

## Form I-192-016 Revision - Responses to 30-day FRN Public Comments

Public Comments (regulations.gov): [USCIS-2008-0009](#)

30-day FRN Citation (federalregister.gov): [88 FR 62101](#)

Publish Dates: September 8, 2023 – October 10, 2023

Comment #	Commenter ID	Comment	USCIS Response
1.		<b>Commenter: jean publiee</b>	
	<a href="#">0072</a>	our current prez has flooded the usa with 20 million illegal i mmigrants and the usa is overwhelmed with foreigners. we should not close the borders to all foreigners of any kind. we should shut down this program, which is full of liars who say they are not immigrants but who stay over. we have about 50 million here under that lying category. the usa is corrupt as any third world nation in not fully protecting americans. it used to be valuable to be an american citizen, now we are treated as slaves by a totally corrupt govt which does not listen to its people. the people are to have power in an alleged democracy. it is a fraud to say it is a democracy anymore., a total and complete fraud. no regulatory agency listens to the people. they all listen to money from rich corporate types. america has gone downhill. when will it live up to the slogans. admit no more people at this time. deport 20 million is the effort should be made at this time in the usa. deport them all. they are shysters, criminals druggies and the worst kinds of people. we used to be careful who we allowed to come here. now any criminal can come across our southern and canadian border. or from the sea. and they are coming to sully the entire country. to criminalize america.	<b>Response:</b> This comment is out of scope for the proposed revision of this intended information collection because it does not provide feedback on the nature of the information collection, the categories of respondents, the estimated burden (i.e. the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, or the actual information collection instrument.
2.		<b>Commenter: ASISTA Immigration Assistance</b>	
	<a href="#">0075</a> (see attachment)	Please see attached file. Thank you for this opportunity for comment.	<b>Response:</b> See Comment Responses below labeled with Commenter ID: 0075. The information in the attachment from the public comment (0075) was separated into different sections in this comment matrix to address each portion of information individually.  <b>See Comment # 3. – 7.</b>

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3.		Commenter: ASISTA Immigration Assistance	
	<a href="#">0075</a>	<p><b>I. Form I-192, Item 26</b></p> <p><b>Observation:</b> It is very easy to miss the critical Item 26 because it has no answer box or spaces.</p> <p><b>Recommendation:</b> Provide a box, even if small, and instruct the applicant to finish their answer at Part 6, Additional Information, or on a different page specifically for that question. One option for the box could be a “Yes/No” alternative, for the question “Have you explained the grounds of inadmissibility that may apply in your case in Part 6. Additional Information?” Then follow that with, “You must provide this explanation in Part 6. Additional Information.” Providing a different page from Part 6 for this could also help encourage applicants to provide a fulsome answer and not skimp on providing sufficient information about prior employment, address, etc., which often must overflow into Part 6, too.</p>	<p><b>Response:</b> USCIS has accepted this recommendation and has added a textbox to Item Number 26. on the I-192 Form.</p>
4.		Commenter: ASISTA Immigration Assistance	
	<a href="#">0075</a>	<p><b>II. Form I-192, Items 32-34</b></p> <p><b>Observation:</b> These fields address other visa applications which may be pending or decided, but do not request complete information about them.</p> <p><b>Recommendation:</b> Add an optional field for receipt numbers. This will facilitate connecting the Form I-192 to multiple nonimmigrant applications if appropriate (e.g., to a pending U petition and pending T application). We recommend also providing in the instructions, under “USCIS Processing,” a statement on what USCIS does when a single I-192 is filed while multiple nonimmigrant petitions</p>	<p><b>Response:</b> USCIS may consider these recommendations during the next revision action to Form I-192.</p>

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		are pending. For instance, does USCIS automatically transfer the I-192 to be decided with the petition being adjudicated earliest? Once that first status is decided, must a new I-192 be filed if the person still wishes to pursue the alternative nonimmigrant status?	
5.		<b>Commenter: ASISTA Immigration Assistance</b>	
	<a href="#">0075</a>	<p><b>III. Form I-192, Special Directions for U and T Applicants</b></p> <p><b>Observation:</b> On page 1, the form advises U and T applicants to skip several questions. It is unclear why some of these questions are skipped, and it may be confusing for applicants to jump around the form, leading to errors and unnecessary rejections or Requests for Evidence.</p> <p><b>Recommendations:</b> (1) Instead of advising U and T applicants to skip the USCIS account number field, simply indicate it is for completion “if you already have one; skip if not,” or “optional” for everyone. This will eliminate one of the “jumps” around the form. It will also enable U and T applicants to take advantage of the online system to the extent it is available, as recently encouraged during USCIS stakeholder engagements.</p> <p>(2) Include U and T applicants in the gender and safe address questions (Items 8 and 9). Again, this will decrease the amount of jumping around. It would also better correspond to the instructions at page 3, which call for U and T applicants to complete Item 9 in certain situations, and may provide a way for U and T applicants to update a safe mailing address if it has changed since a prior I-918 or I-914 was submitted.</p>	<p><b>Response:</b> USCIS has accepted recommendations (1) and (2) to update the special instructions on page 1 of the form to simplify the instructions to complete Item Numbers 1. – 10., as Item Number 4. does notate “(if any),” which provides clarity that this is optional, and for T nonimmigrant status applicants and U nonimmigrant status petitioners to complete Item Numbers 8 and 9, as opposed to skipping these.</p>

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		<p>(3) Clarify in the form and instructions whether U and T applicants need to provide their address history for the past five years. In response to a commenter's recommendation about questions 10-11 during the prior 60-day comment period, USCIS suggested it expects the address history to be provided, and the instructions, as well as the language directly preceding Item 10 support this notion. However, Item 10 itself asks only for the Applicant's "current address," and the form advises U and T applicants to answer Item 10 then skip ahead to Item 26. Together, these make it ambiguous whether U and T applicants should provide only their current address or their addresses for the past five years.</p> <p>(4) Write the full list of questions that U and T applicants can skip in a single place, and also reinforce it with additional instructions as appropriate, where those questions appear. For instance, on page 5, a notation states these applicants may skip Items 37-43, but these are not listed on page 1, where the rest of the directions appear regarding Items that can be skipped by U and T applicants. It is helpful to have this reminder on page 5, but Items 37-43 should be noted as skip-able on page 1, too. Inconsistent placement of this type of direction may increase confusion, error, unnecessary expenditure of resources, and need for RFEs.</p>	<p>(3) As shown in the special instructions on page 1 of the form for T nonimmigrant status applicants and U nonimmigrant status petitioners filing this form concurrently or with a previously filed USCIS Form I-914 or Form I-918, the applicant's current physical address must be provided at Item Number 10. The special instructions stating to complete up to Item Number 10. and to then skip to Item Number 26. provides clarity that Item Number 11. is not required for these applicants. Although not required information, applicants may provide their prior physical addresses for the past five years.</p> <p>(4) USCIS has not accepted this recommendation because the individuals who may skip the items listed on page 1 are distinct from the individuals listed on page 5. Items 37-43 may only be skipped by individuals who are in the United States, and not all individuals applying for T or U nonimmigrant status are in the United States. The instructions on page 1 are intended to be applicable to all those applying for T or U nonimmigrant status.</p>
6.		<b>Commenter: ASISTA Immigration Assistance</b>	
	<a href="#">0075</a>	<p><b>IV. Form I-192, Special Directions for U and T Applicants</b></p> <p><b>Observation:</b> On page 1, there are special instructions about questions to skip if the person is "filing this form concurrently with a USCIS Form I-914 or Form I-918."</p>	<p><b>Response:</b> USCIS has accepted this recommendation and added I-914A and I-918A to this special instructions on page 1 of the form.</p>

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		<b>Recommendation:</b> Please specify whether this instruction also pertains to filers who are derivatives on those forms (i.e., filing concurrently with or subsequent to a USCIS Form I-914 Supplement A or I-918 Supplement A).	
<b>7.</b>		<b>Commenter: ASISTA Immigration Assistance</b>	
	<a href="#">0075</a>	<p><b>V. Instructions for Form I-192</b></p> <p><b>Observation:</b> The instructions do not set forth the standard by which the Form I-192 will be evaluated for different waiver provisions, nor when the different provisions are implicated.</p> <p><b>Recommendation:</b> As is done with the instructions for Form I-601, provide more information on the standards for waivers under INA § 212(d)(3), (d)(13), and (d)(14). Explain both when the different waiver standards apply, and what the standards require. Providing this clarity and a summary of how USCIS evaluates the standards will increase the quality of applications and decrease the need for RFEs and NOIDs.</p>	<b>Response:</b> USCIS may consider this recommendation during the next revision action to Form I-192.
<b>8.</b>		<b>Commenter: Immigrant Legal Resource Center</b>	
	<a href="#">0074</a> (see attachment)	Please see the Immigrant Legal Resource Center's comment, attached.ec	<p><b>Response:</b> See Comment Responses below labeled with Commenter ID: 0074. The information in the attachment from the public comment (0074) was separated into different sections in this comment matrix to address each portion of information individually.</p> <p><b>See Comment # 9. – 10.</b></p>
<b>9.</b>		<b>Commenter: Immigrant Legal Resource Center</b>	
	<a href="#">0074</a>	<p>1. ILRC commends the reduction in length of Form I-192.</p> <p>The current edition of Form I-192 is eleven pages, and the proposed form is nine pages. ILRC commends USCIS for reducing the length of the form,</p>	<b>Response:</b> Thank you for your support of the changes.

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		eliminating unnecessary questions (such as regarding an applicant's parents and the applicant's biometrics), and streamlining the information sought. This change will increase access to relief for immigrant survivors of crime as well as benefit practitioners – particularly non-profit providers – by allowing them to reserve resources for more complicated cases in addition to the lower burden of completing a shorter form generally. A shorter form will also be less of an adjudicatory burden for USCIS and help reduce the backlog for U nonimmigrant status.	
10.		<b>Commenter: Immigrant Legal Resource Center</b>	
	<a href="#">0074</a>	<p>2. ILRC commends the new instructions for U and T nonimmigrant applicants to skip the section on marital history.</p> <p>The proposed form instructs those filing Form I-192 concurrently with Form I-914 or Form I-918 or in relation to one previously filed to skip the sections on marital history. ILRC commends USCIS for recognizing that these questions are not relevant to a U and T nonimmigrant's Form I-192 waiver application and appreciates the instructions to those applicants to skip this section. ILRC also encourages USCIS to add clarifying language to the Marital History section on page 3 reiterating that U and T applicants can skip that section.</p>	<b>Response:</b> USCIS may consider this recommendation during the next revision action to Form I-192.