



THE UNIVERSITY OF CHICAGO  
OFFICE OF INTERNATIONAL AFFAIRS

March 21, 2007

Director  
Regulatory Management Division  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
Washington, D.C. 20529

Ref: DHS Docket No. USCIS-2006-0044

Dear Director:

On behalf of the University of Chicago, a premier research institution with over 2,400 international students, almost 500 international scholars (most of them researchers), and more than 500 international faculty and staff, I write this letter in opposition to the proposed fee increase announced in the Federal Register on February 1, 2007 under "Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule."

The drastic increase of fees proposed will have a negative impact in several areas:

- It will be a disincentive to international students and scholars to come to the U.S.,
- It will be a hindrance for academic institutions to obtain the best talent available for the research and teaching conducted in our higher education sector, and
- It will work counter to our national interest by depriving the U.S. of those needed to help drive scientific, technological and medical innovation and thus maintain our economic advantages and standard of living.

The proposed increases would include several that have an impact specifically on an institution such as ours. They include the I-765 fee for international students in F-1 status wishing to apply for Optional Practical Training, the I-539 fee for Change of Status, the I-129 fee for a Petition for Nonimmigrant Worker, and the I-140 and I-485 immigrant application fees. Given the number of individuals who -based on our statistics- would incur the increased fees, the minimum additional cost per year for these five types of petitions alone would at the very least exceed \$140,000 per year.

The result of these fee increases would be a significant burden on students and institutions. At a time when other countries, such as the United Kingdom, are taking steps to lower the cost to international students of coming to their country, a fee increase as drastic as this on the part of a U.S. government agency carries both the message that international students are not welcome in the U.S. and that immigration benefits have become a matter of affordability. The students and scholars we hope to attract represent a significant resource to U.S. higher

education, our economy, and our continued high standard of living. To put increasingly more obstacles in their way harms us as much as it deters them.

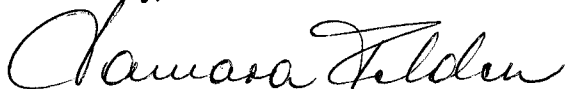
If an educational institution cannot attract or retain the talent required to operate excellent research and teaching programs, the benefits U.S. society gains from these endeavors are diminished or lost. If higher education institutions cannot afford the sponsorship of individuals in H-1B or PR status, scientific and technological endeavors will develop more slowly, if at all, and we will not see the benefits from such work. Many areas of expertise are so specialized and require such rigorous prior preparation, that hiring individuals with lesser qualifications is not an option. And it has already become something of a truism that the U.S. does not produce a sufficient number of individuals with the skills needed.

Our national interest is not served by having fewer doctors, engineers, scientists and researchers. Our standard of living cannot be maintained without the contribution international students and scholars make at institutions here in the U.S., and increasing fees as dramatically as the proposed rule would do only exacerbates the trend to drive them to other countries rather than our own.

I ask that USCIS fees are kept to the actual cost of processing a given application or petition and cover no other cost such as that of subsidizing fees of other user categories or generally subsidizing the operation of USCIS. Those funds should come from Congress, and our institution will communicate with the appropriate elected officials to express our support for such appropriations. The Citizenship Promotion Act recently introduced by Sen. Barack Obama and Reps. Luis Gutierrez and Jan Schakowsky would provide funding to USCIS through Congressional appropriation. Giving the legislative process time to work seems to be a more promising approach to solve the funding issues at hand than increasing fees to a level that would most certainly have a detrimental effect on our country.

Thank you for the opportunity to provide this comment.

Sincerely,



Tamara Felden, Director

cc. Barack Obama, U.S. Senator  
Luis Gutierrez, U.S. Representative  
Jan Schakowsky, U.S. Representative