

Comment Number	Sub Comment Number	Date Comment Received/ Emailed/ Post marked	Date Comment Posted	Type of Commenter: Individual/ Organization	Comment ID	Commenter (First and Last Name or Organization)	Comment	Comment Expression: Support/ Oppose/ Mixed	Comment Type: General/ Substantive	Response
1	1	6/20/2019	6/21/2019	Individual	USCIS-2009-0008-0058	Jean Publicee	IF YOU SNEAK IN AS AN ILLEGALIMMIGRANT YOU SHOULD NOT BE ABLE TO CHANGE YOUR STATUS. IF YOU HAVE STATUS TO BE HERE AND WORK AND THEN WANT TO CHANGE YOUR STATUS BECAUSE OF A SOUND REASON, MAYBE THAT HSOULD BE PERMITTED BUT THERE NEEDS TO BE A CHARGE FOR THIS. THE FACT IS THE TAXPAYERS OF AMERICA HAVE BEEN BANKRUPTED BY ALL TEH COSTS THAT IMMIGRANRS COST US AND WE NEED TO MAKE SURE THOSE WHO COME HERE PAY THEIR FAIR SHARE. THE COSTS OF THIS FORM NEED TO BE \$25,000.IT IS TIME THAT SOME OF THE COSTS OF THIS CHANGE ARE BORNE BY THOSE WHO WANT THE CHANGE. THEY SHOUDL NOT BE ALLOWED TO MAKE ALL THESE CHANGES THA COST US ALLMONEY AND TAX DOLLRS ON OUR TAX DOLLRS. THEY NEED TO PAY UP. WE NEED TO HAVE CHARGES THAT REFLECT WHAT IT COSTS US IN FAT CAT BUREAUCRACY TO MAKE THESE CHANGES. ITIS NOT CHEAP.IT CERTAINLY COSTS AMERICAN TAXPAYERS A HELL OF A LOT OF MONEY TO PAY FOR THE FAT CAT BUREAUCRATS IN OUR DEPARTMENS SO TO ALLOW FOREIGN PEOPLE TO SLIDEIN HERE AND PAY LITTLE TON OTHING FOR THE HIGH COSTS OF ALL OF THESE TRANSACTIONS THAT ARE LEGALLY NECESSARY. IT IS ALSO NECESSARY TOHAVE FEES THAT ARE REALISTIC. THE FEES I SSEE THAT IMMIGRANTS ARE PYAING ARE ALL SO CHEAP WHEN COMPARED TO THE HIGH COST OF HRINIG FAT CAT FEDERAL EMPLOYEES WITH THEIR PENSIONS. THEIR HIGH ENEIFTS THEIR HIGH SALRARIES THAT NOBODY ELSE GES IN AMERICA. ITS TIME THAT IMIGRANTS PAY UP FOR THOSE COSTS. WE ARE SICKOF BEARING ALL THE COSTS FOR IMMIGRANTS. IT NEEDS TO CHANGE.	Opposed	General	Thank you for your comment.
2	1	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	I. General comments We appreciate the opportunity to provide feedback on the proposed changes to Form I-751, Petition to Remove Conditions of Residence, and Instructions. CLINIC supports the USCIS's proposed changes to clarify whether the petitioner is the conditional resident spouse or child. While the proposed changes lengthen the form, they add needed clarity. CLINIC opposes certain questions that call for irrelevant information. The references in our specific comments are to page numbers and questions on the proposed new form and instructions.	Intro/Summary/Conclusion	General	Thank you for your comments.
2	2	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	II. Specific Comments A. Form I-751, Petition to Remove Conditions on Residence Page 2, Question #13. CLINIC supports the inclusion of language reminding the petitioner that if the d as a joint petition and the conditional residency has already expired, it is necessary to explain why it is being filed late.	Support	Substantive	Thank you for your comments.
2	3	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 2, Question #16. CLINIC supports the inclusion of language allowing for a safe mailing address in the event the petitioner is filing the Form I-751 as a waiver based on battery or extreme cruelty. This option should also be available to petitioners who are separated from their spouses and are filing a waiver based on good faith marriage and divorce or based on extreme hardship.	Mixed	Substantive	Thank you for your comment. USCIS will not be making any additional edits to the form to expand the use of safe addresses. Some additional clarifying language has been added to the instructions.
2	4	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Pages 2-4. CLINIC supports the inclusion of language clarifying whether the petitioner is the conditional resident spouse or child.	Support	Substantive	Thank you for your comments.
2	5	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 3, Basis for Petition, 1b and 1c. The Form I-751 only recognizes a joint petition option for the stepchild if they are unable to be included in a joint petition filed by the parent and stepparent. But a joint petition with the child and stepparent is possible in other situations, e.g. the conditional resident parent died; the conditional resident parent decided not to file a Form I-751 for some reason. The Instructions reference the child's filing separately if the parent died, but the I-751 doesn't. Option 1c should be amended to reference death of spouse, stepparent, or conditional resident parent.	Mixed	Substantive	Thank you for your comments. For Part 2 Question 1.b. and 1.c. USCIS will not be making any additional edits to the form. USCIS has made clarifying edits to the form instructions regarding how the I-751 should be filed when the conditional resident parent is deceased.
2	6	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 3, Basis for Petition, 1f. The I-751 does not recognize a waiver option for a child whose conditional resident parent was abused during the marriage. This should also be an option.	Mixed	Substantive	Thank you for your comment. USCIS will not be making any additional edits.
2	7	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 3, Basis for Petition, 2a and 2b. The Instructions reference the possibility of filing based on a pending divorce; the text needs to be clearer (see comment below). Consistent with this option, and to avoid confusion, the I-751 should be modified to allow petitioner to indicate that a divorce is pending.	Mixed	Substantive	Thank you for your comment. USCIS will not be making any additional edits to the form. Clarifying language has been added to the instructions.
2	8	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 3, Part 3, Question #6: CLINIC questions the relevance of the current marital status of a conditional resident child's current marital status. There is no restriction that a conditional resident be unmarried. Notably, the question only is required when the conditional resident child is filing separately. CLINIC recommends that the following proposed language be removed: "or if you are a conditional resident child filing your own Form I-751 and you are married at the time of filing."	Opposed	Substantive	Thank you for your comment. USCIS will not be making any additional edits.
2	9	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 5, Questions #20-22. CLINIC questions the purpose of and opposes the question on employment history since becoming a conditional resident. It is not clear how this information would have any bearing on whether the petitioner is entitled to approval of an I-751 petition.	Opposed	Substantive	Thank you for your comment. USCIS added these questions to comport with INA 216(d)(1)(B)(ii). USCIS will not be making any additional edits.
2	10	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 6-7, Questions #12-19. CLINIC questions the purpose of and opposes the question on employment history of the U.S. Citizen/lawful permanent resident spouse or stepparent since the petitioner became a conditional resident. It is not clear how this information would have any bearing on whether the petitioner is entitled to approval of an I-751 petition.	Opposed	Substantive	Thank you for your comment. USCIS added these questions to comport with INA 216(d)(1)(B)(ii). USCIS will not be making any additional edits.
2	11	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Pages 7-10. CLINIC supports the inclusion of additional language clarifying whether the petitioner's child is to be included as applying with the petitioner or is filing a separate Form I-751, as well as additional clarifying language. Questions regarding safe mailing address for children should note same caveat as referenced above: safe mailing address option should also be available where seeking waiver based on divorce or extreme hardship.	Support	Substantive	Thank you for your comment. USCIS will not be making any additional edits.

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2	12	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 11, Part 6: CLINIC objects to the proposed removal of the option to request disability accommodations.	Opposed	Substantive	Thank you for your comment. USCIS has added disability accommodation language to the Form I-751 instructions.
2	13	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	B. Instructions to Petition to Remove Conditions on Residence Page 1. In response to the question, "Who May File Form I-751?," the proposed form states that "If the marriage upon which you obtained conditional permanent resident status still exists, then file your Form I-751 jointly with your spouse or stepparent..." This oversimplifies the options and does not take into consideration situations where the conditional resident spouse or child has been battered and yet the marriage has not been terminated. It also does not include situations where the parties are separated or have filed for divorce, and where the extreme hardship waiver is the appropriate option. We suggest using the existing language, which indicates that if the petitioner is still married, he or she may file a joint petition, but then immediately states the possibility of also filing based on a waiver.	Opposed	Substantive	Thank you for your comment. USCIS has added language regarding a child's age and marital status to the Form I-751 instructions.
2	14	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 1. The form still references "your conditional permanent resident parent's U.S. citizen or lawful permanent resident spouse," although such language was modified on the proposed Form I-751 to state, "your U.S. citizen or lawful permanent resident stepparent." We suggest conforming this language to that used in the Form I-751.	Mixed	Substantive	Thank you for your comment. Clarifying language has been added to the instructions.
2	15	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 1: Given that a conditional resident child may file a waiver based on battery/abuse to the conditional resident parent, option 4 should include language allowing for this option.	Mixed	Substantive	Thank you for your comment. USCIS will not be making any additional edits.
2	16	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 2. In response to the question, "When Should I File Form I-751?," the instructions caution against filing the Form I-90 to renew the I-551. CLINIC supports this language.	Support	Substantive	Thank you for your comment.
2	17	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 2. CLINIC supports the clarifying language that if the Form I-751 is being filed jointly, it cannot be filed before the 90-day period before the second anniversary and must be filed before the conditional residency expires.	Support	Substantive	Thank you for your comment.
2	18	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 2. CLINIC supports the language explaining that a late Form I-751 petition may be filed due to "good cause and extenuating circumstances," as opposed to the current language, which is "extraordinary circumstances beyond your control and that the length of the delay was reasonable." This brings the instructions into conformity with the Adjudicator's Field Manual, Chapter 25.1, which states the basis for filing late is if "there was good cause for the failure to file with in the required time period."	Support	Substantive	Thank you for your comment.
2	19	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 2: The proposed language on late filing should be moved up to appear directly after text on joint petitions, which are actually subject to a filing deadline. The current placement is confusing, since waivers are not subject to a deadline	Mixed	Substantive	Thank you for your comment. USCIS will not be making any additional edits.
2	20	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 4: The safe mailing address instructions should be revised as noted above with respect to the Form I-751.	Mixed	Substantive	Thank you for your comment. USCIS will not be making any additional edits.
2	21	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 6: Initial Evidence, Permanent Resident Card. The instructions should allow for alternate proof of lawful permanent resident (LPR) status where card has been lost. This can include a passport stamp of temporary evidence of LPR status, or fee receipt for replacement I-551.	Mixed	Substantive	Thank you for your comment. Clarifying language has been added to the instructions.
2	22	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 7: Initial Evidence, Evidence of the Relationship: Evidence of good faith marriage is not required for those who are applying based on extreme hardship. The instructions should be modified to note that exception.	Mixed	Substantive	Thank you for your comment. Clarifying language has been added to the instructions.
2	23	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 7: The Instructions for a child filing separately should reference submitting death certificate of conditional permanent resident parent where applicable	Mixed	Substantive	Thank you for your comment. Clarifying language has been added to the instructions.
2	24	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 7: The Instructions about a pending divorce are confusing. The Instructions should state that a petitioner may file for a waiver based on divorce where a divorce is pending, and that USCIS will reply by providing the petitioner with a designated period – usually 87 days – to respond with a copy of the final divorce decree. Conditional resident petitioners who do not anticipate having a final divorce decree within that period of time may wish to consider whether another or an additional waiver option is applicable.	Mixed	Substantive	Thank you for your comment. Clarifying language has been added to the instructions.
2	25	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 7: The instructions to the current and the proposed form use the term "affidavit" instead of "affidavits or declarations." Affidavits are signed and notarized, while declarations are simply sworn to or affirmed under penalty of perjury. Declarations are to be given the same weight as affidavits. See 28 U.S.C. § 1746.	Mixed	Substantive	Thank you for your comment. USCIS will not be making any additional edits.
2	26	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 7: Modify the language to reflect eligibility of the conditional resident child to seek waiver based on battery/abuse to the conditional resident parent, even if the child not directly battered/abused.	Mixed	Substantive	Thank you for your comment. USCIS will not be making any additional edits.
2	27	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 8: CLINIC recommends that the proposed definition of extreme cruelty include the following highlighted text from the regulation at 8 CFR § 204.2(c)(vi), which describes battery and extreme cruelty as follows: vi) Battery or extreme cruelty. For the purpose of this chapter, the phrase "was battered by or was the subject of extreme cruelty" includes, but is not limited to, being the victim of any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury. Psychological or sexual abuse or exploitation, including rape, molestation, incest (if the victim is a minor), or forced prostitution shall be considered acts of violence. Other abusive actions may also be acts of violence under certain circumstances, including acts that, in and of themselves, may not initially appear violent but that are a part of an overall pattern of violence. The qualifying abuse must have been committed by the U.S. Citizen or LPR spouse, must have been perpetrated against the self-petitioner or the self-petitioner's child, and must have taken place during the self-petitioner's marriage to the abuser.	Mixed	Substantive	Thank you for your comment. USCIS will not be making any additional edits.

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2	28	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 8. CLINIC supports the proposed language defining "any credible evidence" of battery or extreme cruelty, and the added language on waiver eligibility for those who believed they entered into a valid marriage that was in fact a bigamous one.	Support	Substantive	Thank you for your comment.
2	29	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	Page 8: The text on extreme hardship waiver should reference that proof of good faith marriage is not required although it can be submitted where possible. The proposed language removes the link to information about extreme hardship on the USCIS website. CLINIC proposes restoring the link or including language describing what evidence may satisfy this requirement.	Mixed	Substantive	Thank you for your comment. Clarifying language was added to the instructions about proof of a good faith marriage in relation to extreme hardship waivers. USCIS will not be making any additional edits.
2	30	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	<p>C. Suggestions for Additional Modifications</p> <p>As noted above, CLINIC supports many of the proposed modifications to the Form I-751 and Instructions that clarify when the I-751 petition should be filed. We also take this opportunity to note additional issues related to the removal of conditions process that would benefit from inclusion in a newly issued form and instructions. Since its common that the basis of the petition may change after it is filed and while it is pending, CLINIC suggests that the instructions note the following:</p> <ul style="list-style-type: none"> • If the Form I-751 was filed as a joint petition, the petitioner should file a new Form I-751 as a the petitioner's spouse or parent/stepparent has died. No fee is required for this new I-751 petition. <input type="checkbox"/> If the Form I-751 was filed as a joint petition, the petitioner should file a new Form I-751 as a waiver if the petitioner or the petitioner's parent was abused or subjected to battery/abuse. A separate filing fee is required for this new I-751 petition. <input type="checkbox"/> If the Form I-751 was filed as a joint petition, the petitioner should file a new Form I-751 as a waiver if the petitioner's marriage or the parent's marriage has terminated. No fee is required for this new I-751 petition. <input type="checkbox"/> If the Form I-751 was filed as a joint petition, the petitioner should file a new Form I-751 as a waiver if the petitioner is basing the waiver on extreme hardship No fee is required for this new I-751 petition. <input type="checkbox"/> If the Form I-751 was filed as a waiver, the petitioner should file a new Form I-751 and add or change the basis of the waiver if it is necessary. No fee is required for this new I-751 petition unless the basis of the waiver is now battery/abuse. <input type="checkbox"/> Clarify that a conditional resident child petitioner may file Form I-751 even though he or she is over 21 years of age or is married. <input type="checkbox"/> Clarify that a waiver based on extreme cruelty does not need to be supported by an evaluation from a mental health professional, as stated in the regulations at 8 CFR § 216.5(e)(iv). Congress removed this requirement in 1994, but the regulations have not been amended. 	Mixed	Substantive	Thank you for your comments. USCIS will not be making any additional edits.
2	31	8/13/2019	8/16/2019	Organization	USCIS-2009-0008-0059	CLINIC	<p>III. Conclusion</p> <p>Thank you for the opportunity to submit these comments. We appreciate your consideration. Please do not hesitate to contact Jill Marie Bussey, Advocacy Director, at jbussey@cliniclegal.org should you have any questions about our comments or require further information.</p> <p>Sincerely, Jill Marie Bussey, Esq. Director of Advocacy Catholic Legal Immigration Network, Inc.</p>	Intro/Summary/Conclusion	General	Thank you for your comments.

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3	1	8/16/2019	8/19/2019	Organization	USCIS-2009-0008-0060	AILA	<p>August 16, 2019 Department of Homeland Security U.S. Citizenship and Immigration Services Office of Policy and Strategy Chief, Regulatory Coordination Division 20 Massachusetts Avenue, NW Washington, DC 20529-2140 Submitted via www.regulations.gov Docket ID No. USCIS-2009-0008 Re: OMB Control Number: 1615-0038 USCIS 60-Day Notice and Request for Comments: Petition to Remove the Conditions on Residence, Revision of a Currently Approved Collection To Whom It May Concern:</p> <p>The American Immigration Lawyers Association (AILA) respectfully submits the following comments in response to the above-referenced 60-day notice and request for comments on proposed revisions to Form I-751, Petition to Remove Conditions on Residence, and its accompanying instructions, published in the Federal Register on June 13, 2019.</p> <p>Established in 1946, AILA is a voluntary bar association of more than 15,000 attorneys and law professors practicing, researching, and teaching in the field of immigration and nationality law. Our mission includes the advancement of the law pertaining to immigration and nationality and the facilitation of justice in the field. AILA members regularly advise and represent businesses, U.S. citizens, U.S. lawful permanent residents, and foreign nationals regarding the application and interpretation of U.S. immigration laws. We appreciate the opportunity to comment on the proposed revisions to Form I-751 and its instructions and believe that our members' collective expertise and experience makes us particularly well-qualified to offer views on this matter.</p> <p>Comments on Proposed Revisions to Form I-751 and its Instructions</p>	Intro/Summary/Conclusion	General	Thank you for your comments.
3	2	8/16/2019	8/19/2019	Organization	USCIS-2009-0008-0060	AILA	<p>Employment History</p> <p>In Part 3 and Part 5 of Form I-751, USCIS is proposing to request employment history from the applicant as well as from the U.S. citizen or lawful permanent resident spouse or stepparent through which the applicant gained their conditional permanent residence. The proposed time frame of the employment history that USCIS would collect would cover the period of employment since the applicant became a conditional permanent resident. AILA is concerned about this proposed information collection as employment history is not required by USCIS to adjudicate the I-751 petition and will only serve to increase the overall time and burden for both applicants and USCIS adjudicators to complete and ultimately review this form, leading to further backlogs in the processing of I-751 petitions, which are already currently taking up to 24 months for USCIS Service Centers to process, and up to 39 months for processing at local USCIS field offices.² Furthermore, as USCIS will collect this very same information on the forthcoming Form I-944 for all applicants applying for adjustment of status,³ requesting employment history on Form I-751 appears to be a repetitive and unnecessary collection of information.</p>	Opposed	Substantive	Thank you for your comment. USCIS added these questions to comport with INA 216(d)(1)(B)(ii). USCIS will not be making any additional edits.
3	3	8/16/2019	8/19/2019	Organization	USCIS-2009-0008-0060	AILA	<p>Accommodations for Individuals with Disabilities and/or Impairments</p> <p>AILA is concerned that USCIS is proposing to remove from Form I-751 and its instructions the ability for applicants to request a reasonable accommodation for themselves, their spouse, or their parent who may have a disability and/or impairment. As a result of this proposed change, applicants will no longer be able to request an accommodation as required under Section 504 of the Rehabilitation Act of 1973 and Title II of The Americans with Disabilities Act of 1990 (ADA) at the time of submitting the I-751 petition to USCIS. Adding to AILA's concerns, the revised Form I-751 instructions proposed by USCIS do not inform applicants of any alternative methods by which to request an accommodation, such as directing applicants to submit a request for an accommodation through USCIS' Disability Accommodations for Appointments online tool or calling the USCIS Contact Center. By eliminating the accommodation language from the Form I-751 and its instructions and failing to inform applicants of alternative options for requesting an accommodation, this change will unnecessarily hinder an applicants' knowledge of and ability to apply for accommodations. As such, applicants with disabilities and/or impairments will be disadvantaged in the process of submitting their petition to USCIS to remove the conditions on their U.S. permanent residence.</p> <p>In response to these concerns, AILA recommends that USCIS restore to Form I-751 and its instructions the current language that exists on both the form and instructions regarding requesting an accommodation for individuals with disabilities and/or impairments. The ability to request an accommodation directly on Form I-751 is an efficient method for applicants to make such a request as it allows applicants to make an accommodation request directly at the time of submitting the I-751 petition and avoids the need for applicants to take additional steps to make such a request, such as logging onto the internet to access USCIS' Disability Accommodations for Appointment online tool or calling the USCIS Contact Center and waiting to speak with a USCIS representative. Similarly, it provides for a more efficient allocation of USCIS resources as it reduces the number of accommodation requests that USCIS receives through these alternative methods.</p> <p>In the event that USCIS does not restore the disability accommodation language to the Form I-751, at the minimum, USCIS should provide information in the I-751 instructions to inform applicants that alternative methods for requesting an accommodation exist, such as submitting a request via the USCIS Disability Accommodations for Appointments tool or by contacting the USCIS Contact Center. This will ensure that I-751 applicants are informed of their options for requesting an accommodation.</p>	Opposed	Substantive	Thank you for your comment. USCIS has added disability accommodation language to the Form I-751 instructions.

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3	4	8/16/2019	8/19/2019	Organization	USCIS-2009-0008-0060	AILA	<p>Conclusion</p> <p>In closing, we appreciate the opportunity to comment on the proposed revisions to Form I-751, Petition to Remove Conditions on Residence, and its instructions. We look forward to a continuing dialogue with USCIS on these issues and related matters.</p> <p>Respectfully submitted,</p> <p>AMERICAN IMMIGRATION LAWYERS ASSOCIATION</p>	Intro/Summary/Conclusion	General	Thank you for your comments.