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**From:** mail.relay@mailmanager.net [mailto:mail.relay@mailmanager.net] **On Behalf Of**  
Rebecca Eichler  
**Sent:** Wednesday, March 28, 2007 10:37 AM  
**To:** OS Comments  
**Subject:** DHS Docket No. USCIS-2006-0044

Rebecca Eichler  
505 Wythe St.  
Alexandria, VA 22314-1917

March 28, 2007

OS Comments

Dear OS Comments:

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 an immigration attorney with a small private practice in Alexandria, Virginia. I am writing because I am deeply concerned about the proposed USCIS fee increase referenced above.

The majority of my clients are from the world's poorer countries, here in the United States working at our most low-paying jobs. I represent cleaners and nannies, dishwashers and construction laborers. These people provide the manual labor that allows US Citizens to live the comfortable lives that we live - in clean houses, with responsible loving people caring for our children, eating at restaurants and living in well-constructed homes.

I am deeply troubled by the sheer size and scope of the proposed fee increase. USCIS plans to increase citizenship fees from \$400 (\$330 application fee plus \$70 fingerprinting fee) to \$675 (\$595 application fee plus \$80 fingerprinting fee), an increase of 69 percent. The fee for adjustment of status will more than double, from \$395 (\$325 application fee plus \$70 fingerprinting fee) to \$985. It would also raise fees for 37 other immigration and naturalization petitions and applications at an average increase of 66 percent. Furthermore, it appears that the increase will take place at once rather than being spread out over a period of time.

Rapid fee hikes of such magnitude will have a disproportionate and detrimental impact on the low-income immigrant community.

The massive and abrupt fee increase proposed by USCIS will delay or prevent low-income immigrants from becoming U.S. citizens, reuniting with their families, contributing their knowledge and skills to our economy, and settling into our society after having escaped persecution.

-A family of four LPRs who want to apply for U.S. citizenship at the same time will now have to have \$2,700 at their disposal in order to achieve their American dream together.

-A family of four which has been granted asylum in the U.S. and is applying for permanent residence will now need \$3,620 in hand in order to apply for permanent residence.

-Furthermore, asylees applying for permanent residence will be ineligible to apply for fee waivers, no matter how dire their financial situation may be, because USCIS intends to categorically eliminate fee waivers for I-485 applications for adjustment as a part of the fee increase.

-The proposal would also prohibit U.S. citizens and LPRs from requesting fee waivers on I-130 relative petitions on the grounds that the petitioners must file affidavits of support to show that they can support their beneficiaries should they be unable to do so themselves.

The minimum wage in Virginia is \$5.15 an hour. In order to earn enough to pay for an application for adjustment of status, a low-skilled worker would have to work 191 hours - almost 5 months full-time. My client with two children who cleans houses for minimum wage would have to work for over a year just to earn the money for her immigration fees. Of course, this does not even take into consideration the cost of rent, transportation, food, and child care that she has to spend to earn her salary. Basically, the cost of applying for her green card will become prohibitively out of her reach. Though her dream is to make a better life for her children, she will remain at the fringes of our society, unable to get on the path to full citizenship.

Given the speed, scope and scale of the proposed fee increase, I believe that USCIS customers must receive faster, greater, and more concrete improvements in processing times and customer service. The fee increase proposal itself does not appear to set forth any concrete targets for improvement in these areas.

Finally, I believe that certain improvements which the USCIS wants to finance through the fee increase would be better addressed through the normal budget and appropriations process. For instance, while I support USCIS's efforts to improve its fraud detection capacity and to modernize its business and technological infrastructure, I do not believe that immigrants and their families should bear the sole burden for these efforts.

In conclusion, I urge USCIS to reconsider the proposed fee increase. I hope that the agency will work with immigrant communities, and with Congress, to develop a functioning, effective immigration system that will

benefit our country.

Sincerely,

Rebecca N. Eichler, Esq.  
703-338-8791