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IMMIGRATION
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ASSOCIATION

September 19, 2025

Joseph B. Edlow
Director
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
5900 Capital Gateway Drive
Camp Springs, MD 20588

Via Email: USCISPolicyManual@uscis.dhs.gov

**Re: AILA Feedback on Transition to Electronic Payments, USCIS Policy Manual,
Vol. 1: General Policies and Procedures, Part B, Submission on Benefits Requests,
Chapter 3, Fees**

Dear Director Edlow:

The American Immigration Lawyers Association (AILA) respectfully writes to commend U.S. Citizenship and Immigration Services (USCIS) for its efforts to modernize its fee payment systems and reduce the risks associated with paper-based transactions. AILA supports the agency's goals of efficiency, fraud reduction, and improved processing. However, as implementation of the new ACH debit payment option moves forward and the acceptance of checks and money orders is phased out after October 28, 2025, our members have identified several logistical, ethical, security, and compliance concerns that require clarification and further consideration. With all of the considerations that need to be addressed, we respectfully request that USCIS delay full implementation until after it has considered and taken action on the considerations enumerated below.

Established in 1946, AILA is a voluntary bar association of more than 18,000 attorneys and law professors practicing, researching, and teaching in the field of immigration and nationality law. AILA members regularly advise and represent businesses, U.S. citizens, lawful permanent residents, and foreign nationals regarding the application and interpretation of U.S. immigration laws. Our collective expertise enables us to provide meaningful feedback on policies that impact petitioners, applicants, and beneficiaries across a wide range of contexts.

Payment Tracking and Reconciliation

Under USCIS' long-standing practice of accepting checks or money orders for payment of filing fees, each filing carried its own unique instrument, creating a natural audit trail that could be directly linked to a petition, application, or request. Even after USCIS moved to the electronic processing of checks, the agency continued to include petition receipt numbers on the back of cancelled checks. This allowed petitioners and applicants to reconcile checking accounts in a way that confirmed a specific check, assigned to a case for a specific petitioner and beneficiary, had been cashed and was associated with an identifiable case number.

By contrast, with ACH and credit card payments, this traceability is lost. At present, it does not appear that such identifying information is available for processed ACH payments, thereby making it impossible for any volume filer to properly reconcile transactions. For lawyers and law firms, this need is particularly acute given the strict ethics concerns associated with the management of client funds held in trust accounts. Rule 1.15 of the ABA Model Rules of Professional Conduct requires lawyers to safeguard client funds and maintain records that allow for full accountability.¹ Without a reliable system to link specific payments to specific filings, attorneys face heightened risks in complying with these obligations.

For corporate petitioners, the challenge is even greater. Payment processing in large organizations is a sophisticated process involving multiple people, departments, and systems. Without a reliable way to associate a payment with a specific petition, employers will face major administrative hurdles and risk internal compliance failures. What USCIS characterizes as modernization may, in practice, create significant inefficiencies for companies that handle large volumes of immigration filings.

Use of Form G-1650 and Multiple Fees

AILA appreciates USCIS's clarification that:

- A separate Form G-1650 must be submitted for each application, petition, or request; and
- All applicable fees for that single filing may be paid with one Form G-1650.

However, ambiguity remains in common scenarios. For example:

- If a Form I-129 petition is filed with a concurrent Form I-907 request for Premium Processing, must there be two separate Form G-1650s?
- If a Form I-129 petition is filed with dependents' Form I-539 applications, must each form be accompanied by its own Form G-1650?

¹ See

https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_1_15_safekeeping_property/

Clear guidance on these points is urgently needed to prevent inconsistent practice and rejected filings, increasing costs both for petitioners and applicants, as well as the agency.

Form Design Considerations

AILA appreciates that Form G-1650 was designed to be simple and broadly usable. However, as currently drafted, the form provides only fields for a petitioner, applicant, or requestor to enter a last name, first name, and middle name. This format does not allow a company to adequately enter its name when acting as the petitioner. The form also does not provide space to identify the associated beneficiary or the type of case being filed.

These omissions create significant difficulties for employers, applicants, and their representatives who need to reconcile payments with specific filings. To support both USCIS's processing needs and stakeholders' recordkeeping responsibilities, AILA respectfully recommends that USCIS redesign the form to include space for a company to enter its full legal name as a petitioner and facilitate an ACH tracking identifier that will allow for identification of the petitioner, associated beneficiary, and case type. Providing these additional data points would improve transparency, reduce errors, and facilitate smoother reconciliation for both the agency and the filing community.

Concerns Regarding Form G-1450 (Credit Card Payments)

Many of the same concerns raised above also apply to Form G-1450, Authorization for Credit Card Transactions, which has long been used to pay filing fees by mail.

As currently implemented, credit card payments submitted by mail cannot be reliably tracked or reconciled by petitioners, applicants, or their representatives. For example, here is how transactions appeared on an AILA member's recent credit card statement after Form G-1450 was used to submit filing fees for two Form I-140 cases:

- Sep 6 USCIS ELGIN LOCKBOX – \$600.00
- Sep 6 USCIS ELGIN LOCKBOX – \$715.00
- Sep 6 USCIS ELGIN LOCKBOX – \$2,805.00
- Sep 6 USCIS PHOENIX LOCKBOX – \$600.00
- Sep 6 USCIS PHOENIX LOCKBOX – \$715.00
- Sep 6 USCIS PHOENIX LOCKBOX – \$2,805.00

As these entries illustrate, there is nothing on the statement that allows the petitioner, applicant, or lawyer to know which transaction applies to which case. For lawyers, law firms, and high-volume petitioners, this lack of detail makes reconciliation almost impossible.

Further, Form G-1450 explicitly limits daily credit card transactions to \$24,999.99 per card (less than the total fees of 4 premium processed H-1B petitions), a cap that is inadequate for law firms and employers who must often file multiple cases in a single day. This forces stakeholders into

inefficient workarounds, such as splitting filings across multiple days or multiple cards, both of which increase administrative burden and risk.

USCIS's own guidance underscores additional risks:

- If a card is declined, USCIS will not attempt to process it again, and the application may be rejected for lack of payment.
- Petitioners must submit a separate Form G-1450 for each application, petition, or request, meaning large employers and firms must repeatedly expose sensitive card data.

Together, these concerns highlight that Form G-1450 suffers from the same traceability, security, and operational shortcomings as Form G-1650, and must be reconsidered in the context of USCIS's broader transition to electronic payments.

Risk of Rejection in Time-Sensitive Filings

AILA is concerned about USCIS's stated policy of rejecting any filing where there are issues with the completed Form G-1650, Form G-1450, or the associated payment. While we recognize the agency's need to ensure proper fee collection, the consequences of rejection can be severe for applicants and petitioners facing statutory deadlines, numerical caps, or other time-sensitive requirements.

For example, if an H-1B petition subject to the annual cap is rejected due to a minor error on Form G-1650 or a technical problem with an ACH transaction, the petitioner and beneficiary may permanently lose the opportunity to file that case for the fiscal year. Similar risks exist in contexts such as adjustment of status filings tied to visa bulletin movement, or filings where maintaining continuous lawful status is critical.

We respectfully urge USCIS to adopt procedures that minimize these risks, such as:

- Providing petitioners and applicants an opportunity to cure technical payment errors without rejecting the entire filing package; and
- Exploring whether rejections based solely on payment issues could instead be handled as Requests for Evidence (RFEs), preserving the original filing date.

Despite the efforts of dedicated personnel and sophisticated technology systems, incorrect case rejections and data entry errors do occur. When personnel enter banking or credit card information incorrectly, whether by the filer or during intake at USCIS, the consequences for petitioners and applicants can be dire. A single digit transposed in an account number can mean the difference between maintaining lawful status and falling out of status, or between a timely-filed petition and the permanent loss of eligibility under a statutory deadline. These risks underscore the need for USCIS to build in safeguards that protect applicants and petitioners from disproportionate harm caused by minor or technical errors.

Banking and Ethics Considerations

Rule 1.15 of the ABA Model Rules of Professional Conduct requires attorneys to safeguard, segregate and fully account for client funds. Authorizing direct ACH withdrawals from a trust account may expose client funds to risks outside the lawyer's control, and without reliable reconciliation tools, lawyers would not be able to demonstrate compliance with their fiduciary duties. This concern strongly suggests that ACH withdrawals should not be conducted from a lawyer's trust account that contains client funds. Instead, firms will need to create separate filing fee accounts, distinct from both trust and operating accounts. Such a shift requires thoughtful planning and clear guidance to avoid inadvertent ethical pitfalls.

In addition, many financial institutions block ACH debits by default. Although USCIS has published its Agency Location Codes (ALC+2), petitioners and representatives will require more time and detailed guidance on how to coordinate with their banks to ensure successful transactions.

Data Security Concerns

AILA members are also concerned about the security of sensitive financial data. When using Form G-1450, a client's or firm's credit card number is printed on the form; for Form G-1650, the same applies to ACH account numbers. Even though USCIS states that these forms are destroyed after processing, the data exists for several days or weeks while the package is in transit and pending intake. Unlike filing fee checks, which are payable only to DHS, a credit card or bank account number could be misused by anyone who gains access to the form in transit.

AILA understands that USCIS uses the U.S. Department of the Treasury's Pay.gov Trusted Collections Service to process credit card payments, and that Trusted Collections Service is a web-based application that allows government agencies to process debit or credit card payments. While this structure provides assurance once payment data enters the Treasury system, the vulnerabilities remain prior to processing--namely, during mailing and intake when sensitive account information is exposed on paper forms.

Further questions remain:

- Who will serve as the merchant processing credit card payments? Will this remain under DHS control?
- Why does Form G-1450 not include a field for the Card Security Code (CSC), the three-digit number typically required in online transactions? Including this feature would align with industry best practices and strengthen security.
- Has USCIS provided adequate notice and guidance to stakeholders to allow for secure, orderly implementation of these new requirements? At present, the transition timeline is extremely short given the operational and compliance changes required for petitioners, applicants, and law firms. Employers and counsel need sufficient lead time to set up compliant bank accounts, adjust internal workflows, train staff, and coordinate with

financial institutions. Without more robust outreach and phased implementation, the risk of rejected filings, compromised data, and ethical pitfalls will increase.

Requested Action

In light of the above, AILA respectfully requests that USCIS:

- Delay the full implementation of the ACH debit payment option until after the described concerns have been considered and resolved.
- Clarify in writing whether separate Forms G-1650 are required for multiple forms filed together (e.g., Form I-129 with Form I-907, Form I-129 with Form I-539).
- Clarify in writing if the multiple fees related to a single petition (e.g. an H-1B petition) are to be included on a single Form G-1650 and how the mailroom will know if the total is accurate.
- Redesign Form G-1650 to include fields that accommodate a company petitioner by allowing entry of a full legal name, and to provide space to identify the associated beneficiary, case type and multiple fees that are included in the total payment.
- Develop a reliable mechanism to allow requestors and representatives to track payments and link them to specific filings.
- Provide written guidance on banking considerations, including best practices for resolving ACH debit blocks.
- Address the security of payment card and ACH account data, including whether additional protections (such as the CSC) will be incorporated and whether DHS will continue to process all transactions directly.
- Allow additional time and provide clear public guidance for stakeholders to adjust to these major changes.
- Reconsider the abrupt elimination of check-based payments and, at a minimum, liberally grant exemptions where petitioners or applicants face operational, compliance, or security concerns related to ACH or credit card payments.
- Explore implementing an advance online payment system where fees could be paid electronically before filing, and a copy of the payment receipt included with the paper-based filing. This approach could mitigate fraud concerns while preserving traceability and reconciliation for petitioners, applicants, and their representatives.

AILA values the agency's commitment to secure and efficient processes and looks forward to continued engagement with USCIS on this important matter. We believe that addressing the concerns raised here will ensure that the transition to electronic payments benefits both the agency and the stakeholders it serves.

In conclusion, we thank you for your prompt attention to this urgent and time-sensitive matter. If you have any questions, please contact Kate Angustia (kangustia@aila.org) and Sharvari Dalal-Dheini (sdalal-dheini@aila.org).

Thank you for your time and consideration.

Sincerely,

American Immigration Lawyers Association