

April 2, 2007

Director, Regulatory Management Division
U.S. 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**

On behalf of World Relief, please find the following comments regarding the above docket number. World Relief opposes the immigration fee increases and urges USCIS to seek Congressional appropriations to cover additional costs.

World Relief is an international humanitarian organization, headquartered in Baltimore, Maryland. In the United States, our programs currently focus on assisting refugees, asylees, parolees, other immigrants, and victims of human trafficking. In the U.S., we work with these populations in over twenty offices nationwide. We have resettled nearly 210,000 refugees since 1979. For many of these refugees as well as countless other immigrants, we have provided affordable immigration legal services to low- and moderate-income immigrant families. Our goal for all of our clients is to help them integrate as full community members in the United States. Affordable and accessible immigration benefits such as family reunification, adjustment of status and U.S. citizenship are vital to this goal.

We understand that USCIS is required to increase fee revenue to account for rising costs and the need to improve services. However, we are greatly concerned that the steep fee increases proposed by USCIS will serve as a barrier and prevent eligible immigrants from taking the necessary steps to become citizens. It is in our nation's interest, and consistent with our tradition as a nation of immigrants, to encourage rather than discourage immigrant integration and citizenship. We believe that the proposed fee increases do not advance these goals. We are concerned with all fee increases, but especially those for adjustment of status, naturalization, and family reunification benefits.

Barriers for Adjustment Applicants

We greatly appreciate that USCIS is continuing to exempt the filing fee for adjustment applications for refugees. We believe this is an important component to their ability to integrate into U.S. society, and thereby secure their safety. However, we have long been concerned that asylees and public interest parolees (such as Cuban and Lautenberg parolees) are still required to pay the adjustment fee. The proposed adjustment fee increase for all groups except for refugees causes us great concern.

Imagine, for example, a family of Cuban parolees who have two parents and two children under the age of 14 years. They would be required to pay \$3420 alone for the adjustment filing fees for these family members, plus biometric fees, fees for medical examinations,

and often legal fees. These total costs could easily exceed \$4000. A worker making minimum wage would need to work for nearly five months in order to pay these fees alone. Moreover, although asylees and parolees have fled their countries of persecution, they are not eligible for regular refugee resettlement benefits.

Parolees and asylees should apply for adjustment one year after their arrival or grant of asylum, respectively. It often takes time for them to even find employment, and many times it will be for minimum wage or slightly above. Thus, it will be a great hardship on many families to be able to apply for adjustment when they should, especially under the proposed fees.

Costs of Interim Benefits Should Be Separate from the I-485 Adjustment Fee

We oppose the consolidation of costs for adjustment applications to include travel documents and employment authorization. Many adjustment applicants do not file for renewed employment authorization or advance parole. Other adjustment applications will be approved before the need for interim benefits. We support the current status quo system of applicants paying for the actual benefits they need as they need them, instead of paying a high lump sum that includes benefits they may not need.

Fee Waivers for All Application Types Should Be Allowed

We strongly recommend that USCIS maintain the right for anyone applying for an immigration benefit to apply for a fee waiver. We are especially concerned that this right be maintained for adjustment applicants. In particular, the lack of available waiver will be extremely detrimental to many asylees, parolees, victims of human trafficking, victims of domestic violence, and children applying for Special Immigrant Juvenile Status. All of these groups are extremely vulnerable because of the situations in which they are living. Preventing them from applying for a fee waiver will only exacerbate their vulnerability if they cannot collect the funds necessary to apply for adjustment and its related costs.

USCIS has indicated that a fee waiver should not be available for I-485s because applicants are required to demonstrate that they meet public charge. However, not all applicants applying for adjustment are required to show they will not become a public charge. For this reason and because humanitarian situations will arise, we encourage USCIS to retain the right for applicants to apply for fee waivers. We are especially concerned that this right remain a possibility for adjustment applications but would encourage USCIS to consider it for all applications.

Barriers for Family Reunification and Naturalization

We are also very concerned about the increased costs of family reunification and naturalization. The proposed increased price of family reunification to \$355 for an I-130 alone will likely lead to many families not being able to file for relatives at all, because they cannot afford the filing fees. For others, it will cause delays in filing applications, as they must save up the money to pay the fees. These delays will add to the total waiting time for family reunification, including current backlog processing.

Additionally, we are very concerned with the proposed cost of the naturalization fee. Many of our offices have active naturalization programs, often being supported by state programs. We already have many clients whose files sit pending in our offices for long periods of time, because they cannot afford the current naturalization fees. If the fees go up to \$595 as proposed, we expect many more people to be unable to file their applications. This financial deterrent would lead to lower naturalization rates and thereby cause less full community integration by immigrants.

The Cost of Modernizing the Agency Should Not Be Borne Entirely by Immigrants

USCIS has in recent years obtained appropriated funds from Congress so it could make investments needed to reduce application backlogs. We urge USCIS to continue to seek appropriated funds for some of the expenses described in the proposed rule.

Immigration benefits our entire country and we as a nation should help pay for it. Immigrants help revitalize our communities and our economy. We should be encouraging immigrants to become part of our community by gaining legal status and becoming citizens. We should not be setting up barriers to block their path and keep them out, which is what this dramatic fee increase would do.

We stand ready to work with USCIS to seek additional Congressional funding for adjudication and infrastructure costs but believe it is imperative for USCIS to affirmatively seek necessary appropriations to carry out these functions. Unless this happens, the proposed fee increase will go into effect and many deserving and qualified immigrants will be shut out of the process of becoming citizens and fully integrated into our society.

Conclusion

In summary, we urge USICS to reconsider the proposed fee increases, to examine its costs more closely, and to seek Congressional appropriations for enhancements and modernization. If you have any questions regarding these comments, please contact Amy J. Bliss, Immigration Legal Services Staff Attorney, at 443-451-1992 or abliss@wr.org. Thank you for your careful consideration of these comments.

Sincerely,

Sammy Mah
President and CEO
World Relief