



## Immigration Fee Waivers

In August 2020, the USCIS made a new rule that significantly changes most fees and ends most fee waivers. The rule was stopped from going into effect by a court in September but could start up at any time. Check <https://www.uscis.gov/> for more information. Talk to your lawyer about this before you file your application.

### What is a fee waiver?

When you send an application to the immigration service, there is often a cost or fee that you have to pay for filing the application. In some cases, you can ask for a “fee waiver.” If the immigration service approves your application for a fee waiver, you don’t have to pay the fee.

### Who can get a fee waiver?

To get a fee waiver you ask for one by filling out Form I-912, Request for a Fee Waiver. But you also have to show the immigration service that you can’t pay the filing fee. You need to prove 1 of these 3 things:



1. You get public benefits like subsidized housing, food stamps, MFIP, SSI, or MA.  
**Note:** there is a proposed rule that may end this category in 2019. If you also qualify under #2 or #3, complete that too, just in case.  
or
2. Your income is low  
or
3. You have financial trouble like big bills, or you lost your job or house

**Note:** You can claim more than one of these reasons if you can prove all of them.

### How do I prove I need a fee waiver?

Here are some ways that you can show you need a fee waiver:

- If you put down that you get public benefits, send a copy of a letter from the County or Social Security Administration saying you get benefits. The letter should show that you currently get benefits, so check that it shows things like date granted, expiration date, and/or renewal date. Don’t use just a print out with codes on it that USCIS will not understand.

- If you put down that your income is low, send a copy of your most recent tax return and copies of your paycheck stubs for the last 90 days.
- If you put down that you have financial trouble, send proof. For example, copies of large bills, a letter from your job saying you were laid off, or proof you are losing your house. Also send copies of all your monthly bills.

### Can I ask for a fee waiver for any application?

No, you can't use a fee waiver for all immigration applications.

You can use it for applications like:

- **Form I-90** Application to Replace Permanent Resident Card
- **Form I-765** Application for Employment Authorization (except for DACA)
- **Form I-751** Petition to Remove Conditions on Residence
- **Form I-821** Application for Temporary Protected Status (TPS)
- **Form N-400** Application for Naturalization (citizenship)
- **Form N-600** Application for Certificate of Citizenship
- **Form N-336** Request for Hearing on a Decision in Naturalization Procedures Under Section 336 of the Act (this is to appeal a denial of citizenship)
- **Form I-485** Application to Register Permanent Residence or Adjust Status. This is the application for a green card. You can get a fee waiver for some cases, not all. Some examples of when you can are: if you are an asylee, a victim of abuse, a U visa or T Visa holder, have Special Immigrant Juvenile Status or are applying through VAWA.
- **Form I-290B** Notice of Appeal or Motion. You can sometimes get a fee waiver for this form.

For [more details and a full list](#) of applications you can get a fee waiver for, go to: [www.uscis.gov/files/form/i-912instr.pdf](http://www.uscis.gov/files/form/i-912instr.pdf).

If the August 2020 rules go into effect, fee waivers will only be available to immigrants who are submitting self-petitions or applications related to: VAWA, U visas, T visas, Temporary Protected Status, or Special Immigrant Juvenile Status who are in foster care.

### How do I apply for a fee waiver?

To apply for a fee waiver, **fill out [Form I-912](#)**. Go to [www.uscis.gov/files/form/i-912.pdf](http://www.uscis.gov/files/form/i-912.pdf). You can also get USCIS forms by calling the toll-free Forms Request Line at 1-800-870-3676.

- Fill out Form I-912 online and print it, OR
- Fill out a printed Form I-912 CAREFULLY by hand in black ink



**Mail Form I-912.** Attach proof of why you need a fee waiver to your completed application (I-90, N-400 etc). **Do not mail them separately!** Mail your application, your fee waiver request and your proof to the address given in the “Where to File” instructions of your immigration application or petition form.

**If immigration approves your fee waiver, they will send you a receipt notice with the filing amount listed as \$0.** The notice may also say, “fee waiver approval.”

### **What happens if they say I can’t get a fee waiver?**

If immigration turns you down for a fee waiver, they will send you a notice asking for more proof of why you can’t pay. They will send your application back and all the papers you sent with it. You have 2 choices:

- 1) You can resend the fee waiver application with the information they asked for, along with the application and other papers, or
- 2) You can just send in your application and pay the fee.

**WARNING:** Be very careful before sending an application to immigration. Sometimes if your application is denied you could be put in deportation proceedings. If you committed certain crimes, lied to the government, or other things, you could also be put in deportation proceedings. **REMEMBER:** Immigration can look at ALL your records!

**Get help from an immigration lawyer. The lawyer can help you make sure everything is okay!**

## **Filling Out Fee Waiver Form I-912**

If the August 2020 rules go into effect, fee waivers will only be available to immigrants who are submitting self-petitions or applications related to: VAWA, U visas, T visas, Temporary Protected Status, or Special Immigrant Juvenile Status who are in foster care.

### **General Information**

If something on the form does not apply to you write "N/A" (Not Applicable) in the space unless the instructions tell you to do something else. If the answer is none, write "None."

If you need more space for an answer, use the “additional information” section on the last page of the form or a separate sheet of paper. At the top of the sheet, write your name and Alien Registration Number (A-Number), if you have one. Also write both the section number and item number you are answering.



## Part 1 - Basis for Your Request (Why you need a fee waiver)

Mark the choice that shows the reason you are asking for a fee waiver. You only need to choose one, but if more than one category applies to you, you can choose more than one. If you choose more than one, you have to provide documents for each one.

**Choose 1** if you get public benefits (called “means-tested benefit” like MFIP, SSI, MA etc.) If your spouse, partner, parent, or relative you live with gets benefits, you can also choose this one. You don’t qualify on this basis if only your children get public benefits. You have to send documents that prove you (or your relative) receives benefits. A recent document from the county or the Social Security Administration that shows the benefit and amount you (or they) get each month is good proof.

**Choose 2** if you don’t get public benefits but your household income is at or below 150% of the Federal Poverty Guidelines. You have to send paystubs and your recent tax return that prove it. For Federal Poverty Guidelines go to: <http://uscis.gov/I-912P>. Click on the link that says I-912P.

**Choose 3** if the other reasons don’t apply to you but you are having financial trouble because of things like medical expenses, not having a job, having been evicted or being homeless. You have to send documents that prove it. For example: copies of your medical bills, a letter from your job saying you were laid off, or proof you are losing your house.

## Part 2 - Information about You

Fill out information about you, if you are the person who needs the fee waiver. If you have dependents that are part of your application, you give that information in Part 3.

If you have 2 last names, put both last names in the Family Name box.

For question 7 about marital status, marriages that are religious-only or cultural marriages that are not recognized by the government of your home country are not counted.

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

If you are only asking for a fee waiver for one application for yourself, just fill out one line in the box with your information. If you are applying for your children or spouse at the same time and also want to waive the fee for their application, fill out one line in the box for each person who has an application. If your family member is not applying at the same time you are, you do not need to list them here.

For example, if you and your child are both applying to become permanent residents at the same time then you would fill out one line with your information and one line with your child’s information in this box. The “total number of forms” at the bottom of the box should match the number of applications you are sending to immigration if you want to waive the fee for all the applications.



#### Part 4 – Means-Tested Benefit

If you checked “1” in Part 1, asking for a fee waiver because you get public benefits (called “means-tested benefit” like MFIP, SSI, MA etc.) then you need to fill out this section. **If you did not check number “1” in Part 1, SKIP this section.**

Fill out one line of the chart for each person who gets the benefit. When it is filled out, it might look like this:

Ami Ahmed	Self	Hennepin County	MA	03/28/2013	01/01/2017
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Look at the letters you have from the agency that gives you the benefit to find this information. You might need to ask your case worker for the information or for a paper showing your benefits.

You have to send documents that prove what benefits you get and how much they are. A recent document from the county or the Social Security Administration that shows the type of benefit and amount is good proof.

If you are only asking for a fee waiver because you receive benefits, then you can skip to Part 7.

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

If you checked “2” in Part 1, asking for a fee waiver because of your low income then you need to fill out this section. **If you did not check number “2” in Part 1, SKIP this section.**

These questions ask about how you earn money and who lives with you.

In question 2, “unemployment benefits” means a check from the State that you get. For unemployment, you also usually have to visit a job center and meet with a counselor. If you don’t have a job but are not getting any money or meeting with a counselor, then choose “no”.

For the chart in number 4, fill out one line of the chart for each person who lives in your household. You should include: yourself, your spouse (if they live with you), children who live with you, your parents if they live in your house with you, and any other dependents listed on your tax return. If your children are married or older than 24, they do not count and you should not list them here. Look at the form instructions or talk with a lawyer if you are not sure who to include in this part.

If there are other people living in your house who give money for rent or other things, you can add that amount in question 7. Check the box next to “Financial Support from Adult Children, Dependents, Other People Living in the Household” and put the amount they give you in the box.



You have to send paystubs and your recent tax return that show your income. If there have been changes since you filed your taxes, tell them. Changes might include: you lost your job,

you got a new job making less money, you had another child, you got divorced, you got married, you got a job making more money. Write what happened in the blank under question 9.

Check that you qualify for the fee waiver once you've totaled up your income. To check it with the Federal Poverty Guidelines, go to: <http://uscis.gov/I-912P>. Click on the link that says I-912P. Look at the income for the number of people in your household and compare it to your number. If your number is higher, then you might not get the fee waiver. You might need to add information about financial hardship, and check "3" in Part 1.

If you are only asking for a fee waiver because you have a low income, then you can skip to Part 7.

### **Part 6 – Financial Hardship**

If you checked "3" in Part 1, asking for a fee waiver because of your low income then you need to fill out this section. **If you did not check number "3" in Part 1, SKIP this section.**

Write about what is happening that makes it hard to have money for things like an application fee. Write about how the hardship has cost you money and what the costs are. An example would be if you had a family medical issue and have big bills to pay. Or if your boss cut your hours or you lost your job, explain what happened and how much income you have lost. If you need more space, use the space on page 11.

For question 3, put the total of your monthly expenses in the box. Check a box next to each of the things you pay for each month that is included in that total amount. You have to send documents that prove it. Include copies of your lease showing your rent, your other bills showing how much you pay, copies of large bills, a letter from your job saying you were laid off, or proof you are losing your house.

This option is normally reserved for people with more than 150% income level but who are facing recent financial hardship. If you choose this reason, it is important to show you are not meeting your monthly financial needs because of the hardship.

### **Part 7 – Requestor's Statement**

In this section, "Requestor" means you. If an interpreter helped you understand this form, then you need check box "B" in question 1. The interpreter also needs to fill out Part 9.



If someone else filled the form out for you, fill their name in question 2 and they need to fill out Part 10.

After you read the release, sign and date Form 1-912. When you sign, you are promising that the information in the application and the other documents is true. Your signature also gives USCIS permission to get information on you from other agencies if they need it to help decide if you are eligible. This includes copies of your federal tax returns.

Each person applying for a fee waiver must sign and date Form 1-912.

- If a child is 14 years old or older, the child must sign and date the form.

- If a child is less than 14 years old, the parent or legal guardian may sign and date for the child. To do this, sign the form then write your relationship to the child near your name.
- If a person can't take care of paperwork because of a disability, a legal guardian can sign and date the form. Include court documents showing proof of the guardianship.

### **Part 8 – Family Member's Statement**

If a family member used a different interpreter, or speaks a different language from you, they need to fill out Part 8. An example would be if you speak and read English, but your spouse does not. Then your spouse needs to list their interpreter and fill out Part 8. The interpreter needs to fill out Part 9.

### **Part 9 – Interpreter's Information**

If an interpreter helped you or one of your family members fill out this form, they need to fill out and sign in Part 9. If you did not use an interpreter to help you, you do not need to fill out this part.

### **Part 10 – Preparer's Information**

A preparer is anyone other than you who filled out this form. It includes a lawyer, but could also be a friend, a relative, a social worker, or anybody who wrote the information in the form for you. If someone else helped you fill out the form, they need to fill out this part. If you wrote everything in yourself, then you do not need to fill out this part.



**Mail Form I-912 with proof of why you need a fee waiver and your application. Do not mail them separately! Mail it to the address given in the “Where to File” instructions of your immigration application or petition form.**

***Fact Sheets are legal information NOT legal advice. See a lawyer for advice.***

*Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.*

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