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Sent: Saturday, March 31, 2007 4:05 PM

To: OSComments

Subject: [Docket No: USCIS-2006-0044];[FR Doc: E7-01631];[Page 4887-4915]; Immigration: B

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

Re: Proposed Adjustment of the Immigration and Naturalization Benefit
Application and Petition Fee Schedule, DHS Docket Number USCIS-2006-0044

To Whom It May Concern:

This letter is in opposition to the proposed fee increases for the I-600/600A orphan petitions required of adoptive families.

In 1989, the cost of an I600/I600A petition was \$75. Today the exact same form costs a prospective adoptive parent \$545. Biometric fingerprinting, which began in 1998, has risen in cost from \$25 to \$70 per applicant. For a two-parent family adopting a single child, the USCIS process costs an upward of \$685. Because of the instability concurrent with international adoption, many families find that their USCIS approval expires prior to their invitation to travel to their prospective child's birth country. As a result, many families (especially those adopting from China and Guatemala) find themselves repeating the entire immigration application two or three times. This can increase the cost of an adoption by thousands of dollars - money many of us simply do not have.

The department admits that it has a dismal track record in processing applications and with its customer service. Processing throughout the regional offices is erratic - some I-600A applications take months to process, while individuals in other districts received approval of the exact same form within ten days. The refusal of officials to give adoptive parents priority results in children languishing in orphanages or foster care overseas for months and months at a time. Most egregious is that the processing time for immigrant workers (I-140) and employment authorization (I-765) are less (average of 3.31 and 1.97 months, respectively) than that to bring home an orphaned child (3.39 months). There is no explanation for why USCIS finds it possible to process the projected 859,543 I-765 and 129,743 I-140 applicants faster than the 29,260 I-600/600A applicants.

Why are children seeking to immigrate to the U.S. given greater scrutiny than adult foreign workers?

Adoptive parents attempting to learn the status of their petition are met with deaf ears and directed to a "status" website which is not updated. As a result of USCIS' refusal to prioritize orphan petitions, thousands of children suffer needlessly. There has been no move by USCIS to assist prospective adoptive parents whose documents "expire" while they wait for their child's home country to grant them approval to travel. These parents are forced to reapply with USCIS, repaying the same exorbitant fees two and sometimes three additional times, each time subjecting themselves to the same long and uncertain wait for immigration approval. If USCIS would simply extend the "expiration" deadline for the I-171H from eighteen months to three years, it would significantly reduce its workload without having to increase its fees.

In this request for an increase in fees, USCIS is not asking for what it needs, it is asking for what it wants. It claims that this fee increase !! is designed to provide for an adequate and sustainable level of investment in staff, in infrastructure, and processes designed to improve the USCIS↓ ability to administer the nation↓ s immigration laws.¶ The Bureau justifies these increases by asserting that !! this fee rule would provide the necessary resources to maintain these processing time standards and fund further improvements to USCIS business operations to continue to reduce processing times while ensuring the appropriate level of security.¶

There are very few infants infiltrating Al-Qaeda. The idea that adoptive parents are a threat to national security is laughable. While we agree with the aims of the Department of Homeland Security, the additional levels of scrutiny on orphaned children and their prospective parents is absurd.

While the aims of the department are laudable (reducing identity fraud, improving service, changing benefit applications from paper to electronic means in order to streamline the process) forcing adoptive parents to bear the burden of these goals is unconscionable. Worse still, many of USCIS↓ stated aims do not directly benefit those seeking to immigrate.

Many adoptive families have been through years of infertility and loss, and are mortgaging our homes and cleaning out our life savings to bring home a child. Increasing the burden on us is not simply unfair, it is detrimental to the lives of waiting children. We urge rejection of the current proposal and a new requirement that USCIS reduce the fee burden on adoptive families, give first priority to I-600/600A applications, consolidate the paperwork required for orphan petitions, and extend the !! expiration¶ of the I-171H from eighteen months to three years.

Sincerely,

Necia Silvers

Adoptive mother of Andrew, Anya, Nastia, Sergey, and Anya (from Russia)

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