# Form N-400, Application for Naturalization

2024 Changes to Filing Fee

Standard Filing Fee: \$760	Standard Online Filing Fee: \$710 NO BIOMETRICS FEE	
Reduced Filing Fee: \$380	(Applicants with a household income between 150% - 400% Poverty Guidelines)	
Fee Waiver: \$0	(Applicants with household income below 150% Federal Poverty Guidelines, currently	

means-tested benefit, or experiencing an extreme financial hardship)

<b>2024 POVERTY GUIDELINES</b> FOR THE 48 CONTIGUOUS STATES AND THE DISTRICT OF COLUMBIA		
Persons in family/household	Poverty guideline	
1	\$15,060	
2	\$20,440	
3	\$25,820	
4	\$31,200	
5	\$36,580	

**Household Size.** Calculate your household size to include Yourself and the following individuals *that live with you*: your spouse, your children or legal wards (who are unmarried and under 21 years of age), your parents, anyone who is properly listed as a dependent on your federal tax returns. If under 21 then your parent(s) are included. A spouse or child is not included in this calculation if they do not live with you.

You may also include children ages 21-24 who are enrolled in school and live with you or adult sons or daughters who are unmarried and for whom you are the legal guardian because they are physically or developmentally disabled or mentally impaired to the extent that they cannot adequately care for themselves and cannot establish, maintain, or re-establish their own

household.

**NOTE:** Your household income includes the annual income of your household members. A request must also include any additional financial assistance (not otherwise included in a tax return or W-2) including any Social Security income (as reflected on the SSA-1099) to the adjusted gross income in the tax return.

**For Special Immigrant Juveniles (SIJS):** Instead of proof of income, the fee waiver request must include documentation showing that the requestor has an approved petition for SIJ classification (for example, a copy of Notice of Action (Form I-797) for Form I-360).

**<u>Requesting Reduced Fee:</u>** Under the prior regulation, request for a reduced fee for naturalization had to be submitted on a separate Form I-942. That form is no longer used for a reduced fee request. As of April 1, 2024, the N-400 Application for Naturalization has been revised and includes a question in Part 10 which will initiate a request for fee reduction. Note that if an applicant is seeking a full fee waiver, then they should not also apply for a fee reduction. The fee waiver can be applied for with Form I-912, Request for Fee Waiver.

<u>Means Tested Benefit</u>: A naturalization applicant can demonstrate that they are unable to pay the required fee and are eligible to receive a full fee waiver if, at the time of filing, they are receiving a means-tested benefit. A means-tested benefit is a federal, state, locally or tribally funded benefit where the agency granting it considers income and resources in determining eligibility. The USCIS Policy Manual provides a nonexhaustive list of examples of such programs.

**Extreme financial hardship**: The last basis on which a naturalization applicant can qualify for a full waiver is if they demonstrate extreme financial hardship, described by USCIS as "when a requester requires substantially all of their current income and liquid assets to meet current ordinary and necessary living expenses." The requester should document the financial impact of the hardship in the 12 months prior to receipt of the fee waiver request. Some

examples of such situations are listed in the USCIS Policy Manual, ranging from medical illness, unemployment, eviction, homelessness, natural disaster, military deployment of a spouse or parent, divorce or death of a spouse to "other situations that could not normally be expected in the regular course of life events that would limit a person's ability to meet necessary living expenses."

U, T, and VAWA fee waiver does not apply to N-400 Applications.

**Supporting Documentation:** documentation should be issued in the last twelve months unless additional documentation of current receipt is provided. A benefit card, by itself, is not considered acceptable documentation unless it contains the needed information on names and dates stated above. If the benefit is provided to a family member in the household, proof of that relationship should be provided as well as evidence that they reside together with the requester.

# Legal Authority & Sources

#### 8 CFR 106.2; 8 CFR 106.3(b)

### Fee Schedule (<u>Form G-1055</u>)

April 2024, USCIS published additional guidance on fee waivers in the Policy Manual, 1 USCIS-PM(B)(4). https://www.uscis.gov/policy-manual/volume-1-part-b.

USCIS Fact Sheet, 2024 Changes to N-400 Filing Fee Rules: https://www.uscis.gov/sites/default/files/document/fact-sheets/ FactSheetI-912RequestforFeeWaiverForFormN-400.pdf

Federal Poverty Guidelines: <u>https://aspe.hhs.gov/topics/</u> poverty-economic-mobility/poverty-guidelines

USCIS Policy Manual:

https://www.uscis.gov/policy-manual/volume-1-part-b-chapter-4

Matter of CHAWATHE, 25 I&N Dec. 369 (AAO 2010)

(preponderance of the evidence means more likely than not). See U.S. v. Cardozo-Fonseca, 480 U.S. 421 (1987) (defining "more likely than not" as a greater than 50 percent probability of something occurring).

## FORMS ELIGIBLE FOR GENERAL FEE WAIVERS

Application to Replace Permanent Resident Card (<u>Form I-90</u>)

Application for Relief Under Former Section 212(c) of the Immigration and Nationality Act (INA) (Form I-191)

Petition to Remove Conditions on Residence ( $\underline{Form}$   $\underline{I-751}$ )

Application for Family Unity Benefits (Form I-817)

Application for Temporary Protected Status (Form I-821)

Application for Suspension of Deportation or Special Rule Cancellation of Removal (<u>Form I-881</u>)

Application to File Declaration of Intention ( $\underline{\text{Form}}$   $\underline{N-300}$ )

Request for a Hearing on a Decision in Naturalization Proceedings ( $\underline{Form N-336}$ )

Application for Naturalization (Form N-400)

Application to Preserve Residence for Naturalization Purposes (Form N-470)

Application for Replacement of Naturalization/Citizenship Document (Form N-565)

Application for Certificate of Citizenship (<u>Form</u> <u>N-600</u>)

Application for Citizenship and Issuance of Certificate under Section 322 (Form N-600K)

**INA 212(a)(4)**; The receipt of public benefits does not negatively affect the review of a fee waiver request. For detailed guidance on the public charge grounds of inadmissibility, see Volume 8, Admissibility, Part G, Public Charge Ground of Inadmissibility [8 USCIS-PM G] and the Public Charge Resources page.

USCIS, Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements, 89 Fed. Reg. 6194 (Jan. 31, 2024); USCIS, Frequently Asked Questions on the USCIS Fee Rule [hereafter, USCIS FAQs] (April 9, 2024), https://www.uscis.gov/forms/filing-fees/frequently-asked-questions-on-the-uscis-feerule

Immigrant Legal Resource Center 2024 Changes to Naturalization Fees, Reduced Fees, and Fee Waivers, Practice Advisory | May 2024 <u>https://www.ilrc.org/sites/default/files/2024-05/2024%20Changes%20to%20Naturalization%20Fees.pdf</u>