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From: mail.relay@mailmanager.net [<mailto:mail.relay@mailmanager.net>] On  
Behalf Of Anne Butler  
Sent: Thursday, March 01, 2007 2:06 PM  
To: USCIS Comments  
Subject: DHS Docket No. USCIS-2006-0044 - USCIS Fee Increase Comment

Anne Butler  
1101 Pacific Avenue, Suite 200  
Santa Cruz, CA 95060-7507

March 1, 2007

USCIS Comments

Dear USCIS Comments:

I am writing to you as an international educator in opposition to the February 1, 2007, proposed rule "Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule." The proposed fee increases are so exorbitant they will act as a disincentive

for international students and scholars to study and work in the United States. USCIS must reconsider the role of appropriated funds to meet the administrative needs of the agency. I ask that fees be reduced to the actual cost of processing the application or petition.

The University of California Extension, Santa Cruz welcomes approximately 1,000 international students and scholars in English language and professional certificate programs annually. The near-doubling of the I-765 fee for international students in F status to apply for work authorization for Optional Practical Training, from \$180 to \$340, would impose a severe financial burden on these students.

Apart from the direct impact of the excessive fees, they are contrary to clearly expressed U.S. policies. The President, the Secretary of State,

and indeed the Secretary of Homeland Security have expressed clearly and

often the high value that the United States places on attracting international students and scholars to this country. The United States reaps immeasurable benefits-for our foreign policy, our students' education, our economy, our competitiveness, and our public diplomacy-from attracting the best and brightest minds and the next generation of world

leaders to America's educational institutions.

Any increase in USCIS fees will decrease the attractiveness of the U.S. as

a study location for those international students who wish to focus on improving their English language skills, and increase the attractiveness

of other countries such as Canada, Australia and England.

The fact that USCIS operates on a fee-funded basis creates a built-in incentive to subsidize unnecessary work. This creates an incentive to requiring USCIS approval for things; that way, you can charge a fee for processing the request, which provides necessary income to finance your broader operations. The I-765 fee for Optional Practical Training is a classic example. It used to be possible for school officials designated

by the INS to approve OPT in accordance with agency regulations. The benefits of reinstituting and expanding this process speak for themselves:

no application, no processing, no fee, one less task to be performed by

the agency, more time to devote to what the agency really needs to do. There is no obvious public policy reason for USCIS to require agency approval for OPT today. With the Student and Exchange Visitor Information System (SEVIS) now fully in place, it would be easy to devolve this responsibility back onto the schools. Yet the cost of processing this unnecessary application process continues to drive up the fee.

While I understand that USCIS is permitted by law to recover the full cost of its services through fees, and indeed has no other option so long as Congress is unwilling to appropriate funds for the operation of the agency, I ask that the fees be reduced to the actual cost of processing the application or petition. Meanwhile, I ask Congress to step up to its responsibility for fixing the untenable situation that drives these fee increases.

Thank you for the opportunity to comment.

Sincerely,

Anne Butler  
831-427-6629

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