

Carol Solko-Olliff
600 Park St.
Hays, KS 67601-4009

March 26, 2007

USCIS Comments

Dear USCIS Comments:

I am writing to you as one of the International Student Advisors at Fort Hays State University in Hays, KS and in strong opposition to the February 1, 2007, proposed rule "Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule." The proposed fee increases are so exorbitant they will act as a disincentive for international students and scholars to study and work in the United States. USCIS must reconsider the role of appropriated funds to meet the administrative needs of the agency. I ask that fees be reduced to a more appropriate or actual cost of processing the application or petition. In addition, I would ask you to consider appropriating some federal funding to USCIS as well.

The United States reaps immeasurable benefits—for our foreign policy, our students' education, our economy, our competitiveness, and our public diplomacy—from attracting the best and brightest international minds and the next generation of world leaders to America's educational institutions. If these fee increases go into effect, it will once again be another reason for international students and scholars to seek other countries to continue their education and work opportunities.

The fact that USCIS operates on a fee-funded basis creates a built-in incentive to subsidize unnecessary work. This creates an incentive to requiring USCIS approval for things; that way, you can charge a fee for processing the request, which provides necessary income to finance your broader operations. The I-765 fee for Optional Practical Training is a classic example. It was once possible for school officials designated by the INS to approve OPT in accordance with agency regulations. The benefits of reinstituting and expanding this process speak for themselves: no application, no processing, no fee, one less task to be performed by the agency, more time to devote to what the agency really needs to do. There is no obvious public policy reason for USCIS to require agency approval for OPT today. With the Student and Exchange Visitor Information System (SEVIS) now fully in place, it would be easy to devolve this responsibility back onto the schools. Yet the cost of processing this unnecessary application process continues to drive up the fee. The near-doubling of the I-765 fee for international students in F status to apply for work authorization for Optional Practical Training, from \$180 to \$340 is extremely excessive.

While I have only specifically addressed the OPT fee increase, the other proposed fee increases are equally excessive. I understand that USCIS is permitted by law to recover the full cost of its services through fees, and has no other option so long as Congress is unwilling to appropriate

funds for the operation of the agency, I would ask that the fees be reduced to the actual cost of processing the application or petition. Meanwhile, I ask Congress to step up to its responsibility for fixing the untenable situation that drives these fee increases.

In closing I would ask that you not support a rule that puts additional undue and excessive financial hardship on an already financially tapped group of students and scholars. Thank you for the opportunity to comment.

Sincerely,

Carol Solko-Olliff
785-628-4276

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