



U.S. Citizenship and Immigration Services

Proposed I-912 Fee Waiver Form Revision

USCIS is proposing to revise our [Form I-912, Request for Fee Waiver](#), to remove the receipt of means-tested benefits from the eligibility criteria. A means-tested benefit is a public benefit where eligibility for the benefit, the amount of the benefit, or both, is based on an individual's income level. Eligibility for these benefits can vary from state to state, depending on the state's income level guidelines. As a result, individuals who would not otherwise qualify under the poverty-guideline threshold and financial hardship criteria have been granted fee waivers by USCIS. The public can review the [notice \(PDF\)](#) today and it will post in the Federal Register tomorrow.

Individuals should use Form I-912 to request a fee waiver for eligible immigration benefit applications and petitions. When requesting a fee waiver, an alien must clearly demonstrate that he or she is unable to pay the fees. We will not accept a letter from the applicant stating they are unable to pay the filing fees or biometric services fees without a completed Form I-912 and supporting documentation, to include federal income tax transcripts or a Verification of Non-filing. With the proposed change, an alien may request a fee waiver if the documented annual household income is at or below 150 percent of the Federal Poverty Guidelines (FPG), or if the person can demonstrate financial hardship.

USCIS is permitted by regulation to waive certain fees, provided the party requesting the benefit is unable to pay the prescribed fee. The proposed form revision does not change the list of applications and petitions that are eligible for a fee waiver. For the complete list of applications and petitions that are eligible for a fee waiver, please refer to 8 CFR 103.7(c)(3).

Fee revenues support more than 95 percent of the USCIS budget as part of the agency's work administering the nation's lawful immigration system. In fact, the total dollar values of fee waivers granted by USCIS have increased substantially in each of the last eight years, which, in effect, increases the fee that must be paid by other individuals seeking benefits. The annual dollar amount of fee waivers granted by USCIS increased from \$344.3 million in fiscal year (FY) 2016 to \$367.9 million in FY 2017.

This proposed change to the form is not connected to the Notice of Proposed Rulemaking related to the Public Charge Ground of Inadmissibility. Members of the public and stakeholders may provide comments on the proposed revision of Form I-912 for 60-days after the Notice is published in the Federal Register. If USCIS proceeds with the form revision after considering public comments, we will also rescind [Policy Memorandum, PM-602-0011.1 \(PDF, 78 KB\)](#), 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 (Mar. 13, 2011) and issue new guidance on fee waivers consistent with the changes made to Form I-912.

Last Reviewed/Updated: 09/27/2018