

From: Kim Hunter [mailto:khunter@kimhunterlaw.com]
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To: OSComments
Subject: docket number (USCIS-2006-0044)

I am writing to register my STRONG opposition to CIS's proposed fee increases. These increases are, in some instances, nearly 3 times the current fee amount for such regular application processes as citizenship and permanent residence (green cards). CIS endeavors to justify the increases by claiming they will promote efficiency. I must disagree. As an immigration attorney, I must FIRST provide excellent service and THEN I can justify an increase in my rates.

The "culture of no" that has been pervasive throughout the agency's actions since 2001 has resulted in adjudicators who appear afraid of their own shadows, who have responded by "papering over" cases to a ridiculous degree. The agency sends out endless RFEs (requests for evidence) for issues that are 1) obvious or 2) previously resolved in the file, apparently so no one gets in trouble for actually saying "yes" to an application.

I have two recent examples of the above, first from a service center adjudication and second from a local office. First, a client who had been paroled into the U.S. many years ago applied for his green card. His name is "ABC." On some occasions, INS (now CIS) listed his first name as "AB" and sometimes as "A." CIS sent an RFE on the case, asking that we prove the client's legal name change from "A" "BC" to "AB" "C." Obviously, there WAS no name change – the only difference in his name was whether his middle name was listed on the same line with his first name versus his last name. Nevertheless, we had to respond or risk having my client's case considered abandoned by the agency.

Second, a client who entered the U.S. as a child and whose entire family was ordered deported re-opened his deportation case based upon his 8-year long marriage to a U.S. citizen. When the client and his wife went in for their I-130 (marriage petition) interview, the adjudicator requested YEAR by YEAR proof of the bona fides of their marriage – despite the fact that they have two children together and provided their birth certificates, family photos, the past three years' worth of joint federal income tax returns, and testified they have never been separated.

Both examples took place within the same week, and are not outside the norm. Simply put, CIS should not be rewarded for its inefficiency with a fee increase.

Lastly, I strongly believe that our increasingly restrictive attitudes and policies related to immigration are hindering U.S. competitiveness as a destination for immigrants. Every week I encounter families who are choosing Canada and other destinations as an alternative to the U.S. Doubling and tripling fees for applications will only increase this problem.

Thank you for your consideration.

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