

ALERT: The Federal District Court for the Northern District of California in *Seattle v. DHS* has enjoined DHS from requiring use of the 10/24/19 edition of Form I-912, Request for Fee Waiver. That edition has been removed from the USCIS forms website. USCIS has reverted to requiring the 03/13/18 edition of Form I-912 until further notice. We will also accept prior editions or a written request. As there may be applicants who have prepared the 10/24/19 edition of the fee waiver request, USCIS will accept and process the 10/24/19 edition of the Form I-912 and adjudicate it based on prior fee waiver policy outlined in AFM [10.9](#) and [10.10](#).

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U.S. Citizenship and Immigration Services
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Washington, DC 20529-2000



U.S. Citizenship
and Immigration
Services

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Policy Alert

SUBJECT: Fees for Submission of Benefit Requests

Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing policy guidance in the [USCIS Policy Manual](#) regarding submission and acceptance of fees for immigration benefit requests.

Background

In general, requestors must include any required fees with the submission of a benefit request to USCIS.¹ Certain forms or categories of requestors may be exempt from fees. USCIS also has the regulatory authority to waive certain fees if the requestor is unable to pay the fee of the immigration benefit being sought.² USCIS is now updating its policies on fee waiver requests.

This guidance, contained in Volume 1, is effective December 2, 2019 and applies prospectively to fee waiver requests postmarked on or after that date. On that date, this policy update will supersede the guidance found in Chapters 10.9 and 10.10 of the Adjudicator's Field Manual (AFM), related AFM appendices, and related policy memoranda. USCIS will accept requests filed on the previous or latest edition of the Request for Fee Waiver ([Form I-912](#)), or other ways of submitting requests as provided in the related AFM guidance, that are postmarked before December 2, 2019. For requests postmarked on or after that date, USCIS will only accept the latest edition of Form I-912 and will adjudicate such requests under the updated policy.³

Policy Highlights

- Establishes the eligibility criteria for fee waivers based on inability to pay: household income at or below 150 percent of the [Federal Poverty Guidelines](#), or financial hardship.
- Establishes that the Request for Fee Waiver ([Form I-912](#)) must be submitted and written statements will no longer be accepted on or after December 2, 2019.

¹ See [8 CFR 103.7\(a\)\(1\)](#).

² See [8 CFR 103.7\(c\)](#). USCIS is primarily funded by application and petition fees. See [INA 286\(m\)](#).

³ See <https://www.uscis.gov/i-912> for the latest edition of Form I-912.

- Clarifies documentation requirements for fee waivers, including income tax transcripts.
- Clarifies that requestors seeking to waive fees for immigration benefits based on the Violence Against Women Act⁴ or T or U nonimmigrant status are not required to provide income documentation for the abuser or human trafficker.

Citation: Volume 1: General Policies and Procedures, Part B, Submission of Benefit Requests, Chapter 3, Fees [[1 USCIS-PM B.3](#)] and Chapter 4, Fee Waivers [[1 USCIS-PM B.4](#)].

⁴ See [Pub. L. 103–322](#) (September 13, 1994).