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**Comments**

Docket No. USCIS-2006-0044  
8 CFR Part 103  
Increase in Fees

General comment: The proposed fee increases appear unreasonable and wholly unsupported and unjustified. We serve low-income immigrants and refugees. We provide family-based immigration services. We charge no fee or very minimal fees for our services. We have serious concerns that your proposed fee increases will make it impossible for many families to reunite in this country. Our clients often need joint sponsors, because the household income does not meet 125% of the poverty guidelines. It would not be possible for them to pay these increased fees, particularly for several family members processing at the same time; the fees would represent a significant percentage of their annual family income, which is already below or only slightly above the poverty level. In many instances they would be paying these fees while waiting years before further action is taken.

Immigration costs should not be borne by immigrants alone; immigration benefits the country as a whole and all citizens should bear those costs through taxes.

The practice of increasing fees at a time when US CIS has a very poor record with respect to timely adjudications, accurate decisions, competence in following the law and responsiveness, is distressing. Prove that you can do your work on time and accurately and then ask for additional funding. We spend an inordinate amount of our time helping clients get US CIS errors corrected and know from experience how difficult it is to get any type of coherent US CIS response on the simplest of mistakes. Examples include: misspelling of names, incorrect beneficiary categories on receipts, wrong pictures on cards, incorrect birth dates, incorrect priority dates and much more.

We are particularly concerned about your proposed fee increases for the following forms: I-129F, I-130, I-131, I-290B/Motions, I-360, I-485, I-601, I-694, I-751, I-765, I-824, N-400, and N-600.

I-130: A United States citizen with a spouse and four children would have to pay \$1,775 to initiate the immigration process for his/her family. And that is only the beginning of the costs to be incurred. The State Department costs, the costs of medical examinations, the costs of travel and often lengthy dislocation already make it difficult; US CIS increases would make the costs prohibitive. If adjustment of status were an option, your proposed fees increases would turn this into a more than \$6,000 process. For poor families, this would be a tragedy.

I-485: You propose a \$905 fee, which includes Advance Parole and Employment Authorization. The fee itself for a family with several members adjusting status is unconscionable. We have never filed an adjustment package which included a Form I-131, because our clients could not afford the current fee. They simply agree not to travel until the process is complete. US CIS has advised recently not to file I-765s with adjustment packages, because the intent is to complete the adjustment package in a timely fashion and preclude the need for Employment Authorization Documents. Therefore, we no longer file I-765s. For children we never file I-765s and I-131s. But your proposal imposes those costs even on applicants who do not need or want those documents.

I-290B/Motions and I-694: Applicants have very few remedies for errors and intentional disregard of the law by US CIS or DOJ employees. The fees for these forms should be reduced, not increased, to permit applicants a reasonable opportunity to get the mistakes corrected, since these actions have such a dramatic impact on peoples' lives. Your agency should have the same interest as applicants here: assure fairness and compliance with the law to the greatest extent possible.

I-360: You are increasing fees for the most vulnerable applicants here. Often families have been disrupted and the applicant is not even working.

I-751: Since this aspect of immigration law is designed to prevent marriage fraud, your fee increase places an inordinate burden on those bono fide marriages where no fraud is involved. What percentage of aliens approved as spouses engage in marriage fraud and are identified through the I-751 process? If this percentage is not significant, this whole process and the time and money expended on it should be re-examined.

N-400: Your fee increase here will assure that all eligible family members will not be able to apply to naturalize together.

N-600: The N-600s we file are primarily for children whose parents have naturalized or who become citizens under the Child Citizenship Act, upon admission into the United States as Lawful Permanent Residents. By law these clients are U.S. citizens. They just cannot prove it without documentation. Invariably this fee is an "add-on" to fees already paid in the immigration process. To deny an immigrant proof of his/her U.S. citizenship through a prohibitively high fee is seriously inappropriate. Obtaining U.S. passports may clearly become the favored alternative process, but those must be renewed periodically.

Please do not do this.

Sincerely,

Marilyn S. Daniel  
Attorney/Director