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Submitted via PolicyFeedback@uscis.dhs.gov

Subject: Feedback on Changes to Electronic Payments: Elimination of check and money order payments, 1 USCIS-PM B.3

Dear USCIS:

The Immigrant Legal Resource Center (ILRC) opposes the general elimination of money order and check payments for immigration benefit filings. This change was introduced by a USCIS alert on changes to the USCIS Policy Manual on August 29, 2025, to be effective as of October 28, 2025. After that date, USCIS states that they will only accept payment through credit cards or ACH authorizations from applicant's bank account.

This change will disproportionately impact persons filing immigration applications who do not have a bank account or credit card, which in our experience is usually the case with low-income immigrants, as well as elderly or young applicants, such as children applying for Special Immigrant Juvenile status. This change will also negatively affect asylum seekers and other newcomers to the United States who may not have the ability to establish themselves through traditional banking or credit avenues in time to meet filing deadlines. Also harmfully impacted will be vulnerable individuals applying for status under the Violence Against Women Act.

The change unlawfully prohibits these applicants from filing for an immigration benefit despite their legal eligibility to do so. As such, this change is a violation of substantive rights and the Administrative Procedures Act because it alters an affected person's right to apply for a benefit for which they are eligible. Despite this substantive impact, the guidance was never published for official notice and comment. Publication in the USCIS web site is inadequate for effective notice and comment and it provides no public record.

Background on ILRC

The ILRC is a national non-profit organization that provides legal trainings, educational materials, and advocacy to advance immigrant rights. The ILRC's mission is to work with and educate immigrants, community organizations, and

the legal sector to continue to build a democratic society that values diversity and the rights of all people. Since its inception in 1979, the ILRC has provided technical assistance on hundreds of thousands of immigration law issues, trained thousands of advocates and pro bono attorneys annually on immigration law, distributed thousands of practitioner guides, provided expertise to immigrant-led advocacy efforts across the country, and supported hundreds of immigration legal non-profit organizations in building their capacity. Through our close ties with the community, we have a profound awareness of the hurdles faced by qualified low-income immigrants in filing immigration applications.

The Changes in the Policy Manual Do Not Provide Adequate Public Information Required for Implementation.

The new guidance states that all applications filed October 28, 2025, or after must pay by ACH bank account payment, credit or debit card, or pre-paid card. No bank checks, certified checks, personal checks or money orders will be accepted thereafter. There is an exemption described in the guidance that requires filing of Form G-1651 for persons who can demonstrate undue hardship or that they do not have access to banking services. However, no such form exists on the USCIS website and there is apparently no way to claim an exemption.

USCIS describes the changes to required payment methods in its Policy Alert which claims that the changes are needed to comply with an Executive Order (EO).¹ However, even the EO states that exceptions and accommodations can be made for persons who do not have banking services or access to electronic services, yet this announcement by USCIS allows no such accommodation.² Although there is language in the revision that indicates an exemption could be applied for, the form that is required to apply for such an exemption does not exist. USCIS does not consider the population impacted in the immigrant community. The announcement states:

“USCIS fees must be paid using the method that USCIS prescribes for the request, office, filing method, or filing location. With this alert, accompanying communications, and website changes, USCIS is providing the notice required by 8 CFR 106.1(b) before amending the payment method required for its fees. Exemption for Paper Fee Payment (Form G-1651) is available to benefit requestors beginning on August 29, 2025.”³

The non-existent form needed for exemptions is also described in the content of 1 USCIS-PM B.3, Paper-Based Payments.

¹ EO, 90 F.R. 14001, (Mar. 25, 2025) <https://www.federalregister.gov/documents/2025/03/28/2025-05522/modernizing-payments-to-and-from-americas-bank-account> .

² EO, FR 90 FR 14001 (Mar. 25, 2025)

³ USCIS, Policy Alert, Transition to Electronic Payments (Aug. 29, 2025), fn. 5 <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20250829-ElectronicPayments.pdf> .

While the announcement claims that an exemption to the new payment methods exists for paper-based filers by using a USCIS Form G-1651, as noted, such a form does not currently exist on the USCIS website despite the publication of this alert on August 29, 2025.⁴ The form still does not exist as of the date of this submission of this comment. Thus, the change announces an exception to the new payment requirements without describing who it can apply to and refers to a non-existent form and provides no other guidance on exceptions to this significant shift in USCIS practice and policy. As there is not yet such an exception, the USCIS has made a misrepresentation to the public in this policy change.

Guidance Fails to Specify How Applicants Overseas Can Submit Fees When They Lack a U.S. Bank Account or Credit Card

Certain fees must be paid outside of the United States, such as waivers of inadmissibility for individuals who are consular processing, or the U.S. immigrant visa fee.⁵ Also, applicants for a diversity visa will soon be required to pay a registration fee.⁶ While the latter is a Department of State (DOS) fee, the change to U.S. bank accounts and credit cards and banning of other payments for non-banked individuals is directed by the executive order to be government-wide.⁷ The guidance makes no allowance for the fact that individuals who do not live in the United States do not have U.S. bank accounts or U.S.-based credit cards. Failure to provide alternative methods of payments for such individuals amounts to a denial of access for eligible applicants and creates an illegal barrier to eligibility that does not exist in statute or regulation.

No Accommodation Is Provided for Individuals Who Lack Banking Services

Many immigration benefits applications are made by newcomers to the United States, and it is common that recently arrived immigrants lack U.S. banking services and credit cards. The ACH mandate effectively eliminates the long-standing option for applicants to pay fees by paper check or money order. In our experience with non-profit immigration legal services clients nationwide, the check or order payment is a necessity for families who do not use formal banking and do not have credit cards.

The implications of this policy change are significant, affect substantive rights, and should have been published in the Federal Register for Notice and Comment.

⁴ See, USCIS, Forms, <https://www.uscis.gov/forms/all-forms>.

⁵ USCIS, Fees, <https://www.uscis.gov/forms/filing-fees/uscis-immigrant-fee>.

⁶ See Department of State, *Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates – Visa Services Fee Changes*, 90 Fed. Reg. 177 (Sept. 16, 2025) and EO, 90 F.R. 14001 (Mar. 25, 2025).

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Additionally, we note the following defects and request that the guidance be rescinded:

1. Disproportionate Impact on Vulnerable Immigrants

This policy will most negatively affect the most vulnerable immigrants who, for legitimate personal reasons, remain unbanked. For example, individuals who have been victims of identity theft and lost their savings, or retirees and low-income individuals who intentionally operate within a “cash economy” to avoid debt and financial instability. In addition, underage persons such as those applying for relief under the Special Immigrant Juvenile program lack bank accounts and credit cards. Also, persons who are survivors of domestic violence from a U.S. citizen or lawful permanent resident and are applying for benefits under the Violence Against Women act often lack independent bank accounts and credit cards, particularly when they are separating from their abusive relationship.

2. Failure to Provide Accommodation for Non-Banked Individuals

As noted, the EO that this guidance claims to implement, and the guidance itself, references a possible exemption for persons who do not have bank accounts, yet the guidance fails to describe how an individual could qualify for such an exemption. Unhelpfully, the guidance refers to a non-existent form, the G-1651.

3. Increased Financial Risks

Requiring the mailing of sensitive ACH data creates serious risks. If the envelope is lost or intercepted, applicants face potential financial harm. In addition, errors made by USCIS staff while entering ACH information could result in funds being improperly withdrawn. Unlike credit card transactions, ACH debits cannot be disputed directly with the bank. Applicants would instead be forced into a lengthy and uncertain process with USCIS to recover their money. USCIS has not yet published any guidance regarding procedures for reclaiming wrongly debited funds.

4. Data Privacy Concerns

Collecting and storing personal bank account information raises substantial privacy concerns. It remains unclear how USCIS will use this information, how it will be protected, and whether the agency may attempt to assert access to bank account details for purposes beyond the original payment authorization.

5. Additional Financial Burden for Unbanked Immigrants

USCIS suggests that unbanked persons could rely on prepaid credit cards. However, these products carry additional fees for purchase and also pose risks. If a prepaid card is lost, the funds are often unrecoverable—further burdening already vulnerable individuals. Proof of payment will be additionally difficult for applicants to obtain when they cannot

provide a cancelled check or proof of money order being cashed. In USCIS's vast receiving systems for applications, such proofs of payment are sometimes the only way an applicant can trace their application and prove that their application was actually received by USCIS.

6. Greater Demands on Nonprofits and Community Organizations

NGOs, religious institutions, and community volunteers that support immigrants will now be expected to provide financial literacy assistance, including helping individuals open and manage bank accounts or apply for credit cards. Without additional funding, these organizations will be forced to divert resources, ultimately reducing the number of immigrants they can serve.

7. Unreasonably Short Implementation Timeline

While NGOs may eventually adapt to support immigrants in navigating this change or help clients to apply for an exemption (if such an exemption exists), USCIS has provided only two months' notice. This compressed timeline creates operational stress and may leave many immigrants without adequate support for an extended period, as organizations scramble to adjust their procedures, policies, and training materials.

For these reasons, we oppose this change in policy and urge the agency to retain the check and money order option for applicants filing paper-based applications.

Sincerely,

/s/Peggy Gleason

Peggy Gleason

Senior Attorney

Immigrant Legal Resource Center

