

9TH DISTRICT, ILLINOIS

COMMITTEE ON ENERGY AND COMMERCE

CHIEF DEPUTY WHIP

1027 LONGWORTH HOUSE OFFICE BUILDING

Telephone: 202-225-2111

Fax: 202-225-6890

TTY: 202-225-1904

Congress of the United States
House of Representatives
Washington, DC 20515-1309

CHICAGO, IL 60640
Telephone: 773-506-7100
Fax: 773-506-9202

820 DAVIS STREET, SUITE 105
EVANSTON, ILLINOIS 60201
Telephone: 847-328-3409
Fax: 847-328-3425

1420 RENAISSANCE DRIVE, SUITE 102
PARK RIDGE, IL 60068
Telephone: 847-298-2128
Fax: 847-298-2173

FAX COVER SHEET

Sent To: Director, Regulatory Management Division

Date: April 2, 2007

Total pages (including cover): 3

From:

<input checked="" type="checkbox"/> REP. SCHAKOWSKY	_____	PETER KARAFOTAS
_____ KEVIN ANDERSON	_____	ROBERT MARCUS
_____ DIANE BEEDLE	_____	LINDSAY MCALLISTER
_____ MEGAN BROWN	_____	KIM MUZEROLL
_____ MEGAN GARCIA	_____	SUSAN WALCH
_____ CATHY HURWIT	_____	_____

COMMENTS:

Comments to be submitted for DHS-2006-0044

JANICE D. SCHAKOWSKY
9th District, Illinois

5533 N. BROADWAY, SUITE 2
CHICAGO, IL 60640
Telephone: 773-506-7100
Fax: 773-506-9202

COMMITTEE ON ENERGY AND COMMERCE

CHIEF DEPUTY WHIP

1027 LONGWORTH HOUSE OFFICE BUILDING
Telephone: 202-225-2111
Fax: 202-226-6880
TTY: 202-225-1904

Congress of the United States
House of Representatives
Washington, DC 20515-1309

820 DAVIS STREET, SUITE 105
EVANSTON, ILLINOIS 60201
Telephone: 847-328-3409
Fax: 847-328-3425

1420 RENAISSANCE DRIVE, SUITE 102
PARK RIDGE, IL 60068
Telephone: 847-298-2128
Fax: 847-298-2173

April 2, 2007

Director, Regulatory Management Division
US Citizenship and Immigration Services
Department of Homeland Security
111 Massachusetts Ave. NW, 3rd floor
Washington DC 20529.

RE: DHS Docket # USCIS-2006-0044

Proposed rule— Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule

I am writing to strongly oppose the proposed increases in immigration and naturalization fees that the U.S. Citizenship and Immigration Services (USCIS) published in the Federal Register on February 1, 2007.

Current fees already are a financial problem for many immigrants and refugees who want to seek citizenship and become full participants in U.S. society. The increases in the fees being proposed by United States Citizenship and Immigration Service (USCIS) would make the financial barriers even more difficult to cross over, putting the goals of gaining permanent resident status, reuniting with family members, and ultimately becoming a US citizen even further out of reach.

Under the proposed rule, fees would rise significantly. The I-129F alien fiancé petition to immigrate would cost \$455, up from \$170. Filing an I-130 immigrant relative petition would cost \$355, up from \$190. Those fee increases would keep relatives apart longer, creating another hurdle for family reunification. Almost doubling the costs of an I-765 application for employment authorization to \$340 (up from \$180) would create higher costs for immigrant and non-immigrant visa holders who seek to work in America legally. The proposed rule would even charge \$290 just to replace a green card or \$380 to replace a naturalization or citizenship certificate.

What is of most concern are the proposed fee hikes in the cost to apply for naturalization and to file an I-485 application for a green card. In the past eight years, these costs have increased dramatically. In 1998, the cost to apply for citizenship was \$95. When the Bush Administration took office in 2002, the cost went from \$250 to \$310. Currently, the total fee is \$400. The USCIS's proposed rule calls for the naturalization fee to climb from \$400 per person to \$675 per person, a 70% increase.

The most dramatic increase would occur in the proposed cost of filing for adjustment of status which would increase from \$325 to \$905. For many immigrants, getting a green card is the first step in becoming a U.S. citizen. A fee of \$905, in combination with the \$80 cost of biometrics, would put adjustment of status out of reach for thousands of immigrants, shutting the door before they can even begin the process of becoming a citizen.

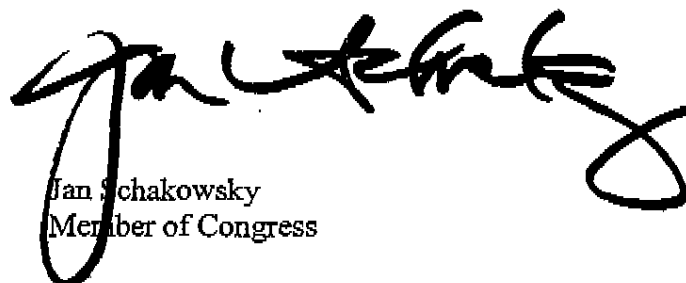
In addition to excessive fees, I am also concerned that immigrants would have to use an electronic filing system, regardless of whether they have access to and an understanding of the Internet. Under the proposed rule, anyone filing an immigration application must submit an extra 19-page form to set up an "immigration account" and to pay an additional \$100 fee. While we need to collect sufficient information, it is also unclear how this additional 19-page form is necessary to achieve that goal. The excessive costs and burdens those changes could add would create financial and paperwork barriers that would keep immigrants from American citizenship and the rights and benefits that come with it.

While current law provides a waiver for immigrants and their families who cannot afford the fees, the USCIS's proposed rule also include adjustments to the fee waiver policy that will prevent many from being able to do so. For example, immigrants looking to adjust their status would no longer qualify for the fee waiver. Even VAWA self-petitioners would be unable to get the fee for their adjustment of status waived. USCIS should fully explain why fee waivers should not be available for all applications, including I-821 applications for TPS and I-824s.

Clearly, there is a need to improve service, to eliminate processing backlogs and to provide infrastructure improvements. However, there is no clear justification for how those improvements justify the need for such significant increases in fees or whether those fee increases would actually result in improvements. Past fee hikes have come with assurances that the additional revenue would help improve service yet problems continue. October 2006's Government Accountability Office report, "Immigration Benefits: Additional Efforts Needed to Help Ensure Alien Files Are Located when Needed," revealed that the agency had lost track of 110,000 files needed to process citizenship cases highlighting the need for improved file tracking and other infrastructure. And immigrants and their families still have difficulty getting accurate information about their cases. More must be done before the USCIS raises fees or incorporates changes that will only create overwhelming challenges for those applying for citizenship or green cards.

Again, I urge the USCIS to reconsider this proposed rule. The United States should not impose excessive fees and filing requirements that prevent many immigrants from pursuing their dream of becoming American citizens. Thank you for your consideration.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Jan Schakowsky', is positioned above the printed name.

Jan Schakowsky
Member of Congress