



July 30, 2018

Ms. Maureen Dunn
Chief, Family Immigration and Victim Protection Division
DHS-U.S. Citizenship and Immigration Services (USCIS)
Office of Policy and Strategy
20 Massachusetts Avenue NW
Washington, DC 20529

Re: Request for USCIS to Provide Clarification on Fee Waiver Practice for Humanitarian Unit at Vermont Service Center

Dear Ms. Dunn:

ASISTA is a national organization that works with advocates and attorneys across the country who serve immigrant survivors of domestic violence, sexual assault, and human trafficking. Numerous practitioners have recently reported a significant increase in fee waiver denials from the Vermont Service Center (VSC) in Violence Against Women Act (VAWA) self-petitions, U visa and T visa-related applications. We write to inquire if there has been change in policy or practice with regard to fee waiver adjudication at the Humanitarian Division at VSC. If so, USCIS should announce these changes publicly and give stakeholders an opportunity to make adjustments to their practice.

Fee waivers are often necessary for victims to access these critical protections, as applicants may be fleeing abusive situations and may not have resources to pay for fee-based ancillary forms, nor have documentation (pay stubs, taxes, bank accounts) to demonstrate their economic need. In February 2017, USCIS sent a reminder of the fee waiver policy in which it stated that in addition to submitting an I-912 fee waiver form, USCIS will also accept a letter with all the necessary information that states the request for a fee waiver. (See attached). This flexibility in the adjudication of fee waivers is essential for those applying for victim-based relief.

We request that USCIS publicly share any change in practice with regard to fee waiver adjudication and provide stakeholders with guidance regarding USCIS' expectations. In addition, we have received several reports within this last week that I-290B submissions are now untimely due to fee waiver rejections. We urge USCIS to accept these applications as timely upon submission of a new fee waiver, so that applicants are not unduly prejudiced because of unannounced changes in fee waiver practice at the Humanitarian Division at Vermont Service Center.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Cecelia Friedman Levin". The signature is fluid and cursive, with the first name being the most prominent.

Cecelia Friedman Levin
Sr. Policy Counsel
ASISTA

Cc: Lisa LaRoe, Associate Center Director, Vermont Service Center
Scott Whelan, Service Center Operations Directorate, USCIS
Alison Posner, Chief of Casework, CIS Ombudsman Office

From: U.S. Citizenship and Immigration Services [mailto:uscis@public.govdelivery.com]
Sent: Thursday, February 16, 2017 11:28 AM
Subject: USCIS Message: Important Reminder When Filing Applications in Connection with the T, U and VAWA Humanitarian Programs

Dear Stakeholder,

USCIS has received a high number of [fee waiver](#) requests that do not meet USCIS guidelines when submitted in connection with Form I-360 visa petition under the Violence Against Women Act (VAWA) for [Battered Spouse, Children & Parents](#), and Form I-914, Application for T Nonimmigrant Status and Form I-918, Petition for U Nonimmigrant Status, for [Victims of Human Trafficking and Other Crimes](#).

Filing Fees

Forms I-360, I-914 and I-918 do not require a filing fee; however, other applications that are often filed in connection with these forms may require a fee. Examples of these forms include:

- Form I-765, Application for Employment Authorization
- Form I-485, Application to Register Permanent Residence or Adjust Status
- Form I-131, Application for Travel Document, and
- Form I-192, Application for Advance Permission to Enter as a Nonimmigrant

Fee Waivers

Recognizing that some applicants cannot pay the filing fees, USCIS established a fee waiver process for certain forms and benefit types. USCIS will approve a fee waiver only if you clearly demonstrate that you are unable to pay the filing fees.

If you are filing an application in connection with the T, U and VAWA Humanitarian Programs that requires a fee but you cannot pay the fee, complete the most current version of [Form I-912, Request for Fee Waiver](#) to request a fee waiver. Instead of Form I-912, USCIS will also accept a letter with all the necessary information that states your request for a fee waiver, includes all the necessary supporting evidence and is signed by everyone over 14 years old who is requesting the fee waiver.

For more information about our fee waiver policy, eligibility, frequently asked questions, and how to avoid common mistakes, please visit our website at www.uscis.gov/feewaiver.

We also want to remind the public about the risk of immigration scams. Visit the Avoid Scams Initiative at uscis.gov/avoidscams for more information on common scams and other important tips.

Recordatorio Importante para Solicitudes Relacionadas a los Programas Humanitarios T, U, y VAWA

Estimado cliente,

USCIS ha recibido un alto número de [solicitudes de exención de tarifas](#) que no cumplen con los criterios de USCIS cuando se presentan en relación a la solicitud de visa del Formulario I-360 bajo

la Ley de Violencia contra Mujeres (VAWA, por sus siglas en inglés), [para cónyuges, hijos y padres abusados](#), el Formulario I-914, Solicitud al Estatus T de no Inmigrante y el Formulario I-918, Petición de Estatus U de no inmigrante, para [las víctimas de la trata de personas y otros crímenes](#).

Tarifas de presentación

Los formularios I-360, I-914 e I-918 no requieren una tarifa de presentación. Sin embargo, otras solicitudes que frecuentemente se presentan en relación a estos formularios pueden requerir una tarifa. Ejemplos de estos formularios incluyen:

- Formulario I-765, Solicitud de Autorización de Empleo
- Formulario I-485, Solicitud para Registrar Residencia Permanente o Ajustar Estatus
- Formulario I-131, Solicitud de Documento de Viaje
- Formulario I-192, Solicitud de Permiso Adelantado para Entrar como No Inmigrante.

Exenciones de Tarifas

Al reconocer que algunos solicitantes no pueden pagar las tarifas de presentación, USCIS estableció un proceso de exención de tarifas para ciertos formularios y tipos de beneficios. USCIS aprobará una exención de tarifas sólo si el peticionario demuestra claramente que no puede pagar las tarifas de presentación.

Si está presentando una solicitud relacionada con los Programas Humanitarios T, U y VAWA que requiere el pago de una tarifa pero no puede pagarla, complete la versión más reciente del [Formulario I-912, Solicitud de Exención de Tarifas](#) para solicitar una exención de tarifas. En lugar del Formulario I-912, USCIS también aceptará una carta con toda la información necesaria que indica su solicitud de una exención de tarifa, que incluya toda la evidencia de apoyo necesaria y está firmada por todos los mayores de 14 años que está solicitando la exención de tarifa.

Para más información sobre nuestras políticas de exención de tarifas, elegibilidad, preguntas más frecuentes, y cómo evitar errores comunes, por favor visite nuestro sitio web www.uscis.gov/es/exencion-tarifas.

También recordamos al público sobre los riesgos de las estafas de inmigración. Visite nuestra iniciativa Evite Estafas en uscis.gov/eviteestafas para más información sobre estafas comunes y otros consejos importantes.



Please do not reply to this message. Contact us at Public.Engagement@uscis.dhs.gov with any questions.

To view a list of upcoming local and national engagements, please visit uscis.gov/outreach.

To update your RSVP, modify your email address, or to unsubscribe from our mailing list, please visit your [Subscriber Preferences Page](#).
