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From: cchin@jacobspillow.org [<mailto:cchin@jacobspillow.org>]

Sent: Thursday, March 01, 2007 5:24 PM

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 Jacob's Pillow Dance Festival and the interns, students, artists, and 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.

Jacob's Pillow Dance Festival celebrates its 75th Anniversary Season in 2007. In 2003, Jacob's Pillow was declared a National Historic Landmark by the federal government and "an exceptional cultural venue that holds value for all Americans." It is the first and only dance entity in the U.S. to achieve this honor. The Pillow encompasses an acclaimed international festival (the longest-running dance festival in the U.S.), a professional school, rare and extensive archives, an intern program, and year-round community programs all of which are touched by the international dance community. The fee increase would have a profound affect upon our organization.

I am opposed to the proposed increase of the filing fees for nonimmigrant worker petitions. The proposed increase in the Form I-129 and Form I-824 filing fees will be financially burdensome to Jacob's Pillow. 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 through our highly-regarded School and Intern Programs, 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,
Connie Chin
General Manager
Jacob's Pillow Dance Festival
358 George Carter Rd
Becket, MA 01223

cc:
Senator Edward Kennedy
Senator John Kerry
Representative John Olver