

## Fee Waiver Process: Applying for U.S. Citizenship

### How to use this handout:

- 1) Read *Overview of the Fee Waiver Process*
- 2) Look at the 3 Criteria Charts- determine which of the 3 criteria should be used to file the fee waiver
- 3) Read the General Tips for Filing and Documentation
- 4) If applicable, read Filing as a Family section
- 5) As needed, consult the [Instructions to Form I-912](#)

### Useful Links:

USCIS Form I-912 (fee waiver): <http://www.uscis.gov/i-912>

Instructions to Form I-912: <http://www.uscis.gov/files/form/i-912instr.pdf>

### Overview of Fee Waiver Process:

Applicants who have little or no income can ask USCIS to waive the \$680 naturalization fee. It is possible to qualify for a fee waiver) in one of three ways.

- 1) Determine which one of the three criteria an applicant can use to apply for the fee waiver.  
Note: Waiver will *normally* be approved if applicant meets *one* of the criteria.
- 2) Applicant should download and complete Form I-912 and gathering supporting documentation.
- 3) Applicant sends form and all supporting documentation with citizenship application (Form N-400). Note: USCIS' stated goal is to adjudicate requests within 5 days of receipt
  - 4a) If the waiver is granted, the applicant will receive a confirmation receipt listing the fee paid for the citizenship application as "\$0."
  - 4b) If the waiver is denied, the entire application will be returned with denial letter stating reasons. The applicant can then try applying for a fee waiver again (with additional documentation) or re-send the citizenship application with the full fee.

## General Tips for Filing and Documentation

- Send the fee waiver request with supporting documents along with underlying application- do NOT send the \$680 fee
- Present the documentation in the order referenced in the application and number pages
- Label each document if it's not obvious what it is
- Circle the name and amount on each document for easy reference
- Make sure any numbers/math used are correct
- Put notation "Fee waiver and N-400 for \_\_\_\_\_" on mailing envelope and underlying application to flag it
- Waiver of N-400 application includes waiver of biometrics fees
- Make sure signatures are "clear" or request could be returned
- Computer printouts from benefit agencies without agency name or applicant name are not acceptable
- Note that the fee waiver applicant must be the one receiving benefits (e.g., adult child living with elderly parent cannot benefit from parent's receipt of public benefits)
- Exceptions: spouse of person receiving benefits and unmarried children under 21 living with a parent who is receiving benefits.



**Encouraging Fact:** Current approval rate for N-400 fee waivers is 84%!!

**Criteria 1- Public Benefits.**

Show evidence that applicant is **currently** receiving a federal or state “means-tested benefit”

**Federal Means-Tested Public Benefits include:**

- Food Stamps
- Medicaid
- Supplemental Security Income (SSI)
- Temporary Assistance for Needy Families (TANF)
- State Child Health Insurance Program (SCHIP)

**State Means Tested Benefits:**

Several sources (including the MN USCIS office, the MN Social Services Dept, and an immigration lawyer) have conveyed that they are not aware of any Minnesota state means tested benefits that can be used to qualify for a fee waiver.

**Benefits NOT included are:**

- Emergency Medicaid
- Emergency relief
- National school lunch and child nutrition acts
- Student Assistance under the Higher Education Act
- Foster care under the Social Security Act
- Head Start Programs
- Means-tested programs under the Elementary and Secondary Education Act
- Job Training Partnership Act programs

**How to document proof of Public Benefits:**

The applicant should contact the agency that provides the benefit and ask for a verification letter to send with the citizenship application. This is one of the easier ways to demonstrate fee waiver eligibility.

**Ease of documentation:**

Fairly easy

**Criteria 2- Low Income**

Show evidence that your annual household income is at or below 150% of the federal poverty level.

Household Size	%150 of HHS Poverty Guidelines, 2011*
1	\$16,335
2	\$22,065
3	\$27,795
4	\$33,525
5	\$39,255
6	\$44,985
7	\$50,715
8	\$56,445
8+	Add \$5,730 for each additional person

\*Chart from <http://www.uscis.gov/files/form/i-912p.pdf>. (Current through end of 2011)

**How to document proof of Low Income:** The best evidence of household income is a copy of the applicant's most recent Federal tax return. An alternative form of evidence may also be acceptable. For information about types of evidence and how to determine household size, see the fee waiver form instructions at <http://www.uscis.gov/i-912>.

**Ease of Documentation:**

Fairly easy

**General Note:** "Household" is defined as self, spouse, certain family members living with you: only those claimed as household members for taxes.

**Criteria 3- Financial Hardship**

An applicant is facing recent unemployment, high medical expenses, etc.  
Each case is unique and will be considered on its own merits, and is difficult to prove.

**How to document proof of Financial Hardship:** Applicants can document special circumstances that they wish USCIS to consider, such as extraordinary expenses and liabilities. More information on how to demonstrate financial hardship is included in the fee waiver form instructions at <http://www.uscis.gov/i-912>.

**Ease of Documentation:**

Challenging. An immigration lawyer should be consulted if this is the only option.

## Filing as a family

Some family members of the applicant may be included on one fee waiver form if they are applying for citizenship at the same time. For example, the husband or wife of the applicant, or unmarried children under 21 who live with the applicant would normally qualify for a fee waiver. Other relatives in the household may need to file their own fee waiver.

### Tips for filing as a family

- Each person applying for a fee waiver must sign Form I-912.
- Can file one fee waiver request for all members of family, but all must sign it
- Applicants age 14+ must sign Form I-912 (also good idea if about to turn 14)
- Include copy of principal applicant's fee waiver in every other applicant's packet
- Be careful if using taxes of a family member to show that individual is a dependent that the family member's income is not over the poverty guidelines
- If couple filed taxes jointly, but are separated, should submit both of their paystubs