



Advocacy Toolkit

Form I-912 proposed fee waiver changes

1. Background information

The Trump Administration has proposed a rule change that would impact the eligibility requirements for immigration applicants, making it harder for nearly [two-thirds](#) of all immigrants to access the legal immigration system or change their legal status.

Under current regulations, the government permits immigrants below specific income levels applying for a limited number of [benefits](#) to have the fees associated with filing the application waived (“fee waiver”).

The fee waiver does not apply to the cost of legal representation. This means that where an applicant qualifies for the waiver for some or all of their application fees, they still must pay for legal representation and other costs associated with accessing the legal immigration system. Nonetheless, the fee waiver goes a long way in reducing the overall cost for low-income immigrants to access the immigration system.

The proposed rule change would limit the qualification criteria and significantly increase the burden on immigrants to prove they are eligible for the waiver, putting access to the legal immigration system out of reach for many.

How the proposed change impact the :

The IRC assists primarily refugees, asylees and other vulnerable immigrants in accessing needed protections such as lawful permanent resident (LPR) status and U.S. citizenship.

Last year, over 61% of the IRC’s immigration legal services clients had incomes below the federal poverty level.

The IRC assisted 5,257 individuals with applications for citizenship, of which 3,092 (almost 60%) were accompanied by fee waiver requests.

Additionally, the IRC assisted approximately 500 asylees with fee waiver requests in connection with applications for adjustment to LPR status (for which refugees pay no application fee), and an additional 412 individuals with fee waiver requests in connection with applications to replace lost or expiring LPR cards.

The majority of IRC clients qualify for USCIS fee waivers on the basis of their receipt of public benefits. These individuals would otherwise have to jump through complex bureaucratic hoops to prove low income and/or hardship. Many lack sufficient English literacy and technological competency to find out how and where to obtain needed documentation. As a result, essential immigration benefits would remain out of reach.

Submit a **unique public comment** on the proposed rule before **May 6, 2019**; and,
Reach out to your networks to encourage them to do the same using this advocacy toolkit.

Why are we asking you to submit public comments and what happens next?

[_____](#) **notice of proposed fee change on the Federal Register.**

[Updated](#) notice of proposed fee waiver change (open for comments through May 6, 2019)

2. How to use the

3. Key points and sample comments

Option 1: Write your own comment

4. How to file a public comment

Background: Federal agencies issue rules and regulations that impact our daily lives. After a rule is proposed, there is a public comment period during which time anyone can submit their input to the relevant agency. These comments are reviewed and taken into consideration before the rule is finalized. The final day to submit a comment for the proposed fee waiver change is **May 6, 2019, 11:59 PM EST**.

Instructions to submit comments on the federal register:

Unlike other requests for public comments, which are normally submitted and received via the government's regulations.gov website, USCIS is asking that interested parties submit comments via email.

Emails should be address to the OMB USCIS Desk Officer: dhsdeskofficer@omb.eop.gov.

The subject line should read "USCIS OMB Control Number 1615-0116."

For questions regarding this toolkit, please contact the IRC Policy & Advocacy Team at advocacy@rescue.org