

From: maria@cliburn.org [mailto:maria@cliburn.org]
Sent: Monday, March 05, 2007 11:51 AM
To: OSComments
Subject: DHS No. USCIS-2006-0044

Director Regulatory Management Division U.S. Citizenship and Immigration Services
Department of Homeland Security
111 Massachusetts Avenue, NW, 3rd Floor
Washington, DC 20529

Dear Director U.S. Citizenship and Immigration Services,

On behalf of Van Cliburn Foundation, based in Fort Worth, Texas, and the audiences we serve, I submit these comments in response to the proposed rule published in 72 Fed. Reg. 4888-4915 (February 1, 2007) to adjust the immigration and naturalization benefit application and petition fee schedule.

The Cliburn Foundation produces a quadrennial international piano competition. We are the foremost piano competition in the United States, and one of the top five competitions in the world. One of the reasons we attract a wide range of international pianists is because we arrange three seasons of U.S. tours for the six winners of each competition. We do file I-129 for every foreign pianist we tour.

I am strongly opposed to the proposed increase of the filing fees for nonimmigrant worker petitions. The proposed increase in the Form I-129 filing fees will be financially burdensome to my nonprofit performing arts organization. Before the USCIS contemplates any price increase, regular processing procedures must be improved.

USCIS should not consider a fee increase without first improving regular processing procedures in the following ways:

Reduce the maximum processing period for O and P petitions to 30 days. Receipt notices from USCIS often indicate that processing periods will range anywhere between 30 and 120 days. This time span is simply too ambiguous and lengthy to accommodate booking and presenting foreign guest artists for performances with a fixed date. To engage foreign guest artists, and more freely facilitate international cultural exchange, the nonprofit performing arts community must be able to rely upon a 30-day maximum processing period.

Improve the reliability and consistency in adjudication of O and P petitions. Current USCIS policies and practices result in inefficient processing of O and P visas - causing delay, expense, and unwarranted requests for further evidence. USCIS must implement uniform policies, procedures, and training for efficient processing of petitions.

Implement uniform policies to improve the traditional expedite service. The USCIS has made traditional expedite processing available at no additional fee to petitioners who experience an unforeseen emergency. Since implementing the Premium Process Service, the USCIS has allowed nonprofit organizations to remain eligible for the traditional expedite. However, the standards for granting expedited processing requests are unclear. The traditional expedite is not helpful unless there are clear, uniform policies appropriately followed and administered by USCIS.

I am grateful for the opportunity to comment on this proposed fee increase. We oppose the proposed fee increase and urge the USCIS to demonstrably improve processing of regular petitions before burdening petitioners with any increase in processing fees.

Thank you for your consideration.

Sincerely,
Maria Guralnik
General Manager
Van Cliburn Foundation
2525 Ridgmar Blvd
Suite 307
Fort Worth, TX 76116

cc:
Senator Kay Hutchison
Representative Kay Granger
Senator John Cornyn