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**From:** Alexander Lumelsky [mailto:al@lumoglaw.com]

**Sent:** Wednesday, February 28, 2007 4:04 PM

**To:** OSComments

**Subject:** Comment: 8 CFR 103, fee changes

I am an immigration attorney in the Hartford, Connecticut area, and I believe that the \$174.00 average fee hike that the Service is presently proposing is for lack of more accurate description ridiculous. In the last one to two years, the immigrants of this country have received two fee hikes from DHS/CIS. Take an I-130 Petition for instance. Originally a \$130.00 fee, was changed to \$185.00 and now \$190.00. A typical adjustment of status application which includes the I-485, the I-130, the I-765 and I-131 (as well as biometrics) presently costs the intending immigrant \$925.00 (combined). If all of these application fees are increased by \$174 on average, the immigrant must pay \$1,621.00 (biometrics increase unknown) for a green card application based on family petition, if they wish to also have a work authorization and travel document. This is in excess of attorney's fees for actual attorney's services to provide representation in such an application likely in most parts, if not all parts, of the United States. CIS is actually arguing that its costs in adjudicating these applications are greater than what professional attorneys' fees cost the same applicant.

Similarly a naturalization application will increase from an already outrageous \$400.00 to at least \$574.00, depending on biometrics increase. This is also likely in excess of attorneys' fees for services on such an application in most parts of the country.

To justify this unprecedented increase of \$174, CIS is claiming that those are the costs of adjudication. Well, how about we cut those costs of adjudication, especially since CIS services, although expedited to some degree, are still highly lacking in timing, quality and customer service. For instance, the InfoPass system, created to convenience everyone involved and expedite appointments, is beginning to fail its customers in the manner it is actually administered once the immigrant or inquirer arrives at the CIS office. Instead of waiting in line to see an officer at all for hours on end, now immigrants must hunt out a proper time to visit the InfoPass website when appointments are posted, two weeks in advance, and then still spend three to four hours waiting for potentially incorrect advice or no assistance at all. All this because in Hartford, for example, there is usually only one customer service officer working on receiving inquiries at any one time. So InfoPass does not eliminate the wait at immigration services, but rather permits the customer service representatives to take their sweet time in handling inquiries or to provide one active customer service officer per business day.

Efficient cost cutting is the answer to this alleged costly application process, as argued by CIS. Cutting costs and increasing organization of the local and service center offices will decrease the costs of adjudication. Where is the plan for that?

There are also way too many background checks and other measures that are applied to all immigrant indiscriminately which waste a large amount of resources without any gain whatsoever. All those background checks ... are they really all necessary? Let's be smart about this and not put all of the immigrants through the same ridiculous procedures that a potential terrorist would be put through. We are wasting resources. A Russian Jewish pensioner does not need to be put through an FBI background check during his naturalization application. He is undoubtedly NOT a terrorist. And the delay in the check causes him to be interviewed 2-3 times instead of once, and his fingerprints taken 4-5+ times. This is waste.

We need to keep in mind that for the most part immigrants are hard working persons of limited means arriving from countries of limited means, and if they have to save for green card application filing fees, say \$1,621.00 worth, for a whole year just to have lawful status in the United States, that is neither fair nor reasonable. Such fees are burdensome, and such fee hikes only permit the Service to continue to perform inefficiently and to make further hikes to compensate for its inefficiency in the future.

Acceptable fee hikes would be at \$5.00 to \$10.00 per year to compensate for inflation. Thank you for your time.

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