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Director, Regulatory Management Division
US Citizenship and Immigration Services
Department of Homeland Security
111 Massachusetts Ave. NW, 3rd floor
Washington, DC 20529

RE: DHS Docket # USCIS-2006-0044

Proposed rule—Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule

Dear Director:

I am an immigration attorney in private practice. On behalf of my clients, I am writing in strong opposition to the fee schedule increases that were proposed by USCIS last month. Many of the immigrants who come to me for assistance are already struggling to pay immigration fees. The proposed increases, which are more than twice the current charges in some cases, will make it more and more difficult for them to pursue their goals of attaining permanent resident status, reuniting with their family members, and becoming US citizens. Our nation should be moving in the opposite direction: we should be doing more to help them reach their goals, not placing large financial barriers in their way.

I will provide just two examples to illustrate my point:


- naturalization fees have gone from \$95 in 1998 to \$400 today, quadrupling in less than a decade. Now it is proposed that these fees increase by nearly 70%, to \$675, an amount that is more than seven times the cost in 1998. This represents more than half a month's pay for someone working at a full-time job earning \$7 per hour, and more than three weeks' work for a person with a minimum-wage job.
- adjustment of status—here the increases are even more dramatic, from \$130 in 1998, to \$400 today (including \$75 for biometrics), to the staggering total of \$995 under the proposed increase.

USCIS contends that these increases are necessary to improve service. While I would certainly agree that improvements are needed—some of the existing backlogs are much too long, and the Government Accountability Office recently documented the loss of tens of thousands of files—it is simply not necessary to impose the burden of making such improvements solely on the backs of immigrants. There are no laws requiring USCIS to fund all of its operations through such fees. The agency may always ask Congress for appropriations, and has in fact done so successfully on several occasions in prior years.

Our nation has always depended upon the energies and abilities of immigrants. The US attracts the best, the brightest, and the most industrious people from all over the world. Their desire to become citizens demonstrates their commitment to their adopted country, and studies have repeatedly shown that new citizens vote at higher rates than everyone else. We should be doing everything we can to facilitate their efforts to join our society, not setting up roadblocks in the form of egregious fee structures.

The USCIS proposal to dramatically increase fees is exactly the wrong approach. I urge the agency to reconsider, and to fund the much-needed improvements in its services through other means. Thank you for your consideration of these comments.

Sincerely,



Thomas H. Benner