

Rendell Jones, Chief Financial Officer  
United States Department of Homeland Security  
U.S. Citizenship & Immigration Services  
20 Massachusetts Avenue, N.W.  
Washington, D.C. 20529

To Rendell Jones, Chief Financial Officer of USCIS:

I am strongly opposed to the drastic and unconscionable increase in application fees proposed by the Immigration Service (USCIS) for the following reasons:

1. These fees will block qualified persons from becoming United States Citizens;
2. Contrary to what it has stated, the USCIS does not have the broad statutory authority to increase fees for many of its stated goals;
3. This proposal will diminish national security goals, not enhance them.

The USCIS announced its intention to increase application fees in 72 Federal Register 4888 on February 1, 2007. USCIS officials have said that United States citizenship is priceless, and this is true. Why then has such a huge price tag been placed on the process? If United States citizenship is truly priceless, then it must be something that is accessible to every qualified person. The proposed fee structure makes citizenship impossible for many deserving persons.

The USCIS does have authority to recover what it costs to process immigration and naturalization benefits applications. Circular A-25 of the Office of Management and Budget, however, specifies that this authority covers only those "special benefits" where the beneficiary is an *identifiable individual*. The USCIS, however, has stated goals in its proposed fee increase that include improving its ability to execute the nation's laws, enhancing national security, improving its operations, and taking an executive branch agency "into the 21st century" on application fees, without asking Congress for the required appropriations to accomplish these *public* and *governmental* goals. Neither 8 U.S.C. 1356 nor the OMB Standards will allow the USCIS to charge fees for public services and necessary operations that are provided to the public-at-large.

When I file an application with the USCIS, it may charge me for *my* background check, but the security systems designed to protect the *public* safety and the required infrastructure required to implement them derive from Congressional mandate and those overall costs must be born by the represented taxpayers. It is simply not responsible for an agency to refuse to seek required appropriations and try to run the government and achieve public safety goals on individual application fees. This is extremely unrealistic and will ultimately compromise national security.

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Persons will be less likely and less able to register and apply for immigration benefits for which they qualify, if this Proposed Rule becomes a Final Rule. If the goal truly is national security, then you must create a system that encourages persons to safely come forward and become registered and identified. An earned legalization program that identifies and places individuals in line, those with immigration violations after those who have followed all the rules over many years, accomplishes identification and security goals, would generate penalty sums, *without* penalizing those who have followed all the rules (as this proposed fee increase will certainly do), and help deserving and eligible persons to reach that priceless goal in a transparent and regulated manner.

Respectfully,

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