress



**Homeland
Security**

U.S. Citizenship and Immigration Services

Message from the Director

August 16, 2023

I am pleased to present the following report, “Use of Fee Waivers,” for the second quarter (Q2) of Fiscal Year (FY) 2023, prepared by U.S. Citizenship and Immigration Services (USCIS).

This report was compiled pursuant to direction in the Joint Explanatory Statement accompanying the FY 2023 Department of Homeland Security (DHS) Appropriations Act (P.L. 117-328).

This report is provided to the following Members of Congress:

The Honorable David Joyce
Chairman, House Appropriations Subcommittee on Homeland Security

The Honorable Henry Cuellar
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Chris Murphy
Chair, Senate Appropriations Subcommittee on Homeland Security

The Honorable Katie Britt
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

If you have any questions, please do not hesitate to contact the Office of the Chief Financial Officer at (240) 721-1900.

Sincerely,



Ur M. Jaddou
Director
U.S. Citizenship and Immigration Services



Executive Summary

This report responds to direction provided in the Joint Explanatory Statement accompanying the FY 2023 DHS Appropriations Act (P.L. 117-328) for USCIS to provide policies and data on its use of fee waivers. The report discusses existing statutes and regulations regarding fee waivers, USCIS policies, and procedures concerning fee waivers. The report also presents data and trends regarding use of fee waivers.

Fee waiver requests increased steadily between FY 2013 and FY 2016, declined between FY 2016 and FY 2020, and began to increase again between FY 2020 and FY 2022. The number of approvals also followed this pattern, though the number of denials tends to increase as total requests increase. Approvals and denials are a direct trade-off that is remarkably consistent with an average of 83 percent approved and 17 percent denied. FY 2013 is the clear exception at 74 percent approved and 26 percent denied. Excluding FY 2023 and FY 2013, all other fiscal years have percentages that deviate by no more than 3 percent from the 83 percent and 17 percent respectively. The number of applications for which fees are waived remained relatively constant throughout the years.

Each fee waiver request is considered on its own merits. In general, USCIS may grant a fee waiver when it determines an individual is unable to pay a fee for an eligible form. Only certain forms and categories of noncitizens are eligible to request fee waivers based on one of the following criteria:

- The individual is receiving a means-tested benefit;
- The household income level (at or below 150 percent of the Federal Poverty Guidelines);
or
- Financial hardship.

USCIS also has a reduced fee provision for naturalization applicants.



Use of Fee Waivers: Policies and Data

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I. Legislative Language

This report responds to direction provided in the Joint Explanatory Statement, which accompanies the Fiscal Year (FY) 2023 Department of Homeland Security (DHS) Appropriations Act (P.L. 117-328), which states:

Fee Waivers and Exemptions.—Within 60 days of the date of enactment of this Act and quarterly thereafter, the Department shall provide the Committees with updated reports on all applications and petitions for which fees are waived and any budgetary impacts resulting from the issuances of such waivers.

II. Background

The Immigration and Nationality Act (INA) authorizes the DHS Secretary to designate fees for immigration adjudications and deposit these fees into the “Immigration Examinations Fee Account.”¹ Fees are set at a level that ensures recovery of the full costs of providing these services, including costs of providing similar services without charge to asylum applicants and other immigrants. DHS exercised this authority by establishing the U.S. Citizenship and Immigration Services (USCIS) fee schedule at 8 C.F.R. § 103.7(b)(1) (Oct. 1, 2020).²

Fee Waivers

On November 23, 2010, DHS updated fee waiver regulations³ and established Form I-912, Request for Fee Waiver, and accompanying instructions, to facilitate the fee waiver request process.⁴ Regulatory criteria for fee waivers, including eligibility for a fee waiver, requesting a fee waiver, and USCIS fees that may be waived, are set forth in 8 C.F.R. § 103.7(c) (Oct. 1, 2020). The decision to grant a fee waiver is solely within the discretion of USCIS.

USCIS issued guidance in the Policy Memorandum PM-602-0011.1, Fee Waiver Guidelines as Established by the Final Rule of the USCIS Fee Schedule; Revisions to the Adjudicator’s Field Manual (AFM) Chapter 10.9, AFM Update AD11-26 (Mar. 13, 2011). This memorandum established the policy and process by which USCIS would adjudicate requests for fee waivers.⁵

Each fee waiver request is considered on its own merits, and USCIS may grant a fee waiver when it has determined an individual is unable to pay the fee based on their overall financial situation. Fee waiver determinations are based on a case-by-case discretionary review of the fee waiver request and any additional documentation submitted in support of the request.⁶

¹ 8 United States Code (U.S.C.) § 1356(m).

² DHS published a final rule to adjust the USCIS fee schedule on August 3, 2020, reflecting the results of the FY 2019/2020 USCIS fee review. *See* USCIS Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements, 85 Federal Register (Fed. Reg.) 46788 (2020). The rule was scheduled to become effective on October 2, 2020. However, that rule was enjoined and USCIS has not implemented the fees set out in the 2020 rule. *See Nw. Immigrant Rights. Project v. U.S. Citizenship & Immigr. Servs.*, 496 F. Supp. 3d 31, 82 (D.D.C. 2020); *Immigrant Legal Res. Ctr. v. Wolf*, 491 F. Supp. 3d 520, 549 (N.D. Cal. 2020). Therefore, USCIS fees and fee waiver policy in effect prior to publication of that rule are still in effect. DHS published a proposed fee schedule on Jan. 4, 2023. *See U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements*; Proposed rule, 88 Fed. Reg. 402.

³ *See* USCIS Fee Schedule; Final Rule, 75 Fed. Reg. 58,961 (Sept. 24, 2010) (effective Nov. 23, 2010).

⁴ DHS is required by INA § 245(l)(7), 8 U.S.C. § 1255(l)(7) to permit certain noncitizens to apply for a fee waiver. The use of a USCIS-published fee waiver request form is not mandated by law or regulation. USCIS continues to consider applicant-generated fee waiver requests not filed using Form I-912, but that comply with 8 C.F.R. § 103.7(c). Prior to the creation of Form I-912, fee waiver requests were not standardized and required an affidavit and evidence to support the applicant’s inability to pay.

⁵ *See* Appendix C: USCIS, Policy Memorandum: Fee Waiver Guidelines as Established by the Final Rule of the USCIS Fee Schedule; Revisions to AFM Chapter 10.9, AFM Update AD11-26. On October 25, 2019, USCIS issued a USCIS Policy Manual Update Fees for Submission of Benefit Requests. *See* USCIS, Policy Alert: Fees for Submission of Benefit Requests (Oct. 25, 2019), available at <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20191025-FeeWaivers.pdf>. However, on December 11, 2019, the U.S. District Court for the Northern District of California in *Seattle v. DHS* enjoined DHS from implementing the new policy and requiring use of the new version of Form I-912, Request for Fee Waiver.

⁶ A fee waiver request may be approved in the absence of additional documentation provided that the individual’s request is detailed sufficiently to substantiate their inability to pay the fee.

USCIS' fee waiver policy applies to filing fees for those applications, petitions, motions, and requests eligible for fee waivers as provided in 8 C.F.R. § 103.7(c). USCIS only allows fee waivers on limited immigration benefit requests. In its 2007 USCIS fee rule, DHS provided that a waiver based on inability to pay must be consistent with the status or benefit sought.⁷ Accordingly, a fee waiver is unavailable in the case of immigration benefit requests that require demonstration of the applicant's ability to support themselves, or that are based on a substantial financial investment by the petitioner.⁸

USCIS policy, as described in this report, does not apply to applications and petitions that have no fee (fee-exempt).⁹ The March 13, 2011, memorandum, and the instructions for Form I-912 provide that fee waiver requests may be granted when:

- An individual is receiving a means-tested benefit;¹⁰
- Household income level (at or below 150 percent of the Federal Poverty Guidelines) renders the individual unable to pay;¹¹ or
- Financial hardship, due to extraordinary expenses or other circumstances, otherwise renders the individual unable to pay.¹²

USCIS may grant fee waivers to applicants or petitioners for certain humanitarian programs based on an inability to pay fees associated with filing of any benefit requested, including filings not otherwise eligible for a fee waiver or eligible only for conditional fee waivers,¹³ by:

- Violence Against Women Act self-petitioners;
- T nonimmigrants for victims of human trafficking or U nonimmigrants for victims of crimes;
- Battered spouses of A, G, E-3, or H nonimmigrants;
- Battered spouses or children of a lawful permanent resident or U.S. citizen; and
- Individuals granted Temporary Protected Status.

⁷ See Proposed Rule, Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule, 72 Fed. Reg. 4,888, 4,912 (Feb. 1, 2007) (explaining that the proposed rule "limit[s] the possibility of a fee waiver to certain kinds of applications where a need-based waiver is not inconsistent with the status or benefit being sought").

⁸ In 2007, regulations considerably limited which application types could apply for fee waivers from almost all of them to roughly one-third of them. See Final Rule, Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule, 72 Fed. Reg. 29,851, 29,874 (May 30, 2007). DHS made no changes to the types of applications that could apply for fee waivers in the 2010 and 2016 fee rules.

⁹ In addition, there are no partial fee waivers. However, applicants can request a reduced filing fee (Form I-942, Request for Reduced Fee) for Form N-400, Application for Naturalization, if their documented annual household income is greater than 150 percent but not more than 200 percent of the Federal Poverty Guidelines at the time they file.

¹⁰ A means-tested benefit is a benefit where an individual's eligibility for the benefit, or the amount of the benefit, or both, are determined based on the individual's income and resources, including those that lawfully may be deemed available to the person by the benefit-granting agency. No further information will be required and the fee waiver will be granted if the individual demonstrates that they receive a means-tested benefit such as Medicaid or Supplemental Social Security Income.

¹¹ The individual's household income must be at or below 150 percent of the Federal Poverty Guidelines at the time of filing a request for a fee waiver.

¹² This includes, for example, unexpected medical bills or emergencies that substantially affect the financial condition of the household.

¹³ Examples of filings that are only eligible for a fee waiver in certain situations include Forms I-290B, Notice of Appeal or Motion (only if the underlying application was fee exempt, the fee was waived, or the application was eligible for a fee waiver), and Form I-601, Application for Waiver of Grounds of Inadmissibility (only fee waivable for an applicant who is exempt from the public charge grounds of inadmissibility of section 212(a)(4) of the INA, 8 U.S.C. § 1182(a)(4)).

In 2016, USCIS updated the Form I-912, Fee Waiver Request, and its instructions to clarify the fee waiver policy by providing additional information about:

- How to calculate income (as adjusted gross income);
- How to determine the household size based on the number of household members and income;
- What information and evidence applicants need to provide to show that they currently receive a means-tested benefit; and
- When a means-tested benefit is considered valid (i.e., benefit document is dated within 12 months from the time of filing).

USCIS may waive fees for an eligible form based on an inability to pay and, in certain circumstances, subject to the specific conditions noted in the regulations and form instructions.¹⁴

Reduced Fees for Naturalization Applications

Currently, regulations provide for a reduced fee for naturalization applications (Form N-400). Applicants pay about half the general Form N-400 fee (\$320 plus \$85 for biometric services, for a total of \$405). To qualify for a reduced fee, the applicant must submit Form I-942, Request for Reduced Fee, along with their Form N-400. Form I-942 requires the names of everyone in the applicant's household and documentation of household income to determine if the applicant's household income is greater than 150 and not more than 200 percent of the Federal Poverty Guidelines.

¹⁴ A list of forms is available in Appendix B.

III. Data Report

A. USCIS Fee Waiver Requests

The following table provides FY 2013 through the end of Q2 FY 2023 fee waiver data. The number of fee waiver requests increased steadily from FY 2013 until FY 2016, then decreased until FY 2020. The number of approvals parallels trend in requests, while the number of denials peaked in FY 2013.

USCIS Fee Waiver Request Receipts, Approvals, and Denials¹⁵ FY 2013 – FY 2023 (YTD)				
FY	Receipts	Approvals	Denials	Waived Fees Estimate¹⁶
2013	541,329	403,227	138,063	\$ 222,833,915
2014	572,835	457,576	115,163	\$ 248,726,775
2015	638,793	518,777	119,935	\$ 283,162,095
2016	753,402	627,959	125,118	\$ 344,293,760
2017	684,675	588,732	95,200	\$ 367,914,465
2018	535,412	460,821	74,616	\$ 293,494,715
2019	481,068	410,485	70,583	\$ 254,200,885
2020	406,112	329,571	76,543	\$ 207,677,895
2021	441,184	369,948	71,241	\$ 229,415,245
2022	532,417	448,702	83,616	\$ 246,603,960
2023 (YTD)	300,689	263,984	36,713	\$ 153,926,600

Notes: Forms N-400 (Application for Naturalization), I-485 (Application to Register Permanent Residence or to Adjust Status), I-765 (Application for Employment Authorization), and I-90 (Application to replace Permanent Residency Card) normally account for most of the estimated fees associated with fee waivers (81.1 percent, 80.1 percent, 81.0 percent, 66.4 percent, and 74 percent in FYs 2019–23 YTD, respectively). See Appendix C for waived fee estimates of the top 10 fee-waived forms.

¹⁵ Not all fee waiver applications are adjudicated in the same fiscal year that they are received. Likewise, not all approvals and denials occur in the same fiscal year in which a fee waiver request is filed. Thus, the number of approvals and denials does not equal fee waiver request receipts.

¹⁶ Note that the budgetary impact of fee waivers is less than the total amount of waived fees, as it would be unreasonable to expect the same volume of filings absent the availability of fee waivers. Available USCIS fee waiver data lack the granularity necessary to delineate waived fees in cases of forms with multiple filing fees. The higher fee is assumed to estimate the waived fees. Additionally, the fee schedule change in December 2016 and the timing of fee waiver approvals may slightly skew FY 2017 waived fee estimates because of fee waiver adjudication timeframes (see footnote 16). Finally, automatic biometric services fee waivers associated with underlying forms that require biometrics are not captured adequately and are underreported.

B. Reduced Fees for Naturalization

Form I-942, Request for Reduced Fee for Form N-400, Application for Naturalization, for FY 2017 through the end of Q2 FY 2023		
FY	Accepted	Waived Fees
2017	3,636	\$1,163,520
2018	4,673	\$1,495,360
2019	4,535	\$1,451,200
2020	3,430	\$1,097,600
2021	2,606	\$833,920
2022	1,886	\$603,520
2023 (YTD)	812	\$259,840

IV. Conclusion

This report responds to direction from the Appropriations Committees in the Joint Explanatory Statement accompanying the FY 2023 DHS Appropriations Act (P.L. 117-328) for USCIS to provide policies and data on use of fee waivers. USCIS grants fee waivers on a discretionary, case-by-case basis, pursuant to the Secretary's statutory and regulatory authority and in accordance with the 2011 USCIS Policy Memorandum, *Fee Waiver Guidelines as Established by the Final Rule of the USCIS Fee Schedule*.

V. Appendices

Appendix A: Abbreviations

Appendix B: List of Forms with Available Fee Waivers

Appendix C: Estimated Waived Fees (Top 10 Forms)

Appendix D: USCIS's Policy Memorandum, Fee Waiver Guidelines as Established by the Final Rule of the USCIS Fee Schedule; Revisions to the Adjudicators Field Manual Chapter 10.9 (March 13, 2011) AFM Update AD11-26

Appendix E: USCIS Form I-912, Request for Fee Waiver, and accompanying Instructions

Appendix A: Abbreviations

Abbreviation	Definition
A Nonimmigrant	Ambassadors, public ministers, career diplomatic or consular officers and their families
AFM	Adjudicator’s Field Manual
C.F.R.	Code of Federal Regulations
DHS	Department of Homeland Security
E-3 Nonimmigrant	Australian Free Trade Agreement principals, spouses, and children
FY	Fiscal Year
G Nonimmigrant	Principals of recognized foreign governments
H Nonimmigrant	Certain temporary employment foreign workers
INA	Immigration and National Act
T Nonimmigrant	Victim of a severe form of trafficking in persons
U Nonimmigrant	Victim of criminal activity
U.S.C.	United States Code
USCIS	U.S. Citizenship and Immigration Services

Appendix B: List of Forms with Available Fee Waivers

1. Biometric services fee, except for the biometric services fee required for a provisional unlawful presence waiver application (Form I-601A) filed under 8 C.F.R 212.7(e)
2. Form EOIR-29, Notice of Appeal to the Board of Immigration Appeals from a Decision of a DHS Officer
3. Form I-90, Application to Replace Permanent Resident Card
4. Form I-129, Petition for a Nonimmigrant Worker, but only for an applicant for E-2 Commonwealth of the Northern Mariana Islands investor nonimmigrant status under 8 C.F.R 214.2(e)(23)
5. Form I-131, Application for Travel Document, but only if applying for humanitarian parole
6. Form I-191, Application for Advance Permission to Return to Unrelinquished Domicile
7. Form I-192, Application for Advance Permission to Enter as Nonimmigrant, but only for an applicant who is exempt from the public charge grounds of inadmissibility
8. Form I-193, Application for Waiver for Passport and/or Visa, but only for an applicant who is exempt from the public charge grounds of inadmissibility of INA § 212(a)(4)
9. Form I-290B, Notice of Appeal or Motion, but only if the underlying application was fee exempt, the filing fee was waived, or it was eligible for a fee waiver
10. Form I-485, Application to Register Permanent Residence or Adjust Status. A fee waiver is only available when applying for lawful permanent resident status based on:
 - A. Special Immigrant Status based on an approved Form I-360 as an Afghan or Iraqi Interpreter, or Afghan or Iraqi National employed by or on behalf of the U.S. Government
 - B. An adjustment provision that is exempt from the public charge grounds of inadmissibility of INA § 212(a)(4), such as the Cuban Adjustment Act, the Haitian Refugee Immigration Fairness Act, continuous residence in the United States since before January 1, 1972 (“Registry”), Asylum Status, Special Immigrant Juvenile Status, or similar provisions
11. Form I-539, Application to Extend/Change Nonimmigrant Status, but only for an applicant with any benefit request as specified by INA § 245(l)(7) or an applicant for E-2 Commonwealth of the Northern Mariana Islands investor nonimmigrant status under 8 CFR 214.2(e)(23)
12. Form I-601, Application for Waiver of Grounds of Inadmissibility, but only for an applicant who is exempt from the public charge grounds of inadmissibility of INA § 212(a)(4)
13. Form I-694, Notice of Appeal of Decision Under Sections 245A or 210 of the Immigration and Nationality Act, if the underlying application or petition was fee exempt, the filing fee was waived, or was eligible for a fee waiver
14. Form I-751, Petition to Remove Conditions on Residence
15. Form I-765, Application for Employment Authorization, unless filed under category (c)(33), Deferred Action for Childhood Arrivals¹⁷
16. Form I-817, Application for Family Unity Benefits
17. Form I-821, Application for Temporary Protected Status
18. Form I-881, Application for Suspension of Deportation or Special Rule Cancellation of Removal (Pursuant to Section 203 of Public Law 105-100 (Nicaraguan Adjustment and Central American Relief Act))
19. Form N-300, Application to File Declaration of Intention
20. Form N-336, Request for a Hearing on a Decision in Naturalization Proceedings
21. Form N-400, Application for Naturalization

¹⁷ A request for Deferred Action for Childhood Arrivals may not include a fee waiver request for an application for employment authorization.

- 22.** Form N-470, Application to Preserve Residence for Naturalization Purposes
- 23.** Form N-565, Application for Replacement of Naturalization/Citizenship Document
- 24.** Form N-600, Application for Certificate of Citizenship
- 25.** Form N-600K, Application for Citizenship and Issuance of Certificate Under Section 322

Appendix C: Estimated Waived Fees (Top 10 Forms)

Form Number	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
N-400	\$ 93,094,890	\$ 90,868,995	\$ 105,961,765	\$ 135,091,180	\$ 131,948,360
I-485	\$ 51,291,905	\$ 59,470,360	\$ 66,815,505	\$ 83,517,165	\$ 102,677,655
I-765	\$ 28,574,480	\$ 39,042,340	\$ 45,944,660	\$ 54,749,640	\$ 47,906,920
I-90	\$ 15,663,245	\$ 21,093,350	\$ 25,858,790	\$ 29,696,765	\$ 40,113,305
I-192	\$ 14,860,755	\$ 18,081,765	\$ 16,523,325	\$ 16,509,870	\$ 1,957,950
N-600	\$ 12,943,200	\$ 12,234,600	\$ 14,163,000	\$ 16,103,400	\$ 27,897,180
I-131	\$ 546,480	\$ 983,880	\$ 1,705,320	\$ 2,255,760	\$ 4,882,120
I-751	\$ 1,191,800	\$ 1,525,100	\$ 1,332,190	\$ 1,254,925	\$ 2,171,230
I-290B	\$ 938,860	\$ 1,371,100	\$ 1,270,250	\$ 1,157,780	\$ 1,339,785
N-565	\$ 929,085	\$ 957,030	\$ 943,575	\$ 944,265	\$ 1,622,955
All Other	\$ 2,799,215	\$ 3,098,255	\$ 2,643,715	\$ 3,013,010	\$ 5,397,005
Total	\$ 222,833,915	\$ 248,726,775	\$ 283,162,095	\$ 344,293,760	\$ 367,914,465

Form Number	FY 2018	FY 2019	FY 2020	FY 2021
N-400	\$ 114,935,680	\$ 104,920,960	\$ 81,561,600	\$ 80,819,840
I-485	\$ 66,525,840	\$ 27,741,900	\$ 26,453,700	\$ 37,031,760
I-765	\$ 26,679,520	\$ 36,767,160	\$ 31,280,540	\$ 36,480,160
I-90	\$ 39,463,970	\$ 36,810,410	\$ 27,088,880	\$ 31,397,730
I-192	\$ 1,119,720	\$ 7,332,120	\$ 6,962,910	\$ 8,324,430
N-600	\$ 29,102,580	\$ 30,610,710	\$ 26,955,630	\$ 24,768,900
I-131	\$ 3,813,975	\$ 1,819,300	\$ 1,113,200	\$ 2,605,900
I-751	\$ 2,399,040	\$ 2,012,885	\$ 1,289,365	\$ 1,042,440
I-290B	\$ 1,193,400	\$ 1,244,700	\$ 982,125	\$ 836,325
N-565	\$ 2,456,985	\$ 2,356,530	\$ 1,718,280	\$ 1,684,980
All Other	\$ 5,804,005	\$ 2,584,210	\$ 2,271,665	\$ 4,422,780
Total	\$ 293,494,715	\$ 254,200,885	\$ 207,677,895	\$ 229,415,245

Form Number	FY 2022	End of Q2 FY 2023
N-400	\$ 61,221,120	\$ 38,648,320
I-485	\$ 27,464,880	\$ 30,939,600
I-765	\$ 35,993,900	\$ 32,603,610
I-90	\$ 39,035,815	\$ 12,467,455
I-192	\$ 7,443,720	\$ 6,683,910
N-600	\$ 21,831,030	\$ 18,916,560
I-131	\$ 11,035,400	\$ 2,313,800
I-751	\$ 596,190	\$ 404,005

Form Number	FY 2022	End of Q2 FY 2023
I-290B	\$ 519,750	\$ 384,075
N-565	\$ 1,388,610	\$ 947,385
All Other	\$ 40,073,545	\$ 9,617,880
Total	\$ 246,603,960	\$ 153,926,600

**Appendix D: USCIS' Policy Memorandum, Fee Waiver
Guidelines as Established by the Final Rule of the
USCIS Fee Schedule; Revisions to the Adjudicators
Field Manual Chapter 10.9 (March 13, 2011) AFM
Update AD11-26**



March 13, 2011

PM-602-0011.1

Policy Memorandum

SUBJECT: Fee Waiver Guidelines as Established by the Final Rule of the USCIS Fee Schedule; Revisions to *Adjudicator's Field Manual (AFM)* Chapter 10.9, *AFM* Update AD11-26

Purpose

This Policy Memorandum (PM) provides guidance on processing fee waiver requests filed pursuant to 8 CFR 103.7(c) as amended by changes made in the final rule "U.S. Citizenship and Immigration Services Fee Schedule," published in the *Federal Register (FR)* on September 24, 2010. See 75 FR 58961.

Scope

Unless specifically exempted herein, this PM applies to and is binding on all USCIS employees. This PM supersedes and rescinds all preceding fee-waiver guidance, including the following memoranda:

- Michael A. Pearson memorandum, *Fee Waiver Relating to Employment Authorization for Victims of Trafficking*, dated May 25, 2001
- William R. Yates memorandum, *Adjustment of Fees of the Immigration Examinations Fee Account*, dated February 1, 2002
- Johnny N. Williams memorandum, *Fee Surcharges and Refund of Fee Surcharges*, dated January 23, 2003
- William R. Yates memorandum, *Correction regarding the fees for filing Form N-600, Application for Certificate of Citizenship, and Form N-600K, Application for Citizenship and Issuance of Certificate under Section 322*, dated July 23, 2003
- William R. Yates memorandum, *Field Guidance on Granting Fee Waivers Pursuant to 8 CFR 103.7(c)*, dated March 4, 2004
- William R. Yates memorandum, *Adjustment of the Immigration Benefit Application Fee Schedule*, dated April 15, 2004
- William R. Yates memorandum, *Fee Waivers for Hurricane Katrina Victims*, dated September 19, 2005
- Don Neufeld memorandum, *Adjustment of the Immigration Benefit Application Fee Schedule*, dated July 12, 2007

- Don Neufeld memorandum, *Fee Waiver Guidelines as Established by the Final Rule of the Immigration and Naturalization Benefit Application and Petition Fee Schedule, Revisions to Adjudicators' Field Manual (AFM) Chapters 10.9(a) (AFM Update AD07-19)*, dated July 20, 2007
- Michael L. Aytes and Rendell Jones memorandum, *Fee Waivers for Victims of Southern California Wildfires*, dated November 27, 2007

Authority

This PM is issued under the authority of Title 8 CFR 103.7(c) and INA section 286(m).

Background

The final rule "U.S. Citizenship and Immigration Services Fee Schedule," effective November 23, 2010, establishes a new fee schedule for immigration-benefit requests. It also amends the regulations governing fee-waiver eligibility. USCIS has developed the new Form I-912, Request for Fee Waiver, in an effort to facilitate the fee-waiver request process. The form will become available for public use on November 23, 2010. As the use of a USCIS-published fee-waiver request form is not mandated by regulation, USCIS will continue to consider applicant-generated fee-waiver requests (i.e., those not submitted on Form I-912) that comply with 8 CFR 103.7(c).

Policy

It is USCIS policy that individuals may apply for and be granted a fee waiver for certain immigration benefits and services based on an inability to pay. Please consult the revisions to *AFM* Chapter 10.9 in this PM for the complete list of forms and services that are eligible for a fee waiver.

Implementation

USCIS released Form I-912 to provide a standard means for submitting fee-waiver requests. The form is intended to bring clarity and consistency to the fee-waiver process. The Form I-912 instructions provide applicants with guidance on properly completing Form I-912 and submitting supporting documentation. The Form I-912 instructions also give information on the methodology that USCIS uses to make a decision on a fee-waiver request. USCIS uses the same methodology whether the request is submitted on a Form I-912 or via an applicant-generated request. USCIS will continue to consider applicant-generated fee-waiver requests (i.e., those not submitted on Form I-912), but those requests must meet the criteria described in *AFM* Chapter 10.9 in order for the fee to be waived. All pending and newly submitted fee waiver requests will be reviewed under the guidelines in that chapter.

In general, fee-waiver requests will be reviewed by considering, in a step-wise fashion, whether the applicant is receiving a means-tested benefit, whether the applicant's household income level renders him or her unable to pay, or whether recent financial hardship otherwise renders him or her unable to pay. This PM also provides examples of required or acceptable supporting documentation.

Revisions to the *AFM*

1. Effective March 13, 2011, Chapter 10.9 of the *AFM* is revised to read:

10.9 Waiver of Fees.

(a) Submission of Request. A person requesting a waiver of fees for an application, petition, appeal, motion, service or other matter may submit either a **Form I-912, Request for Fee Waiver**, or a written request for permission to have their immigration benefit request processed without payment of the required fee as provided in **8 CFR 103.7(c)** and this chapter. There is no fee required for filing a fee-waiver request.

(1) Applicability. These guidelines apply to filing fees for those applications, petitions, motions, and requests contained in 8 CFR 103.7(b)(1)(i) and (c).

(2) General Fee Waivers. USCIS may waive fees for the following based on an inability to pay:

- Biometrics services fee;
- Form I-90, Application to Replace Permanent Resident Card;
- Form I-191, Application for Advance Permission to Return to Unrelinquished Domicile;
- Form I-751, Petition to Remove Conditions on Residence;
- Form I-765, Application for Employment Authorization;
- Form I-817, Application for Family Unity Benefits;
- Form I-821, Application for Temporary Protected Status;
- Form I-881, Application for Suspension of Deportation or Special Rule Cancellation of Removal (Pursuant to Section 203 of Public Law 105-100 (NACARA));
- Form N-300, Application to File Declaration of Intention;
- Form N-336, Request for a Hearing on a Decision in Naturalization Proceedings (Under Section 336 of the INA);
- Form N-400, Application for Naturalization;
- Form N-470, Application to Preserve Residence for Naturalization Purposes;
- Form N-565, Application for Replacement of Naturalization/Citizenship Document;
- Form N-600, Application for Certification of Citizenship; and
- Form N-600K, Application for Citizenship and Issuance of Certificate under Section 322.

(3) Conditional Fee Waivers. If the application or petition is not listed in paragraph (a)(2) of this chapter, USCIS may waive a fee based on an inability to pay and subject to the conditions specified:

- Form I-131, Application for Travel Document, only for those applying for humanitarian parole (i.e., only for persons that are applying for an Advance Parole Document under Application Type “e” or “f” in Part 2 of the Form I-131);
- Form I-192, Application for Advance Permission to Enter as Nonimmigrant for an applicant who is exempt from the public charge grounds of inadmissibility of section 212(a)(4) of the Immigration and Nationality Act (INA), either by statute or by policy;
- Form I-193, Application for Waiver for Passport and/or Visa for an applicant who is exempt from the public charge grounds of inadmissibility of section 212(a)(4) of the INA, either by statute or by policy;
- Form I-290B, Notice of Appeal or Motion, if the underlying application was fee exempt, the fee was waived, or it was eligible for a fee waiver;
- Form I-485, Application To Register Permanent Residence or Adjust Status, for the following individuals:
 - An Afghan and Iraqi Interpreter who has received a Special Immigrant Visa;
 - A “Registry” applicant filing under section 249 of the INA who has maintained continuous residence in the United States since before January 1, 1972; or
 - An applicant who is exempt from the public charge grounds of inadmissibility under section 212(a)(4) of the INA, including but not limited to the following circumstances:
 - Applications filed by asylees under section 209(b) of the INA;
 - Applications for Special Immigrant Juveniles;
 - Applications under the Cuban Adjustment Act, the Haitian Refugee Immigration Fairness Act (HRIFA), and the Nicaraguan Adjustment and Central American Relief Act (NACARA), or similar provisions; and
 - Applications filed by Lautenberg Parolees.
- Form I-601, Application for Waiver of Grounds of Inadmissibility for an applicant who is exempt from the public charge grounds of inadmissibility of section 212(a)(4) of the INA.

(4) Humanitarian Fee Waivers. Based on an inability to pay, USCIS may waive any fees associated with the filing of any benefit request by a VAWA self-petitioner or under sections 101(a)(15)(T) (T visas), 101(a)(15)(U) (U visas), 106 (battered spouses of A, G, E-3, or H nonimmigrants), 240A(b)(2) (battered spouse or child of a lawful permanent resident or U.S. citizen), and 244(a)(3) (Temporary Protected Status), of the Act (as in effect on March 31, 1997). This would include filings not otherwise eligible for a fee waiver or eligible only for conditional fee waivers such as Forms I-212, I-485, I-539, and I-601.

(5) Documentation. Whether the request is submitted on **Form I-912** or in the form of a written statement, the applicant may submit additional documentation to provide proof of his or her inability to pay. Fee-waiver requests should be decided based upon the request for a fee waiver and any additional documentation submitted in support of the fee waiver request. A fee-waiver request may be approved in the

absence of such additional documentation provided that the applicant's request is sufficiently detailed to substantiate his or her inability to pay the fee. If USCIS determines that the individual did not substantiate his or her inability to pay, then the fee waiver request should be denied.

(6) Submission of Both Fee and Fee Waiver Request. When a form is submitted with both the appropriate fee for the form and a fee-waiver request, the form should be processed, if otherwise acceptable, as properly filed with fee. No subsequent consideration should be given to, nor action taken on the fee-waiver request.

(b) Review of Request.

(1) Inability to Pay. Each fee-waiver request is unique and should be considered on its own merits. A fee-waiver request may be granted when USCIS has determined that the individual is unable to pay the fee. Inability to pay the fee is based on the individual's overall financial picture and household situation, as may be established according to the steps and criteria described below.

(2) Determining Inability to Pay and Adjudicating the Fee-Waiver Request. In determining whether the individual is unable to pay the fee and should be granted a fee waiver, the USCIS employee must proceed according to the following steps and criteria:

- Step 1. Is the individual receiving a means-tested benefit?
 - The individual may demonstrate that he or she is receiving a "means-tested benefit." A means-tested benefit is a benefit where a person's eligibility for the benefit, or the amount of the benefit, or both, are determined on the basis of the person's income and resources, including those that may lawfully be deemed available to the person by the benefit-granting agency. Examples of means-tested benefit programs are Supplemental Nutrition Assistance Program, Medicaid, Supplemental Security Income, and Temporary Assistance for Needy Families.
 - To demonstrate that the individual (or the individual's spouse or the head of the household in which the individual resides) is receiving a means-tested benefit, the applicant should provide proof in the form of a letter, notice, or other official document(s) containing the name of the agency granting the benefit. The document(s) submitted must show the name of the recipient of the means-tested benefit and the name of the benefit received.
 - If the individual provides sufficient proof of the means-tested benefit, the fee waiver will normally be approved, and no further information will be required.

- **Step 2. Is the individual's household income at or below 150 percent of the Federal Poverty Guidelines at the time of filing?**
 - The individual may demonstrate that his or her household income, on which taxes were paid for the most recent tax year, is at or below 150 percent of the Federal Poverty Level as established in the most recent poverty guidelines. Those guidelines are revised annually by the Secretary of Health and Human Services and are available at <http://aspe.hhs.gov/poverty>. For fee-waiver review purposes, a household may include an applicant, spouse, parent(s) living with the applicant, and any of the following family members:
 - An unmarried child or legal ward under 21 years of age living with the applicant;
 - An unmarried child or legal ward over 21 years of age but under 24 years of age who is a full-time student and living with the applicant when not at school; or
 - An unmarried child or legal ward for whom the applicant is the legal guardian because the individual is physically or mentally disabled to the extent that he or she cannot adequately care for him or herself and cannot establish, maintain, or re-establish his or her own household.
 - The applicant may submit documentation as follows to demonstrate that his or her household income is at or below 150 percent of the Federal Poverty Guidelines at the time of filing:
 - Evidence of current employment or self-employment such as recent pay statements, W-2 forms, statement(s) from the individual's employer(s) on business stationery showing salary or wages paid, or income tax returns (proof of filing of a tax return).
 - Documentation establishing other financial support or subsidies – such as parental support, alimony, child support, educational scholarships and fellowships, pensions, Social Security, veteran's benefits, etc. Financial support or subsidy may include monetary contributions for the payment of monthly expenses received from adult children, dependents, and other people who are living in the individual's household, etc.
 - If available, the individual's Federal tax return(s), listing the members of the household.
 - If the applicant is filing on behalf of, or as a Special Immigrant Juvenile (SIJ), the fee waiver request should be supported by one of the following forms of evidence:
 - A recent state or juvenile court order establishing dependency or custodial assignment of the SIJ; or
 - A letter from a foster care home or similar agency overseeing the SIJ's custodial placement that describes the SIJ's inability to pay; or

- An approval notice on a Form I-797, Notice of Action, for a Form I-360, filed for the SIJ.
- If the individual provides sufficient proof that his or her household income is at or below 150 percent of the Federal Poverty Guidelines at the time of filing, the fee waiver will normally be approved, and no further information will be required.
- **Step 3. Is the individual under financial hardship, due to extraordinary expenses or other circumstances, that renders the individual unable to pay the fee?**
 - The individual may demonstrate that he or she is under financial hardship due to extraordinary expenses or other circumstances affecting his or her financial situation to the degree that he or she is unable to pay the fee. Examples include unexpected and uninsured (or underinsured) medical bills, situations that could not normally be expected in the regular course of life events, or a medical emergency or catastrophic illness affecting the individual or the individual's dependents. If the individual is under financial hardship, the individual should demonstrate that he or she has suffered a sufficiently negative financial impact as a result of this hardship in a reasonably recent period preceding the filing of the fee-waiver request so as to render the applicant's income during that period insufficient to pay the fee.
 - The applicant may submit documentation as follows to demonstrate that he or she is under financial hardship that renders him or her unable to pay the fee:
 - Documentation of all assets owned, possessed, or controlled by the individual and by his or her dependents. Assets include real estate, property, cash, checking and savings accounts, stocks, bonds, and annuities (except for pension plans and Individual Retirement Accounts (IRAs)).
 - Documentation concerning liabilities and expenses owed by the individual and his or her dependents, and any other expenses for which the individual is responsible. Liabilities and expenses include the cost of rent, mortgages, lease, the average monthly cost of food, utilities, child care and elder care, medical expenses, any tuition costs, commuting costs, and monthly payments of any lawful debts.
 - If the applicant cannot provide evidence of income, he or she should provide a description of the financial hardship and why he or she cannot provide any evidence of income. Affidavits from churches and other community-based organizations indicating that the applicant is currently receiving some benefit from that entity may be used as evidence of income.

- Any other documentation or evidence that demonstrates the individual's inability to pay the fee based on his or her overall financial picture and household situation.
- In reviewing all documentation and information submitted, consider whether cash or assets exist aside from income which could be liquidated without the applicant incurring a hardship. For example, the applicant may own stocks or other assets that could be easily liquidated.

(c) Processing Fee Waiver Requests.

(1) Effective Date. As of November 23, 2010, all pending and newly submitted fee waiver requests must be reviewed under these guidelines. These guidelines apply only to application and petition filing fees contained in **8 CFR 103.7(b)**.

(2) Notation on Form. After careful review of the fee-waiver request and supporting documentation, the fee-waiver approval or denial should be recorded in the receipt block of the underlying form for which the applicant is requesting a fee waiver. The fee-waiver decision should also be noted on the **Form I-912, Request for Fee Waiver**, if that is how the applicant submitted the request. In addition, the signature of the approving officer and any relevant comments should be written on the Form I-912. If the fee-waiver request is denied, send the applicant Form G-1054, Request for Fee Waiver Denial Letter. If reviewing an electronic version of the fee-waiver request, record the fee-waiver approval or denial in an electronic system and note the name of the USCIS employee making the fee-waiver decision.

2. The *AFM* **Transmittal Memoranda** button is revised by adding, in numerical order, the following entry:

AD 11-26 03/13/2011	Chapter 10.9	Provides guidance on considering and approving requests for fee waivers.
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Use

This PM is intended solely for the guidance of USCIS personnel in the performance of their official duties. It is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable by law or by any individual or other party in removal proceedings, in litigation with the United States, or in any other form or manner.

Contact Information

Questions or suggestions regarding this PM should be addressed through appropriate channels to Headquarters Management Directorate, Office of Intake and Document Production.

**Appendix E: USCIS' Form I-912, Request for Fee Waiver, and
Accompanying Instructions**



Request for Fee Waiver
Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-912
 OMB No. 1615-0116
 Expires: 09/30/2024

For USCIS Use Only	Application Received At (Select only one box)			
	<input type="checkbox"/> USCIS Field Office <input type="checkbox"/> Fee Waiver Approved <input type="checkbox"/> Fee Waiver Denied Date: _____ Date: _____	<input type="checkbox"/> USCIS Service Center <input type="checkbox"/> Fee Waiver Approved <input type="checkbox"/> Fee Waiver Denied Date: _____ Date: _____		

▶ **START HERE - Type or print in black ink.**

If you need extra space to complete any section of this request or if you would like to provide additional information about your circumstances, use the space provided in Part 11. Additional Information. Complete and submit as many copies of Part 11., as necessary, with your request.

Part 1. Basis for Your Request (Each basis is further explained in the **Specific Instructions** section of the Form I-912 Instructions)

Select at least one basis or more for which you may qualify and provide supporting documentation for any basis you select. You only need to qualify and provide documentation for one basis for U.S. Citizenship and Immigration Services (USCIS) to grant your fee waiver. If you choose, you may select more than one basis; you must provide supporting documentation for each basis you want considered.

1. I am, my spouse is, or the head of household living in my household is currently receiving a means-tested benefit. (Complete **Parts 2. - 4.** and **Parts 7. - 10.**)
2. My household income is at or below 150 percent of the Federal Poverty Guidelines. (Complete **Parts 2. - 3., Part 5.,** and **7. - 10.**)
3. I have a financial hardship. (Complete **Parts 2. -3.** and **Parts 6. - 10.**)

Part 2. Information About You (Requestor)

Provide information about yourself if you are the person requesting a fee waiver for a petition or application you are filing. If you are the parent or legal guardian filing on behalf of a child or person with a physical disability or developmental or mental impairment, provide information about the child or person for whom you are filing this form.

1. Full Name

Family Name (Last Name)	Given Name (First Name)	Middle Name
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2. Other Names Used (if any)

List all other names you have used, including nicknames, aliases, and maiden name.

Family Name (Last Name)	Given Name (First Name)	Middle Name
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3. Alien Registration Number (A-Number) (if any)

▶ A-

4. USCIS Online Account Number (if any)

▶

5. Date of Birth (mm/dd/yyyy)

6. U.S. Social Security Number (if any)

▶

Part 2. Information About You (Requestor) (continued)

7. Marital Status

- Single, Never Married
 Married
 Divorced
 Widowed
 Marriage Annulled
 Separated
 Other (Explain)

Part 3. Applications and Petitions for Which You Are Requesting a Fee Waiver

1. In the table below, add the form numbers of the applications and petitions for which you are requesting a fee waiver.

Applications or Petitions for You and Your Family Members					
Full Name	A-Number (if any)	Date of Birth	Relationship to You	Forms Being Filed	
	A-		Self		
	A-				
	A-				
	A-				
Total Number of Forms (including self)					

Part 4. Means-Tested Benefits

If you selected **Item Number 1.** in **Part 1.**, complete this section.

1. If you, your spouse, or the head of household (including parent if the child is under 21 years of age) living with you is receiving any means-tested benefits, list the information in the table below and attach supporting documentation. If you are the parent or legal guardian filing on behalf of a child or person with a physical disability or developmental or mental impairment, provide information about the child or person for whom you are filing this form if he or she is receiving a means-tested benefit.

Means-Tested Benefit Recipients					
Full Name of Person Receiving the Benefit	Relationship to You	Name of Agency Awarding Benefit	Type of Benefit	Date Benefit was Awarded	Date Benefit Expires (or must be renewed)

Part 5. Income at or Below 150 Percent of the Federal Poverty Guidelines

If you selected **Item Number 2.** in **Part 1.**, complete this section.

Your Employment Status

1. Employment Status

- Employed (full-time, part-time, seasonal, self-employed)
 Unemployed or Not Employed
 Retired
 Other (Explain)

Part 5. Income at or Below 150 Percent of the Federal Poverty Guidelines (continued)

2. If you are currently unemployed, are you currently receiving unemployment benefits? Yes No

A. Date you became unemployed
(mm/dd/yyyy)

Information About Your Spouse

3. If you are married or separated, does your spouse live in your household? Yes No

A. If you answered "No" to Item Number 3., does your spouse provide any financial support to your household? Yes No

Your Household Size

4. Are you the person providing the primary financial support for your household? Yes No

If you answered "Yes" to Item Number 4., type or print your name on the line marked "self" in the table below. If you answered "No" to Item Number 4., type or print your name on the line marked "self" in the table below and add the head of household's name on the line below yours.

Household Size					
Full Name	Date of Birth	Relationship to You	Married	Full-Time Student	Is any income earned by this person counted towards the household income?
		Self	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Total Household Size (including self)					

Your Annual Household Income

Provide information about your income and the income of all family members counted as part of your household. You must list all amounts in U.S. dollars.

5. Your Annual Income \$

6. Annual Income of All Family Members
Provide the annual income of all family members counted as part of your household as listed in Item Number 4. (Do not include the amount provided in Item Number 5.) \$

7. Total Additional Income or Financial Support \$

Provide the total annual amount you receive in additional income or financial support from a source outside of your household. (Do not include the amount provided in Item Numbers 5. or 6.) You must add all of the additional income and financial support amounts and put the total amount in the space provided. Type or print "0" in the total box if there are none. Select the type of additional income or financial support that you receive and provide documentation.

- | | | | |
|----------------------------------------------------|-----------------------------------------------|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Parental Support | <input type="checkbox"/> Educational Stipends | <input type="checkbox"/> Unemployment Benefits | <input type="checkbox"/> Financial Support From Adult Children, Dependents, Other People Living in the Household |
| <input type="checkbox"/> Spousal Support (Alimony) | <input type="checkbox"/> Royalties | <input type="checkbox"/> Social Security Benefits | <input type="checkbox"/> Other (Explain) |
| <input type="checkbox"/> Child Support | <input type="checkbox"/> Pensions | <input type="checkbox"/> Veteran's Benefits | <input type="text"/> |

Part 5. Income at or Below 150 Percent of the Federal Poverty Guidelines (continued)

8. Total Household Income (add the amounts from Item Numbers 5., 6., and 7.) \$
9. Has anything changed since the date you filed your Federal tax returns? (For example, your marital status, income, or number of dependents.) Yes No

If you answered "Yes" to Item Number 9., provide an explanation below. Provide documentation if available. You may also use this space to provide any additional information about your circumstances that you would like USCIS to consider.

Part 6. Financial Hardship

If you selected Item Number 3. in Part 1., complete this section.

1. If you or any family members have a situation that has caused you to incur expenses, debts, or loss of income, describe the situation in the box below. Specify the amounts of the expenses, debts, and income losses in as much detail as possible. Examples may include medical expenses, job loss, eviction, and homelessness.

2. If you have cash or assets that you can quickly convert to cash, list those in the table below. For example, bank accounts, stocks, or bonds. (Do not include retirement accounts.)

Assets	
Type of Asset	Value (U.S. Dollars)
Total Value of Assets	

Part 6. Financial Hardship (continued)

3. Total Monthly Expenses and Liabilities

\$

Provide the total monthly amount of your expenses and liabilities. You must add all of the expense and liability amounts and type or print the total amount in the space provided. Type or print "0" in the total box if there are none. Select the types of expenses or liabilities you have each month and provide evidence of monthly payments, where possible.

- Rent and/or Mortgage Loans and/or Credit Cards Other
- Food Car Payment _____
- Utilities Commuting Costs _____
- Child and/or Elder Care Medical Expenses _____
- Insurance School Expenses _____

Part 7. Requestor's Statement, Contact Information, Certification, and Signature

NOTE: Read the **Penalties** section of the Form I-912 Instructions before completing this part.

Each person applying for a fee waiver request must complete, sign, and date Form I-912 and provide the required documentation. This includes family members identified in **Part 3**. Signature fields for family members are at the end of this part. If an individual is under 14 years of age, a parent or legal guardian may sign the request on their behalf. USCIS rejects any Form I-912 that is not signed by all individuals requesting a fee waiver and may deny a request that does not provide required documentation.

Select the box for either **Item A.** or **B.** in **Item Number 1.** If applicable, select the box for **Item Number 2.**

1. Requestor's Statement Regarding the Interpreter

- A. I can read and understand English, and I have read and understand every question and instruction on this request and my answer to every question.
- B. The interpreter named in **Part 9**, read to me every question and instruction on this request and my answer to every question in , a language in which I am fluent, and I understood everything.

2. Requestor's Statement Regarding the Preparer (if applicable)

- At my request, the preparer named in **Part 10**, , prepared this request for me based only upon information I provided or authorized.

Requestor's Contact Information

3. Requestor's Daytime Telephone Number

4. Requestor's Mobile Telephone Number (if any)

5. Requestor's Email Address (if any)

Requestor's Certification

Copies of any documents I have submitted are exact photocopies of unaltered, original documents, and I understand that USCIS may require that I submit original documents to USCIS at a later date. Furthermore, I authorize the release of any information from any of my records that USCIS may need to determine my eligibility for the immigration benefit I seek.

I further authorize release of information contained in this request, in supporting documents, and in my USCIS records to other entities and persons where necessary for the administration and enforcement of U.S. immigration laws.

I certify, under penalty of perjury, that I provided or authorized all of the information in my request, I understand all of the information contained in, and submitted with, my request, and that all of this information is complete, true, and correct.

Part 7. Requestor's Statement, Contact Information, Certification, and Signature (continued)

WARNING: If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-912, USCIS will deny your fee waiver request and may deny any other immigration benefit. In addition, you may face severe penalties provided by law and may be subject to criminal prosecution.

Requestor's Signature

6. Requestor's Signature Date of Signature (mm/dd/yyyy)
→

NOTE TO ALL REQUESTORS: If you do not completely fill out this request or fail to submit required documents listed in the Instructions, USCIS may deny your request.

Family Members' Signatures

NOTE: Each family member **must** type or print their full name and sign in the spaces below. You can find additional family members' signature spaces in **Item Numbers 7. - 10.** below. All family members identified in **Part 3.** must sign and date Form I-912.

I certify that the information provided by the requestor in **Part 7.** applies to me.

7. Family Member 1

Family Member's Name

Family Member's Signature

Date of Signature (mm/dd/yyyy)

8. Family Member 2

Family Member's Name

Family Member's Signature

Date of Signature (mm/dd/yyyy)

9. Family Member 3

Family Member's Name

Family Member's Signature

Date of Signature (mm/dd/yyyy)

10. Family Member 4

Family Member's Name

Family Member's Signature

Date of Signature (mm/dd/yyyy)

11. Family Member 5

Family Member's Name

Family Member's Signature

Date of Signature (mm/dd/yyyy)

Part 8. Family Member's Statement, Contact Information, Certification, and Signature

NOTE: Read the **Penalties** section of the Form I-912 Instructions before completing this part.

If the information provided by the requestor in **Part 7** is not applicable to a family member identified in **Part 3**, (for example, the family member used an interpreter or speaks a different language) that individual should complete **Part 8**. USCIS rejects any Form I-912 that is not signed by all individuals requesting a fee waiver.

Select the box for either **Item A**. or **B**. in **Item Number 1**. If applicable, select the box for **Item Number 2**.

1. Family Member's Statement Regarding the Interpreter for
- A. I can read and understand English, and I have read and understand every question and instruction on this request and my answer to every question.
- B. The interpreter named in **Part 9**. read to me every question and instruction on this request and my answer to every question in , a language in which I am fluent, and I understood everything.
2. Family Member's Statement Regarding the Preparer for
- At my request, the preparer named in **Part 10**., , prepared this request for me based only upon information I provided or authorized.

Family Member's Contact Information

3. Family Member's Daytime Telephone Number
4. Family Member's Mobile Telephone Number (if any)
5. Family Member's Email Address (if any)

Family Member's Certification

Copies of any documents I have submitted are exact photocopies of unaltered, original documents, and I understand that USCIS may require that I submit original documents to USCIS at a later date. Furthermore, I authorize the release of any information from any of my records that USCIS may need to determine my eligibility for the immigration benefit I seek.

I further authorize release of information contained in this request, in supporting documents, and in my USCIS records to other entities and persons where necessary for the administration and enforcement of U.S. immigration laws.

I certify, under penalty of perjury, that I provided or authorized all of the information in my request, I understand all of the information contained in, and submitted with, my request, and that all of this information is complete, true, and correct.

Family Member's Signature

6. Family Member's Signature Date of Signature (mm/dd/yyyy)

NOTE TO ALL FAMILY MEMBERS: If you do not completely fill out this request or fail to submit required documents listed in the Instructions, USCIS may deny your request.

Part 9. Interpreter's Contact Information, Certification, and Signature

- 1. Did any person filing this request use an interpreter? Yes, (complete this section) No (skip to Part 10.)
- 2. Was the same interpreter used for all individuals requesting a fee waiver (as listed in Part 3.)? Yes No

NOTE for Family Members: If you used a different interpreter than the one used by the requestor, make additional copies of Part 9., provide the following information, indicate the family member for whom he or she interpreted, and include the pages with your completed Form I-912.

Provide the following information about the interpreter for

Interpreter's Full Name

- 3. Interpreter's Family Name (Last Name) Interpreter's Given Name (First Name)
- 4. Interpreter's Business or Organization Name (if any)

Interpreter's Mailing Address

[\(USPS ZIP Code Lookup\)](#)

- 5. Street Number and Name Apt. Ste. Flr. Number
- City or Town State ZIP Code
- Province Postal Code Country

Interpreter's Contact Information

- 6. Interpreter's Daytime Telephone Number
- 7. Interpreter's Mobile Telephone Number (if any)
- 8. Interpreter's Email Address (if any)

Interpreter's Certification

I certify, under penalty of perjury, that:

I am fluent in English and , which is the same language specified in Part 7., Item B. in Item Number 1., and I have read to this requestor in the identified language every question and instruction on this request and his or her answer to every question. The requestor informed me that he or she understands every instruction, question, and answer on the request, including the Applicant's Certification, and has verified the accuracy of every answer.

Interpreter's Signature

- 9. Interpreter's Signature Date of Signature (mm/dd/yyyy)

Part 10. Contact Information, Declaration, and Signature of the Person Preparing this Request, if Other Than the Requestor

1. Did any person prepare this request on your behalf? Yes, (complete this section) No, skip
2. Was the same preparer used for all individuals requesting a fee waiver (as listed in Part 3.)? Yes No

NOTE for Family Members: If you used a different preparer than the one used by the requestor, provide the following information, and include the pages with your completed Form I-912.

Provide the following information about the preparer for

Preparer's Full Name

3. Preparer's Family Name (Last Name) Preparer's Given Name (First Name)
4. Preparer's Business or Organization Name (if any)

Preparer's Mailing Address

5. Street Number and Name Apt. Ste. Flr. Number
- City or Town State ZIP Code
- Province Postal Code Country

Preparer's Contact Information

6. Preparer's Daytime Telephone Number
7. Preparer's Mobile Telephone Number (if any)
8. Preparer's Email Address (if any)

Preparer's Statement

9. A. I am not an attorney or accredited representative but have prepared this request on behalf of the requestor and with the requestor's consent.
- B. I am an attorney or accredited representative and my representation of the requestor in this case extends does not extend beyond the preparation of this request.

NOTE: If you are an attorney or accredited representative, you may be obliged to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, or G-28I, Notice of Entry of Appearance as Attorney In Matters Outside the Geographical Confines of the United States, with this request.

Part 10. Contact Information, Declaration, and Signature of the Person Preparing this Request, if Other Than the Requestor (continued)

Preparer's Certification

By my signature, I certify, under penalty of perjury, that I prepared this request at the request of the requestor. The requestor then reviewed this completed request and informed me that he or she understands all of the information contained in, and submitted with, his or her request, including the **Applicant's Certification**, and that all of this information is complete, true, and correct. I completed this request based only on information that the requestor provided to me or authorized me to obtain or use.

Preparer's Signature

10. Preparer's Signature

Date of Signature (mm/dd/yyyy)

➡

Part 11. Additional Information

If you need extra space to provide any additional information within this request, use the space below. If you need more space than what is provided, you may make copies of this page to complete and file with this request or attach a separate sheet of paper. Include your name and A-Number (if any) at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers.

1. Family Name (Last Name) Given Name (First Name) Middle Name

2. A-Number (if any) ▶ A-

3. A. Page Number B. Part Number C. Item Number

D. _____

4. A. Page Number B. Part Number C. Item Number

D. _____

5. A. Page Number B. Part Number C. Item Number

D. _____

6. A. Page Number B. Part Number C. Item Number

D. _____



Instructions for Request for Fee Waiver

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-912
OMB No. 1615-0116
Expires 09/30/2024

What Is the Purpose of Form I-912?

You may request a fee waiver if you are unable to pay the filing fees or biometric services fees for an application or petition that is eligible for a fee waiver. When you request a fee waiver, you must clearly demonstrate that you are unable to pay the fees.

You can find the list of applications and petitions that are eligible for a fee waiver at www.uscis.gov/I-912 or refer to 8 CFR 103.7(c)(3). For filing tips and additional information, see www.uscis.gov/feewaiver.

You do not need to submit Form I-912 for an application or petition that does not require a filing fee or if you qualify for a fee exemption based on your immigration status. Refer to the Instructions for each application or petition to see whether you are exempt from paying the fees.

Forms Eligible for Fee Waiver

Below is a list of applications and petitions U.S. Citizenship and Immigration Services (USCIS) will consider for a fee waiver and the conditions that must be met to be eligible for a fee waiver. Under current fee waiver regulations, USCIS can only approve fee waivers for certain forms or certain filings of a particular form type, when fee waiver requirements are met.

You may file this form to request a fee waiver for any of the following benefit requests or services:

1. Biometric services fee, except for the biometric services fee required for a provisional unlawful presence waiver application (Form I-601A) filed under 8 CFR 212.7(e);
2. Form EOIR-29, Notice of Appeal to the Board of Immigration Appeals from a Decision of an Immigration Officer;
3. Form I-90, Application to Replace Permanent Resident Card;
4. Form I-129, Petition for a Nonimmigrant Worker, but only if you are an applicant for E-2 CNMI investor nonimmigrant status under 8 CFR 214.2(e)(23);
5. Form I-131, Application for Travel Document, but only if you are applying for humanitarian parole;
6. Form I-191, Application for Advance Permission to Return to Unrelinquished Domicile;
7. Form I-192, Application for Advance Permission to Enter as Nonimmigrant, but only if you are an applicant who is exempt from the public charge grounds of inadmissibility;
8. Form I-193, Application for Waiver for Passport and/or Visa, but only if you are an applicant who is exempt from the public charge grounds of inadmissibility;
9. Form I-290B, Notice of Appeal or Motion, but only if your underlying application was fee exempt, the filing fee was waived, or it was eligible for a fee waiver;
10. Form I-485, Application to Register Permanent Residence or Adjust Status. A fee waiver is only available if you are applying for lawful permanent resident status based on:
 - A. Special Immigrant Status based on an approved Form I-360 as an Afghan or Iraqi Interpreter, or Afghan or Iraqi National employed by or on behalf of the U.S. Government;
 - B. An adjustment provision that is exempt from the public charge grounds of inadmissibility of the Immigration and Nationality Act (INA) section 212(a)(4), such as the Cuban Adjustment Act, the Haitian Refugee Immigration Fairness Act, continuous residence in the United States since before January 1, 1972, (“Registry”), Asylum Status, Special Immigrant Juvenile Status, or similar provisions;

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11. Form I-539, Application to Extend/Change Nonimmigrant Status, but only if you are an applicant with any benefit request as specified by INA section 245(l)(7) or an applicant for E-2 Commonwealth of the Northern Mariana Islands (CNMI) investor nonimmigrant status under 8 CFR 214.2(e)(23);
 12. Form I-601, Application for Waiver of Grounds of Inadmissibility, but only if you are an applicant who is exempt from the public charge grounds of inadmissibility of INA section 212(a)(4);
 13. Form I-694, Notice of Appeal of Decision Under Sections 245A or 210 of the Immigration and Nationality Act, if your underlying application or petition was fee exempt, the filing fee was waived, or was eligible for a fee waiver;
 14. Form I-751, Petition to Remove Conditions on Residence;
 15. Form I-765, Application for Employment Authorization, unless you are filing under category (c)(33), Deferred Action for Childhood Arrivals (DACA);
 16. Form I-817, Application for Family Unity Benefits;
 17. Form I-821, Application for Temporary Protected Status;
 18. Form I-881, Application for Suspension of Deportation or Special Rule Cancellation of Removal;
 19. Form N-300, Application to File Declaration of Intention;
 20. Form N-336, Request for a Hearing on a Decision in Naturalization Proceedings;
 21. Form N-400, Application for Naturalization;
 22. Form N-470, Application to Preserve Residence for Naturalization Purposes;
 23. Form N-565, Application for Replacement of Naturalization/Citizenship Document;
 24. Form N-600, Application for Certification of Citizenship; and
 25. Form N-600K, Application for Citizenship and Issuance of Certificate under Section 322.

You may also apply for a fee waiver for ANY application or petition that is related to status as a:

1. Battered spouses of A, G, E-3, or H nonimmigrants (such as Forms I-485, I-601 and I-212);
2. Battered spouse or child of a lawful permanent resident or U.S. citizen under INA section 240A(b)(2);
3. T nonimmigrant (such as Forms I-192, I-485, and I-601);
4. Temporary Protected Status (such as Forms I-131, I-821 and I-601);
5. U nonimmigrant (such as Forms I-192, I-485, and I-929); or
6. VAWA self-petitioner (such as Forms I-485, I-601 and I-212).

You may not file Form I-912 if you are requesting consideration DACA. There are no fee waivers for DACA. Fee exemptions will be available in limited circumstances. See the Deferred Action for Childhood Arrivals Fee exemption at www.uscis.gov/forms/forms-and-fees/guidance-exemption-fee-form-i-765-filed-request-consideration-deferred-action-childhood-arrivals for more details.

You do not need to file Form I-912 for applications and petitions that do not require a filing fee. Other USCIS applications and petitions have fee exemption requirements for certain types of applicants and petitioners. In these cases, the USCIS form and instructions will outline the fee exemption and submission if a separate Form I-912 is not required. If your form is not listed, please see the specific form instructions for additional information or call the USCIS Contact Center at **1-800-375-5283**.

How to File Form I-912

You must file this fee waiver request with all applications and petitions for which you are requesting a fee waiver. You do not have to file a separate Form I-912 for the filing fee and the biometric services fee. If USCIS approves your Form I-912, we will waive both the filing fee and biometric services fee.

You may file one Form I-912 for all family-related applications or petitions filed at the same time. For example, if you file Form I-765, Application for Employment Authorization, and your spouse and children are filing separate Form I-765s at the same time, you only need to file one Form I-912 for all Form I-765s. You must send all forms together.

General Instructions

USCIS provides all forms free of charge. The latest versions are available at www.uscis.gov/forms. In order to best view, print, or fill out our forms, you should use the latest version of Adobe Reader, which you can download for free at get.adobe.com/reader. If you do not have Internet access or have questions about this request, you may call the USCIS Contact Center at **1-800-375-5283** and ask that we mail a form to you. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

Signature. Each request must be properly signed and filed. For all signatures on this request, USCIS will not accept a stamped or typewritten name in place of a signature. If you are under 14 years of age, your parent or legal guardian may sign the request on your behalf. A legal guardian may also sign for a mentally incompetent person.

Evidence. At the time of filing, you must submit all evidence and supporting documentation required under the **Specific Instructions** section of these Instructions.

Copies. You should submit legible photocopies of documents requested, unless these Instructions specifically state that you must submit an original document. USCIS may request an original document at the time of filing or at any time during processing of an application, petition, or request. If you submit original documents when not required, the documents may remain a part of the record, and USCIS will not automatically return them to you.

Translations. If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that he or she is competent to translate from the foreign language into English.

How To Fill Out Form I-912

1. Type or print legibly in black or dark blue ink. If a section does not apply to you, type or print "N/A," which stands for "not applicable." Fully and accurately answer all questions that apply to the basis for your request.
2. If you need extra space to complete any item within this request, use the space provided in **Part 11. Additional Information**. You may also attach as many separate sheets of paper as needed; type or print your name and Alien Registration Number (A-Number) (if any) at the top of each sheet and indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers.

Specific Instructions

Part 1. Basis for Your Request

Item Numbers 1. - 3. Select a basis for your request. You are not required to complete the entire section of this request. Rather, select one basis or more for which you may qualify and complete the corresponding section as explained below in Parts **4.**, **5.**, and **6.**

Part 2. Information About You (Requestor)

Item Number 1. Full Name. Provide your full name. If you have two last names, include both in the Family Name box and use a hyphen (-) if appropriate. If you do not have a middle name, type or print “N/A.”

Item Number 2. Other Names Used (if any). Provide all other names you have used, including your maiden name.

Item Number 3. Alien Registration Number (A-Number) (if any). An A-Number is a number assigned by USCIS or the former Immigration and Naturalization Service (INS). People with A-Numbers can locate the number on their USCIS-issued or INS-issued documentation. If the intending immigrants you are sponsoring were not previously in the United States or were only in the United States as tourists, they may not have A-Numbers.

Item Number 4. USCIS ELIS Account Number (if any). If you were issued a USCIS Electronic Immigration System (USCIS ELIS) Account Number, enter it in the space provided. The USCIS ELIS Account Number is not the same as an A-Number.

Item Number 5. Date of Birth (mm/dd/yyyy). Provide your date of birth in mm/dd/yyyy format. For example, enter May 1, 1979, as 05/01/1979.

Item Number 6. U.S. Social Security Number (if any). Provide your U.S. Social Security number.

Item Number 7. Marital Status. Indicate your current marital status.

Part 3. Applications and Petitions for Which You are Requesting a Fee Waiver

Item Number 1. Complete the table for yourself and each person requesting a fee waiver with you. Provide the form numbers and the total number of applications and petitions for which you and any family members are requesting a fee waiver.

Part 4. Means-Tested Benefits

Item Number 1. If you, your spouse, or the head of household living with you receives a means-tested benefit, complete the table. You must attach supporting documentation. If you provide sufficient proof that you receive a means-tested benefit, your fee waiver will generally be approved.

A means-tested benefit is a public benefit where a person’s eligibility for the benefit, the amount of the benefit, or both, is based on the person’s income and resources. USCIS will consider means-tested benefits that are Federally, state, or locally funded and granted by the benefit agency.

Examples of means-tested benefit programs are Medicaid, Supplemental Nutrition Assistance Program (known as “SNAP” and formerly called Food Stamps), Temporary Assistance to Needy Families (TANF), and Supplemental Security Income (SSI), among others. Consult with your benefit-granting agency or your legal advisor to determine whether any Federal, state, or local public benefit that you may receive qualifies as a means-tested benefit.

For the purposes of determining an inability to pay the filing fee of the petition or application, the following are not considered means-tested benefits: Medicare; unemployment benefits; Social Security retirement benefits; Social Security Disability Insurance (SSDI); Social Security Retirement, Survivors, and Disability Insurance (RSDI); or student financial aid.

1. Individual Receipt of a Means-Tested Benefit

- A. The individual may demonstrate that he or she is personally receiving a means-tested benefit.
- B. If a child is the sole applicant, he or she may provide an individual means-tested benefit or a custodial parent’s means-tested benefit, if living in the same household.
- C. If multiple children are filing at the same time, each child must have an individual receipt of a means-tested benefit or be under the parent’s household who is receiving a means-tested benefit.

2. Family Members' Means-Tested Benefits

- A. Your spouse and unmarried children under 21 years of age living with you will normally qualify for a fee waiver as part of your household if you are receiving means-tested benefits.
- B. If your spouse is receiving a means-tested benefit, you will normally qualify for a fee waiver as long as you are residing with your spouse and are not legally separated.
- C. You may not use a means-tested benefit received by a child or household member, other than a spouse, as the basis for eligibility in **Part 4. Means-Tested Benefits**, but you may use it to support a fee waiver request in **Part 5. Income at or Below 150 Percent of the Federal Poverty Guidelines** or under **Part 6. Financial Hardship** if the award letter or benefit approval document indicates the total household income.
- D. If you are 21 years of age or older, you cannot use a parent's means-tested benefits (such as SSI), even if the parent is living with you, as evidence of your eligibility for a fee waiver. However, you may use this information to support a fee waiver request in **Part 5. Income at or Below 150 Percent of the Federal Poverty Guidelines** or under **Part 6. Financial Hardship** if the award letter or benefit approval document indicates the total household income and you are otherwise eligible under those criteria.

3. Documentation

- A. To qualify for a fee waiver, the evidence that you provide must demonstrate that you are currently receiving the means-tested benefit. This evidence can be in the form of a letter, notice, or other agency documents that indicate that the benefit is being received.
- B. Documentation must contain:
 - (1) Your name (or the name of the person receiving the benefit);
 - (2) The name of the agency granting the public benefit;
 - (3) The type of benefit; and
 - (4) An indication that the benefit is currently being received (for example, a recently dated letter or document with effective dates, date of renewal or period the approval ends, if available).
- C. If the documentation is more than 12 months old and the benefit is still being received, provide additional evidence that shows the benefit is currently being received.

Part 5. Income at or Below 150 Percent of the Federal Poverty Guidelines

To qualify for the fee waiver, your household income must be at or below 150 percent of the Federal Poverty Guidelines, at the time of filing, based on your household size. The Federal Poverty Guidelines are established by the Secretary of the Department of Health and Human Services annually. To obtain information on the current Federal Poverty Guidelines, visit our Web site at www.uscis.gov/I-912P and review Form I-912P, Poverty Guidelines for Fee Waiver Request.

Your Employment Status

Item Number 1. Employment Status. Indicate your current employment status. If you are both employed and a student, select Other and provide an explanation.

Item Number 2. Indicate if you are currently receiving unemployment benefits. If applicable, provide the date that you became unemployed and include the total amount of unemployment benefits you have received in **Item Number 7**.

Information About Your Spouse

Item Number 3. Indicate whether your spouse is living with you. If your spouse lives with you, list your spouse in the table provided in **Item Number 4**. If applicable, indicate whether your spouse provides any financial support to your household. If your spouse provides any financial support to your household, include any contributions that your spouse provides to your household in **Item Number 7**.

Your Household Size

Item Number 4. Indicate whether you are providing the primary financial support for your household.

Complete the table with the information requested about the members of your household including their names, dates of birth, relationship to you, whether the person is married, whether the person is a full-time student, and whether the person earns income counted towards household income.

For the last column (Is any income earned by this person counted towards the household income?), select yes if income is received consistently or regularly as wages or salary from these household members' employment or business.

At the end of the table, provide the total number of household members. Include the following people, who are dependent on your income, your spouse's income, or the head of household's income, as part of your household size:

1. You;
2. The head of your household (if not you). If the child is applying individually, provide the information of the primary custodial parent;
 - A. You are the head of household if you filed the most recent Federal tax return for your household (includes filing as head of household) or earned the majority of the income for your household.
 - B. If you are not the head of household, the head of household is the person who filed the most recent Federal tax return on which you are listed as a dependent or the person who provides the majority of your household's income. If you already have or are applying for Special Immigrant Juvenile (SIJ) classification, do not include any foster or group home household members.
3. Your spouse, if living with you (if you are separated or your spouse is not living with you, do not include your spouse); or
4. Any family members living in your household who are dependent on your income, your spouse's income, or the head of household's income, including:
 - A. Your children or legal wards who are unmarried and under 21 years of age, and who live with you;
 - B. Your children or legal wards who are unmarried, are over 21 years of age but under 24 years of age, are full-time students, and who live with you when not at school;
 - C. Your children or legal wards who are unmarried and for whom you are the legal guardian because they are physically or developmentally disabled or mentally impaired to the extent that they cannot adequately care for themselves and cannot establish, maintain, or re-establish their own household;
 - D. Your parents who live with you; and
 - E. Any other dependents listed on your Federal tax return or your spouse or head of household's Federal tax returns.

Your Annual Household Income

Item Number 5. Your Annual Income. Provide information on your annual income. If you filed a Federal tax return, enter the amount from Line 37 (adjusted gross income) on Internal Revenue Service (IRS) Form 1040, U.S. Individual Income Tax Return. If you have not filed a Federal tax return, take your total household wage income (before any deductions) for the previous 12-month period and enter that amount as your household's annual income. If you have not filed a Federal income tax return but you have an IRS Form W-2, Wage and Tax Statement, that covers the previous 12-month period, take your total wage income, deduct Federal, state, and local income taxes withheld, and enter that amount as your household's annual wage income.

Documentation. To document your annual income, provide the following information:

1. A copy of your most recent Federal tax return;
2. If you did not file a Federal tax return, or if your Federal tax return does not properly reflect your current income, submit copies of consecutive pay statements (stubs) for a minimum of the past month, recent Form W-2, Form SSA-1099, or statements from your employers on business stationery showing salary or wages paid;

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3. If you are a student and not living with your parents or are not claimed as a dependent on your parents' Federal tax return, do not include your parents' incomes. You should only provide proof of your income or documentation that shows you are not required to file a Federal or state tax return, such as proof that you are a full-time student as supporting documentation;
 4. If you are recently unemployed, and your annual income on your Federal tax return or other proof of income is above 150 percent of the Federal Poverty Guidelines, describe your particular situation that you believe qualifies you for a fee waiver in **Part 5., Item Number 9.** Provide information regarding any unemployment benefits you are currently receiving;
 5. If you do not have any income, financial support, or cannot provide evidence of income, describe your particular situation that you believe qualifies you for a fee waiver in **Part 5., Item Number 9.** If available, you may submit affidavits from, for example, religious institutions, non-profits, community-based organizations, or similarly recognized organizations, indicating that you are currently receiving some benefit or support from the organization verifying (or attesting to) your situation; and
 6. If you are filing Form I-485, Application to Register Permanent Residence or Adjust Status, based on SIJ classification, accompany the fee waiver request by evidence that the applicant was approved or filed for SIJ classification (for example, Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant,; or a copy of Form I-797, Notice of Action, for Form I-360). SIJ Applicants seeking adjustment of status based on such classification are not required to complete **Parts 4. - 6.** of Form I-912 nor show proof of income.

Item Number 6. Annual Income of All Household Members. Provide the annual income from all family members counted as part of your household.

1. If a person lives with you, but does not contribute financial support to your household, then you should not include this person's income when calculating your household income.
2. If you are separated or still married, but do not live with your spouse, do not include your spouse's income. However, you must include any financial support your spouse provides to your household in **Item Number 7.**
3. If you are applying for any immigration benefits (such as for adjustment of status) based on the Violence Against Women Act (VAWA), or T or U nonimmigrant status under the Victims of Violence and Trafficking Protection Reauthorization Act, do not provide your spouse's income.
4. If you are a full-time student, over 21 years of age but under 24 years of age, are unmarried, and are living with your parents, or you are claimed as a dependent on your parents' Federal tax return, include your parents' income. You must provide a copy of both parents' Federal tax returns and your own Federal tax return, or provide proof of income as supporting documentation.
5. If members of your household are recently unemployed, and your annual household income on your Federal tax return or other proof of income is above 150 percent of the Federal Poverty Guidelines, describe your particular situation that you believe qualifies you for a fee waiver in **Part 5., Item Number 9.**

Documentation. To document your household members' incomes, provide the following:

1. A copy of each household member's most recent Federal tax return;
2. If the household member did not file a Federal tax return, or if the tax return does not properly reflect their current income, submit copies of consecutive pay statements (stubs) for a minimum of the past month, a recent Form W-2, Form SSA-1099, or employer statements on business stationery showing salary or wages paid; or
3. If you do not have any income or cannot provide evidence of income for your household, describe your particular situation in **Part 5., Item Number 9.** If applicable, you may submit affidavits from religious institutions, non-profits, or community-based organizations verifying that you are currently receiving some benefit or support from them.

Item Number 7. Total Additional Income or Financial Support. Provide additional income or financial support from a source outside your household. Type or print “0” if you have no additional income. You must include any consistent or regular financial support or additional income contributed to your household by any person living with you or not living with you, even if it is not part of the household for tax purposes.

Select any type of additional income you are receiving including any amount of money that you receive annually that is not included in **Item Number 5.** or **6.**

Documentation. You must document additional financial assistance as income. Include the following information:

1. Documentation such as parental support; alimony; child support; educational stipends; pensions; Social Security; royalties, pensions, veterans benefits; unemployment benefits; and consistent or regular financial support from adult children, parents, dependents, or other people living in your household.
2. A court order of any child support or documentation that indicates the actual amount of child support amount being received (for example, bank statements or IRS Form W-2), or documentation from an agency providing the other income or financial assistance.
3. If you are receiving unemployment benefits, the tax document, IRS Form 1099-MISC, is not enough to establish total income. You must also provide a copy of your IRS Form 1040.

Item Number 8. Total Household Income. Provide the total household income. Add the amounts from **Item Numbers 5., 6.,** and **7.** USCIS will compare this amount to the Federal Poverty Guidelines.

If you do not have any income, financial support, or cannot provide evidence of income, describe your particular situation that you believe qualifies you for a fee waiver in **Part 5., Item Number 9.** If applicable, you may submit affidavits from religious institutions, non-profits, or community-based organizations verifying that you are currently receiving some benefit or support from them.

Item Number 9. Indicate whether any information (including marital status, income, and list of dependents) in your Federal tax returns is different from what you indicate in Form I-912. Provide the reasons for any changes in circumstances and any differences between the tax returns and information in your Form I-912. If you need to explain anything else about your circumstances that affect the income determination, use the space provided in **Part 11.**

Additional Information.

Part 6. Financial Hardship

Item Number 1. Provide details about your financial hardship. This may include, but is not limited to, medical expenses of family members, unemployment, eviction, and homelessness. You may also complete this section if your income is above 150 percent of the Federal Poverty Guidelines as defined in **Part 5.** and you believe you have special circumstances that warrant a fee waiver.

Documentation. You must document your income and provide a complete list, description, and an estimate of the value of your assets that you can easily convert into cash and any liabilities.

Item Number 2. List the types of assets you have, the dollar value of those assets, and the total dollar value of your assets. Include the following assets:

1. Cash, checking and savings accounts, annuities, stocks, and bonds. These are assets that easily convert into cash; and
2. Other property or assets that you can easily convert into cash without incurring a hardship.

Do not include your pension plans and Individual Retirement Accounts (IRA).

Documentation. Provide documentation of your income and any evidence regarding the types and value of your assets.

Item Number 3. Total Monthly Expenses and Liabilities. Provide your average monthly costs for all applicable categories provided.

Documentation. Provide evidence, where possible, such as copies of monthly bills and payments, and documentation for monthly expenses and any extenuating circumstances, such as medical bills. If you cannot provide evidence of income, you may submit affidavits from religious institutions, non-profits, or community-based organizations verifying that you are currently receiving some benefit or support from them.

Part 7. Requestor's Statement, Contact Information, Certification, and Signature

Item Numbers 1. - 6. Select the appropriate box to indicate whether you read this request yourself or whether you had an interpreter assist you. If someone assisted you in completing the request, select the box indicating that you used a preparer. Further, you must sign and date your request and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Every request **MUST** contain the signature of the requestor (or parent or legal guardian, if applicable). A stamped or typewritten name in place of a signature is not acceptable.

Item Numbers 7. - 11. Each person applying for a fee waiver must sign and date Form I-912. This includes family members identified in **Part 3**. If an individual is under 14 years of age, a parent or legal guardian may sign the request on his or her behalf. USCIS will reject any Form I-912 that is not signed by all individuals requesting a fee waiver.

Part 8. Family Member's Statement, Contact Information, Certification, and Signature

NOTE: If the information provided by the requestor in **Part 7**. is not applicable to a family member identified in **Part 3**., (for example, the family member used a different interpreter or speaks a different language) that individual should complete **Part 8**. Make additional copies of **Part 8**. for each family member to sign, as applicable, and include the pages with your completed Form I-912. USCIS will reject any Form I-912 that is not signed by all individuals requesting a fee waiver.

Item Numbers 1. - 6. Select the appropriate box to indicate whether you, the family member, read this request yourself or whether you had an interpreter assist you. If someone assisted you in completing the request, select the box indicating that you used a preparer. Further, you must sign and date your request and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Every request **MUST** contain the signature of the requestor (or parent or legal guardian, if applicable). A stamped or typewritten name in place of a signature is not acceptable.

Part 9. Interpreter's Contact Information, Certification, and Signature

NOTE for Family Members: If you used a different interpreter than the one used by the requestor, make additional copies of **Part 9**., provide the following information, and include the pages with your completed Form I-912.

Item Numbers 1. - 9. If you used anyone as an interpreter to read the Instructions and questions on this request to you in a language in which you are fluent, the interpreter must fill out this section, provide his or her name, the name and address of his or her business or organization (if any), his or her daytime telephone number, his or her mobile telephone number (if any), and his or her email address (if any). The interpreter must sign and date the request.

Part 10. Contact Information, Declaration, and Signature of the Person Preparing this Request, if Other Than the Requestor

NOTE for Family Members: If you used a different preparer than the one used by the requestor, make additional copies of **Part 10**., provide the following information, and include the pages with your completed Form I-912.

Item Numbers 1. - 10. This section must contain the signature of the person who completed your request, if other than you, the requestor. If the same individual acted as your interpreter **and** your preparer, that person should complete both **Part 9.** and **Part 10.** If the person who completed this request is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you complete this request **MUST** sign and date the request. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you prepare your request is an attorney or accredited representative, he or she may be obliged to also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, or Form G-28I, Notice of Entry of Appearance as Attorney In Matters Outside the Geographic Confines of the United States, along with your request.

Part 11. Additional Information

Item Numbers 1. - 6. If you need extra space to provide any additional information within this request, use the space provided in **Part 11. Additional Information.** If you need more space than what is provided in **Part 11.**, you may make copies of **Part 11.** to complete and file with your request, or attach a separate sheet of paper. Include your name and A-Number (if any) at the top of each sheet and indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers.

**We recommend that you print or save a copy of your completed request to review in the future
and for your records.**

What Is the Filing Fee?

There is no filing fee for Form I-912.

Where To File?

Mail your Form I-912, along with the completed USCIS applications or petitions, and all supporting documentation according to the **Where to File** section in the Instructions of the application or petitions for which you are requesting a fee waiver.

Processing Information

Decision. The decision on Form I-912 involves a determination of whether you have established eligibility for the fee waiver. USCIS will notify you of the decision in writing. If USCIS denies your fee waiver request, the notice will include information on resubmitting your application or petition. For certain immigration benefits, you may have only a limited period of time in which to resubmit your application or petition with the proper filing fee. Please review the Instructions for the application or petition for which you want USCIS to consider a fee waiver to determine when to refile.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-912, USCIS will deny your fee waiver request and may deny any other immigration benefit. In addition, you may face severe penalties provided by law and may be subject to criminal prosecution.

USCIS Privacy Act Statement

AUTHORITIES: The information requested on this request, and the associated evidence, is collected under the Immigration and Nationality Act, section 286, and 8 CFR 103.7(c).

PURPOSE: The primary purpose for providing the requested information on this request is to determine if you have established eligibility for the immigration benefit for which you are filing. The Department of Homeland Security (DHS) will use the information you provide to grant or deny the immigration benefit you are seeking.

DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision in your case or result in denial of your request and rejection of your application or petition based on non-payment of the filing fee.

ROUTINE USES: DHS may share the information you provide on this request with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS-USCIS-007 - Benefits Information System and DHS-USCIS-001 - Alien File, Index, and National File Tracking System of Records] which you can find at www.dhs.gov/privacy. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.

Paperwork Reduction Act

An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 1 hour and 10 minutes per response, including the time for reviewing instructions, gathering the required documentation and information, completing the request, preparing statements, attaching necessary documentation, and submitting the request. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capitol Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0116. **Do not mail your completed Form I-912 to this address.**