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Sent: Sunday, February 18, 2007 9:39 PM

To: OSComments

Subject: DHS No. USCIS-2006-0044

Director Regulatory Management Division U.S. Citizenship and
Immigration
Services
Department of Homeland Security
111 Massachusetts Avenue, NW, 3rd Floor
Washington, DC 20529

Dear Director U.S. Citizenship and Immigration Services,

On behalf of my company, Miguel Gutierrez and the Powerful
People, and the audiences we serve, I submit these comments in
response to the proposed rule published in 72 Fed. Reg.
4888-4915 (February 1, 2007) to adjust the immigration and
naturalization benefit application and petition fee schedule.

I am opposed to the proposed increase of the filing fees for
nonimmigrant worker petitions. The proposed increase in the Form
I-129 and Form I-824 filing fees will make it much more
financially difficult for smaller presenting organizations to
bring quality artists from other countries. It is my opinion
that this an incredibly important time for artists to be
ambassadors of cultural exchange and that we should be doing
everything possible to facilitate this exchange rather than
adding to the difficulty that is already present. Before the
USCIS contemplates any price increase, regular processing
procedures must be improved.

USCIS should not consider a fee increase without first improving
regular processing procedures in the following ways:

Reduce the maximum processing period for O and P petitions to 30
days. Receipt notices from USCIS often indicate that processing
periods will range anywhere between 30 and 120 days. This time
span is simply too ambiguous and lengthy to accommodate booking
and presenting foreign guest artists for performances with a
fixed date. To engage foreign guest artists, and more freely
facilitate international cultural exchange, the nonprofit
performing arts community must be able to rely upon a 30-day
maximum processing period.

Improve the reliability and consistency in adjudication of O and
P petitions. Current USCIS policies and practices result in
inefficient processing of O and P visas - causing delay,
expense, and unwarranted requests for further evidence. USCIS
must implement uniform policies, procedures, and training for
efficient processing of petitions.

Implement uniform policies to improve the traditional expedite service. The USCIS has made traditional expedite processing available at no additional fee to petitioners who experience an unforeseen emergency. Since implementing the Premium Process Service, the USCIS has allowed nonprofit organizations to remain eligible for the traditional expedite. However, the standards for granting expedited processing requests are unclear. The traditional expedite is not helpful unless there are clear, uniform policies appropriately followed and administered by USCIS.

My experience of getting visas to bring my company to other countries has shown me how quickly fees can add up to make it burdensome and difficult to travel abroad. If we had not been able to afford these fees we might have missed out on some of the most incredible performing experiences that we have had.

I am grateful for the opportunity to comment on this proposed fee increase. We oppose the proposed fee increase and urge the USCIS to demonstrably improve processing of regular petitions before burdening petitioners with any increase in processing fees.

Thank you for your consideration.

Sincerely,
Miguel Gutierrez
Director
Miguel Gutierrez and the Powerful People
210 Humboldt St. #2
Brooklyn,, NY 11206-1120

cc:
Senator Charles Schumer
Representative Nydia Velazquez
Senator Hillary Clinton