



# Guerrero Jacobs & Schlesinger LLP

Attorneys At Law

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Director  
Regulatory Management Division  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
111 Massachusetts Avenue, N.W.  
3<sup>rd</sup> Floor  
Washington, D.C. 20529

Re: DHS Docket No. USCIS-2006-0044

Dear Sir or Madam:

On behalf of the law firm of Guerrero Jacobs & Schlesinger LLP, I am writing to you concerning proposed fee increases by the U.S. Citizenship and Immigration Services (USCIS). Guerrero Jacobs & Schlesinger LLP is a law firm in San Diego, California, specializing in immigration, naturalization, and appellate law. Our five attorneys work with clients from all over the globe on myriad immigration cases, including family-based and employment-based immigration, asylum, deportation defense, naturalization, and non-immigrant visas. We have assisted hundreds of individuals, families, and businesses with complex immigration cases, and we believe - based on our extensive experience in this area - we can competently speak on behalf of the millions of Americans whose lives are touched by the immigration process.

I wish to express our strong opposition to the proposed fee increases. We firmly believe that the recently proposed increases are excessive and will create a considerable obstacle for individuals seeking to immigrate, naturalize, or come to the U.S. on non-immigrant visas and for U.S. businesses that want to hire foreign-born employees. The U.S. should make the immigration process simpler, less burdensome, and more streamlined to encourage immigrants and employers to work *within* the legal system, not to skirt around it. We are very concerned that the drastic proposed fee increases will discourage prospective immigrants from using the currently-available pathways to obtain visas, lawful permanent residency and citizenship.

We are particularly concerned about the plan to increase filing fees in adjustment of status cases from \$325 to \$905, including the I-765 work permit and I-131 advance parole document. In our experience, many clients do not choose to apply for the I-765 or

I-131 when filing their adjustment of status applications. Indeed, many clients are not eligible to use an advance parole document to travel abroad and re-enter the U.S., because such travel would trigger the ten-year bar for unlawful presence. It is fundamentally unjust to demand that the USCIS' clients pay for services from which they will not benefit. We encourage you not to "bundle" the costs of interim benefits with the I-485 adjustment of status filing fee.

If USCIS truly needs increased funds, we encourage you to consider incremental fee increases that will not be so drastic for the many working families and small businesses who use the agency's valuable services. In determining the proper amount for fee increases, we ask you to consider the interests of small business owners who have already been impacted by the dramatic 2004 fee increases for H-1B visas and of working immigrant families, many of whom fill valuable roles in the service and agricultural industries but who make minimum wage.

We urge USCIS to work with members of Congress to create an alternative and permanent funding stream that will support USCIS operations. We will also urge our Congressional representatives and Senators to fund the immigration services that benefit individuals, families, and U.S. businesses.

The administration has made the democratic inclusion of immigrants one of its most prominent public messages. Dropping the proposed fee increases would add credibility to these public statements and also support immigrants in their efforts to contribute to the nation's vibrancy and future.

Thank you for hearing our concerns. If you have any questions or would like any further information from us, please feel free to contact me at (619) 230-0012.

Respectfully yours,

A handwritten signature in cursive script that reads "Ginger E. Jacobs". The signature is written in dark ink and is positioned above the printed name.

Ginger E. Jacobs, Esq.

Guerrero Jacobs & Schlesinger LLP