

April 2, 2007

Director, Regulatory Management Division  
U.S. C.I.S.  
Department of Homeland Security  
111 Massachusetts Avenue NW, 3d floor  
Washington, D.C. 20529

Re: #DHS Docket # USCIS-2006-0044

Dear Director:

I write to oppose the proposed increase to filing fees for USCIS immigration and naturalization filing fees. I also oppose the elimination of VAWA self-petitioning fees.

I am an attorney who has been certified since 1984 as a specialist in immigration and nationality law by the Board of Legal Specialization of Texas. I have represented and continue to represent a wide range of individuals and entities seeking various nonimmigrant and immigrant visa classifications as well as individuals seeking to become citizens of the United States.

**Negative Impact on Regularizing Immigration Status**

Many immigrants struggle now to pay the existing filing fees. The proposed fee increases would often double the current filing fees. There is simply no logical basis for increasing many of these fees.

**Filing fees for children seeking adjustment of status.** The present application is very simple. For children under the age of 14 ONLY the I485 application is required. Assuming that the proposed fee increase contemplates the cost of biometric processing for such children, these applications remain remarkably simple to adjudicate. If the rationale for raising the child filing fee takes into account the time required for such adjudication, there is no rational basis for raising the filing fee so dramatically. If this fee increase is allowed to take effect, many families will be forced to delay the filing of the childrens' applications in order to pay for the parents' filing fees.

**Permanent Resident Application Filing Fees.** The rationale for tripling the filing fee is to achieve more prompt adjudications. The delays in adjudication are presently caused in many cases by delays in receiving security clearances from the FBI. Nothing in the fee increase proposal addresses this cause of delay in adjudications of applications. The filing fee should not be raised unless there is a guarantee of adjudication within 180 days or a full refund of the application.

**Naturalization Applications.** Doubling the filing fee will NOT encourage immigrants to become U.S. citizens. I see individuals weekly who are unable to pay the current \$400 filing fee or who have struggled for months to save for the current filing fee. If the USCIS and or the American government want permanent residents to become participating members of their communities, starting with naturalization, this dramatic fee increase will not enhance or support this.

**Who Pays for USCIS Adjudication Work?** This fee increase proposal seeks to make USCIS rely solely on filing fees to support its operations. This is inappropriate. It ignores the national benefits reaped from immigration--adjudication of these benefits should be funded by the U.S. Congress.

**Other Alternatives for Support of Operations.** The USCIS should consider more efficient operations before it increases filing fees. Some examples of how operations might be improved and cost savings realized include:

\*Send only ONE welcome notice to applicants whose permanent resident application has been approved. (Presently 3-6 such notices are sent out for each family based adjustment case. The cost of postage for each notice coupled with the cost of the envelope and paper for the notice mounts up steadily.)

\*Make programming change so that individual applicants do not have to do go to multiple biometrics appointments--one for the 765, one for the permanent resident application and so on. This would reduce mailings, postage, staff time and hence reduce costs.

Sincerely,

*Nancy Taylor Shivers*  
[ntshivers@shiverslaw.com](mailto:ntshivers@shiverslaw.com)  
*Shivers & Shivers*  
*1146 S. Alamo Street*  
*San Antonio TX 78210*