

Form I-942-007 Revision Responses to 60-day FRN Public Comments

Public Comments (regulations.gov): [USCIS-2018-0002](https://www.regulations.gov/document/USCIS-2018-0002)

60-day FRN Citation (federalregister.gov): [88 FR 14630](https://www.federalregister.gov/documents/2022/03/09/2022-05131/immigration-and-naturalization-form-i-942-007)

Publish Dates: March 9, 2023 – May 8, 2023

Comment #	Commenter ID	Comment	USCIS Response
1.	0018	<p>Commenter: Jean Publiee</p> <p>Stop allowing this form at all to freeloaders. the cost of this application has bankrupted the American citizenry who are paying for free food, free school, free medical and free rent for these leaches from foreign countries. keep them out. we have done enough. taxpayers just paid for one illegal immigrant in an Atlanta hospital who had almost two million dollars of free medical care. that is what is happening to us. we get no free medical care like that. what the hell is going on anyway. the citizens of this country cannot afford this anymore. where are the goodies for the working people of America. they are vanishing. Shut down this anti American program. let them pay ten thousand times as much for this form. yes, ten thousand times as much for this form. why is this agency making American citizens the dupes and jerks here. this program is a horror. you are playing Americans for suckers. we have no disposable income left and becoming penniless and homeless. do you see the homeless Americans on the streets who cannot afford a home anymore. keep the foreigners out. shut down this program of reduced anything. stop all benefits for foreigners now.</p>	<p>Response: This comment is out of scope for the proposed revision. The revisions proposed through this action were limited to updating the Certification section and minor grammar changes.</p>
2.		<p>Commenter: Coalition of Organizations within the Naturalization Working Group</p>	
	<p>0020 (see attachment)</p>	<p>See attached file(s)</p>	<p>Response: See Comment Responses below labeled with Commenter ID: 0020. The information in the attachment from the public comment (0020) was separated into different</p>

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			sections in this comment matrix to address each portion of information individually. See Comment # 3. – 5.
3.		Commenter: Coalition of Organizations within the Naturalization Working Group	
	0020	<p>A. Clarifying the Instructions for Part 2, Item 1, <i>Information About Family Members Filing This Request With You</i> and Part 3, Item 3, <i>Your Household Size</i></p> <p>NWG Members report applicants having difficulty understanding which family members need to be included in the tables in Part 2, Item 1 and Part 3, Item 3. USCIS proposes no revisions to the Instructions and the Form for either of these items. NWG recommends USCIS clarify the Instructions and accompanying text on the Form for both of these items, because they could confuse and possibly mislead applicants.</p> <p>USCIS should change the language in the Instructions and on the Form for Part 2, Item 1 to make it clear that it is requesting the names of all other family members who are both filing Form N-400 and requesting the reduced fee.</p> <p>For Part 3, Item 3, USCIS seeks to elicit from the applicant: 1) whether the applicant provides primary financial support for the household as the head of the household, 2) if not the applicant, who the head of household is, and 3) who the other members of the household are. If the applicant is not the head of the household, to collect the name of the family member</p>	Response: The revisions proposed through this action were limited to updating the Certification section and minor grammar changes. USCIS may consider these recommendations in a separate comprehensive revision action of the I-942 form and instructions.

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		<p>who is, USCIS must rely on the applicant selecting “no” in response to Part 3, Item 3 and then listing the name of the head of the household on the second line of the accompanying table. As for the other members of the household, Part 3, Item 3 of the Form only mentions listing the applicant’s name or the applicant’s name and the head of household’s name—making no mention of other members of the household. The Form language should be changed, along with conforming changes to the Instructions, to ensure the three categories of information USCIS wishes to collect are clearer to applicants.</p>	
<p>4.</p>		<p>Commenter: Coalition of Organizations within the Naturalization Working Group</p>	
	<p>0020</p>	<p>B. Need for Online Filing of Form I-942</p> <p>Providing an online filing option for Form I-942 would minimize the burden of the collection of information. Currently, applicants can file Form N-400 online or on paper, but can only file an accompanying Form I-942 on paper. Because an applicant can only file Form I-942 on paper, they must also file Form N-400 on paper (<i>see citation on attachment</i>).</p> <p>While many low-income applicants may not have access to the computer technology or broadband internet access needed to file Form I-942 online, where that access exists, low-income applicants should have the same opportunity to file their Form N-400 online as higher-income applicants do. We note that filing the Form N-400 online leads to greater efficiency in adjudication for both applicants and</p>	<p>Response: USCIS appreciates that providing an online filing option for Form I-942 would create efficiencies. USCIS continues to add new form options for electronic filing based on an internal schedule and agency priorities. USCIS hopes to provide an online filing option for Form I-942 in the future.</p>

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		USCIS. Efficiency measures should not be reserved for those of higher financial means. We urge USCIS to move forward with providing online filing for Form I-942 as swiftly as possible.	
5.		Commenter: Coalition of Organizations within the Naturalization Working Group	
	0020	<p>C. Increase Threshold for Eligibility of Reduced Fee</p> <p>When USCIS solicited comments on changes to its fee schedule in January 2023, it asked for comments on the appropriate level of income that USCIS should use to determine eligibility for the reduced fee. We would like to reiterate comments made at that time that the requirement that household income be less than 200 percent of the federal poverty guidelines still prevents a significant number of lower- and moderate-income LPRs from qualifying for the reduced cost, making naturalization unaffordable. Thus, we recommend that the agency adopt an income threshold of 250% or less for applicants to qualify for the reduced fee (<i>see citation on attachment</i>).</p>	<p>Response: USCIS cannot adjust the income eligibility threshold for a reduced Form N-400 fee in a form revision action under the PRA because that FPG percentage is codified at 8 CFR 103.7(b)(1)(i)(BBB)(1)(Oct. 1, 2020). USCIS is reviewing the FPG threshold as part of the USCIS fee rule. However, we are unable to make a change for this version of the form.</p>
6.		Commenter: Duplicate Comment Submitted by Coalition of Organizations within the Naturalization Working Group	
	0021	See attached file(s)	<p>Response: This is a duplicate comment submitted to Commenter ID: 0020. Please see Comment Responses labeled with Commenter ID: 0020 for responses to the attachment in the duplicate public comment (0021).</p>

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			See Comment # 3. – 5.
7.		Commenter: Make the Road New York	
	0022 (see attachment)	See attached file(s)	Response: See Comment Responses below labeled with Commenter ID: 0022. The information in the attachment from the public comment (0022) was separated into different sections in this comment matrix to address each portion of information individually.
			See Comment # 8. – 9.
8.		Commenter: Make the Road New York	
	0022	<p>A. Form I-942, Request for Reduced Fee should be as clear as possibly in regards to the form and its instruction.</p> <p>There are several parts of the proposed form that invite confusion. For example, it is likely that <i>Part 2</i> in the form (which provides an opportunity for “family members” to be listed in addition to the requester for the reduced fee) and <i>Part 3</i> (which requires “household size” and the listing of the household members) will be confusing for our community members. The agency should add more specificity and clarity on both the form and instructions, to make it less confusing for applicants with diverse living arrangements, such as applicants in multi-generational homes.</p> <p>We have worked on cases where, for example, a client resided with their spouse, adult son, and elderly mother. In a case like this, it is likely that different applicants would struggle to understand whether the form’s proposed instructions. To avoid this problem and any unnecessary</p>	Response: The revisions proposed through this action were limited to updating the Certification section and minor grammar changes. USCIS may consider these recommendations in a separate comprehensive revision action of the I-942 form and instructions.

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		<p>rejections and/or delays in the adjudicative process, USCIS should be clear on who should and should not be listed in <i>Part 2</i> as compared to <i>Part 3</i>, and to further provide clarity on who should/should not certify and sign <i>Part 5</i>, in regards to the family certification.</p>	
9.		Commenter: Make the Road New York	
	0022	<p>B. Form I-942, Request for Reduced Fee should be more inclusive and available for online filings.</p> <p>Currently, applicants seeking to naturalize and use Form I-942 are at a disadvantage. These applicants are unable to submit their application through the USCIS online system, which is available to individuals seeking to naturalize by paying the associated fee of \$725.00.</p> <p>This limitation is harmful to our low-income communities as it undermines their ability to take full advantage of an expeditiously filing for naturalization. For example, most recently we helped a family apply for naturalization online, as they paid the associated fee and within the same day received the I-797C, Notice of Action and in less than a week they received their biometrics receipt. 3</p> <p>By contrast, one of our other recent clients, who sought to pay the reduced fee for her naturalization application, was barred from filing online and thereby limited in her submission, all because of her financial situation. In fact, because she sought to pay the reduced fee, she incurred an additional expense by paying for the postage of mailing her application, and she had to wait more than two weeks for her I-</p>	Response: Please see Response under Comment # 8.

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		<p>797C, Notice of Action and biometrics receipt. It seems counterintuitive to deprive applicants with limited means the opportunity to avail themselves of a free online filing system.</p> <p>As many more low-income immigrants seek to finalize their immigration process and seek naturalization, USCIS should expand and provide fair access to the online system, and not impose restrictive systems to those seeking to pay a reduced fee.</p>	
10.		Commenter: Immigrant Legal Resource Center	
	0019 <i>(see attachment)</i>	Please find attached the Immigrant Legal Resource Center's comment for the proposed changes to Form I-942.	<p>Response: See Comment Responses below labeled with Commenter ID: 0019. The information in the attachment from the public comment (0019) was separated into different sections in this comment matrix to address each portion of information individually.</p> <p>See Comment # 11. – 12.</p>
11.		Commenter: Immigrant Legal Resource Center	
	0019	<p>We note that for the family member certification, there is only space for one family member's signature where Part 2 allows for the inclusion of more family members as part of the request. While we are not opposed to the elimination of the requirement for multiple family signatures, USCIS should provide clarification on both the form and in the instructions of who should sign the family certification and provide the required contact information. Without this clarification, it is likely that applicants with larger families may fill this section out</p>	<p>Response: USCIS only requires a signature from the applicant who is certifying their household income. Therefore, we have removed Part 5. Family Member's Contact Information, Certification, and Signature section from the I-942 Form and Instructions. Additionally, the section removed during this revision which required additional Family Members' Signatures will remain removed from the I-942 Form.</p>

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		incorrectly, potentially resulting in a rejection of the fee reduction application and the underlying naturalization application. Better clarification from USCIS will avoid unnecessary denials and requests for evidence and allow for more expeditious processing of the fee reduction request and underlying naturalization application.	
12.		Commenter: Immigrant Legal Resource Center	
	0019	Finally, we renew our request to make both this form and Form I-912, Request for Fee Waiver, available for online filing. Currently, low-income naturalization applicants who require a fee waiver or a reduced fee are barred from applying for naturalization online as associated applications must be filed in the same manner. It is our understanding that USCIS seeks to encourage the online filing of naturalization applications as a matter of efficiency and to reduce processing times and administrative burdens associated with paper applications. While the ability to file paper applications must be maintained, insofar as an online filing is available as an efficiency measure, low-income applicants should not be shut out of this measure based on their need for a fee waiver or fee reduction.	Response: USCIS appreciates that providing an online filing option for Form I-942 would create efficiencies. USCIS continues to add new form options for electronic filing based on an internal schedule and agency priorities. USCIS hopes to provide an online filing option for Form I-942 in the future.