

HOW DID THIS UNFOLD?

TIMELINE

New fee waiver form announced

October 25, 2019

USCIS announced the publication a new fee waiver application form (I-912) that would make it more difficult for low-income immigrants to apply for citizenship by eliminating means-tested benefits as a way to prove applicants' eligibility for a fee waiver.

Lawsuit filed in response

October 30, 2019

Protect Democracy, Advancing Justice-AAJC, the Seattle City Attorney's Office, and Mayer Brown LLP filed a lawsuit, suing The Department of Homeland Security to block the rule from going into effect. The lawsuit was filed on behalf of Catholic Legal Immigration Network, Inc. (CLINIC), Central American Resource Center of California (CARECEN), Immigrant Legal Resource Center (ILRC), OneAmerica, and Self-Help for the Elderly.

Proposed rule published in Federal Register

November 14, 2019

The Department of Homeland Security published the proposed rule, titled "U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements." The rule would increase the filing fees on many immigration applications and increase the naturalization application fee to \$1170 including biometrics. Fee waivers for naturalization and most other immigration benefits (I-912), as well as the reduced fee request option (I-942), would be eliminated. The rule would also transfer \$200 million annually to Immigration and Customs Enforcement (ICE), the agency in charge of deportation.

New fee waiver form implemented

December 2, 2019

The new fee waiver application form (I-912) became mandatory (but was halted by the October 30, 2019 lawsuit).

Preliminary injunction issued

December 9, 2019

Judge Maxine Chesney of the Federal District Court for the Northern District of California, a week after the new fee waiver form went into effect, issued a nationwide preliminary injunction barring USCIS from implementing the changes.

Revised Fee Rule proposal published in Federal Register

December 9, 2019

The revision presented substantive new information including changing the amount of USCIS funds it proposed to transfer to ICE annually, from \$200 million to \$100 million. The short comment period, which included the holidays, left stakeholders with insufficient time to analyze the proposal.

Comments filed in opposition to the Fee Rule

December 23, 2019

The NAC's Naturalization Working Group and many NAC national partners, local partners, and allies submitted comments in opposition, urging that USCIS withdraw the proposal. The comments spelled out flaws in the process, false assumptions, faulty logic, unanswered questions about the data, and the significant and often irreparable harm it would cause.

New comment period started

January 24, 2020

DHS published a third notice in the Federal Register, creating a new 15-day comment period on the proposed Fee Rule. The Naturalization Working Group, many NAC partners and allies, and community members submitted additional comments.

Comment period closed

February 10, 2020

The comment period closed, with over 43,000 responses to the Department of Homeland Security's proposed Fee Rule.

