

March 29, 2007

Richard Sloan, Director
Regulatory Management Division
US Citizenship and Immigration Services
Department of Homeland Security
111 Massachusetts Avenue NW
Washington DC 20529

RE: **Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule –Docket number USCIS2006-0044**

Dear Mr. Sloan:

The Lutheran Adoption Network is a national collaboration of 29 Lutheran social ministry organizations that provide a full range of international adoption services to children and families. Lutheran Adoption Network members are deeply concerned about the impact that the proposed application fee increases by the U.S. Citizenship and Immigration Services (USCIS) will have on the children and families we serve in our adoption programs.

We can understand the need for an adjustment in USCIS fee schedules for some of the reasons outlined in the Federal Register, namely to improve processing times and service delivery to consumers, to enhance operations, upgrade and maintain information technology, enhance training programs, conduct policy evaluation and research, as well as adjust for inflation. However, the fee increases for three **adoption-related petitions** (I 600A/600, I824, and N600/600K) are so extreme that we have to request these proposed increases be re-considered and evaluated more carefully. Lutheran Adoption Network believes that the fee increases have the potential to discourage many Americans from considering adoption from other countries due to financial burden and thus preventing vulnerable, orphan children from finding permanency.

In Section IX, Proposed Fee Adjustments, the filing fee for the I600A/600 (Petition to Classify an Orphan as an Immediate Relative) would increase from \$545 to \$670. This petition **has** to be accompanied by federal fingerprints (biometrics) which are going from \$70 to \$80, so the actual total cost for a 2 parent family to apply for USCIS approval to adopt a foreign born child would become \$830.00. For many years, adoption service providers have noted and complained about the inconsistency with expiration dates for federal fingerprinting (15 months) and approval to adopt (18 months). With processing times for adoptions in MANY countries increasing and now taking an average of 20 months, there are many Americans who are required to re-

file both the I600A **and** be re-fingerprinted before their adoptions are completed. With this proposed fee increase, US citizen families will be required to pay their own government an additional \$1650.00 for paperwork.

Many prospective adoptive families also are required to file the I-824, Request for Action on an Approved Petition, in order to have the Embassy location that receives their USCIS approval changed. In the past this was known as "cabling" the approval to another Embassy if the family decided to adopt from a different country than the one specified on the 600A petition. We doubt that cables are still sent overseas. For this fee to increase from \$200 to \$340 only adds an additional financial burden on prospective adoptive parents, and with current technology it seems unreasonable to pay this much more simply to have USCIS officers send an email or fax.

While there are many justifications and rationales presented in the Federal Register for raising application/petition fees, the table describing the projected volume increases for FY 2008 is significant to note. The change in the volume for I600A/600 forms is only 101, the change for I824s is projected at 680, and most interesting there is zero (0) projected increase for filings of N600/600K forms. However, the fee increase for this petition is over 50%, from a current fee of \$255 to \$460. The N600, Application for a Certificate of Citizenship, seems redundant and prohibitively expensive when you consider the intent of the Child Citizenship Act of 2000; to make internationally adopted children "automatic citizens" upon entry into the United States or after finalization of their adoptions. While the children are automatic citizens under the provisions of this law, their parents need to pay \$460 to USCIS in order to receive documented proof of their children's legal status.

In conclusion, Lutheran Adoption Network urges USCIS to reconsider the proposed fee increase's impact on orphaned children and adoptive parents. We ask that USCIS work with members of Congress to help resolve the disparity in adjudication costs versus revenues collected. USCIS must create an alternative and permanent funding stream that will support its operations. Seeking appropriations from Congress that supplement what USCIS collects in fees is the only realistic way for USCIS to operate effectively without imposing undue hardship upon prospective adoptive families. We support the efforts of USCIS in modernizing its infrastructure, reducing backlogs and adjudication times, and ensuring that all security background checks are completed accurately and efficiently. Nevertheless, we do not believe the expenses should be passed off onto USCIS customers alone.

Thank you for your time and consideration of our concerns.

Sincerely,

Susan Myers
Director, Lutheran Adoption Network