

Congress of the United States
Washington, DC 20515

November 19, 2019

The Honorable Chad F. Wolf
Acting Secretary
Department of Homeland Security
Washington, DC 20528

The Honorable Kenneth T. Cuccinelli
Acting Director
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, NW
Washington, DC 20529

RE: U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements; DHS Docket No. USCIS-2019-0010; RIN 1615-AC18

Dear Acting Secretary Wolf and Acting Director Cuccinelli:

We write to express our strong objections to the above-referenced proposed rule posted by the Department of Homeland Security (DHS), and to the unusual and unreasonable 32-day comment period. We respectfully request that you withdraw this rule and instead work with Congress to determine how to better address the funding requirements for U.S. Citizenship and Immigration Services (USCIS) activities.

As currently drafted, the proposal would inevitably price out hundreds of thousands, if not millions, of people from obtaining citizenship and other immigration benefits for which they qualify, based solely on their inability to afford these unreasonably high fees.

The following represent some of the most objectionable provisions in the proposal that would undermine fair and equitable access to our immigration system by:

- dramatically raising filing fees for naturalization forms by as much as 389 percent in some cases, and specifically raising the naturalization application (Form N-400) fee by 83 percent, from \$640 to \$1,170, undermining the special consideration that obtaining U.S. citizenship deserves;
- eliminating fee waivers for naturalization, lawful permanent residence, employment authorization, and other applications, placing such benefits out of reach of those who are eligible but face financial hardship;
- charging, for the first time, those seeking asylum a \$50 fee to apply and further require them to pay \$490 for employment authorization while their asylum case is pending;
- raising the fee for Deferred Action for Childhood Arrivals (DACA) renewals from \$495 to \$765, adding yet another obstacle to lawful status for young immigrants; and,
- increasing fee rates to recover the cost of using Immigration Examinations Fee Account funds to support Immigration and Customs Enforcement (ICE) operations¹.

¹ While the draft rule states that the amount is subject to change, the fee rates included in the draft rule are premised upon the assumption that \$207.6 million of the Immigration Examinations Fee Account funds would be used to support Immigration and Customs Enforcement operations.

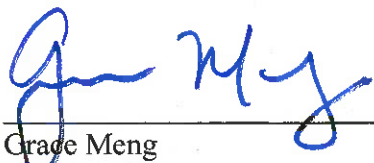
If the rule were to go into effect, the exorbitant fee increases would serve as a barrier to citizenship, lawful permanent residence, asylum, DACA, employment authorization, and numerous other benefits, and disproportionately restrict access to working class, low-income, elderly, and other immigrants who would otherwise be able to apply. Further, raising fees in order to cover the costs of ICE investigative operations is unacceptable. This is another example of DHS needlessly increasing fee rates as a cruel means to prevent would-be applicants from applying for benefits and diverting discretionary funding towards the unnecessary expansion of border wall and increasing the inhumane and costly detention of people in ICE detention centers.

Given that the proposed fee increases are unprecedentedly high and have the potential to fundamentally restrict access to our immigration system, we are also perplexed that the agency is breaking from its historic practice of allowing a 60-day comment period. The legal community, service providers, employers, and community-based organizations will need sufficient time to review, evaluate, and comment on the potential impact on the people they support, employ, and serve. By allotting only 32 days for comment, the agency is sending the message that it is unconcerned about the impact of its proposal on this country. As members of Congress who represent the broad spectrum of USCIS customers and other stakeholders who would be impacted by this rule and who are charged with oversight of DHS and its agencies, this is absolutely unacceptable.

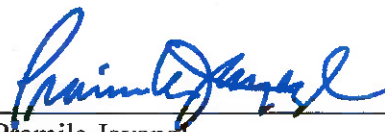
Based on the serious concerns we raise above and the danger that fast-tracking this proposal would impose on applicants, we respectfully urge you to withdraw this rule and work with Congress to address any demonstrated funding shortfalls USCIS may have. We also urge you to reduce application backlogs and delays and improve customer service in ways that do not discriminate against the working class, low income applicants and others who face financial hardships. The American dream should be available to all those who aspire to it, regardless of income or wealth.

Thank you for your attention on this time-sensitive matter. Due to the short comment period and urgency of this matter, we look forward to hearing from you by Friday, November 22, 2019.

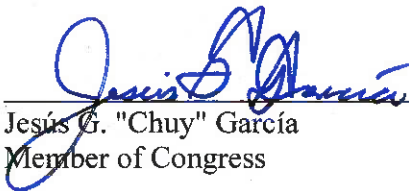
Sincerely,



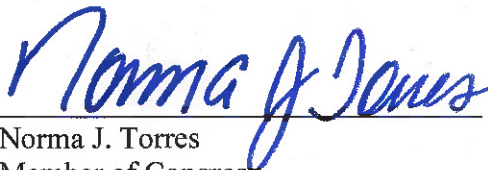
Grace Meng
Member of Congress



Pramila Jayapal
Member of Congress

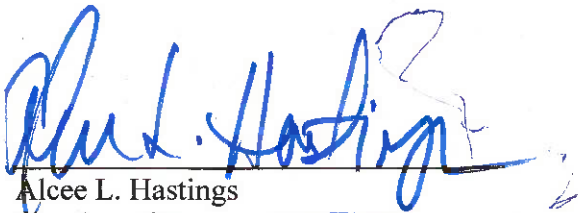


Jesús G. "Chuy" García
Member of Congress



Norma J. Torres
Member of Congress

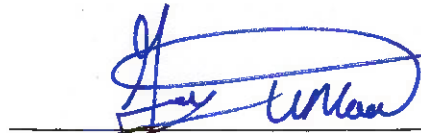
cc: Mr. Mark Koumans, Deputy Director, U.S. Citizenship and Immigration Services



Alcee L. Hastings
Member of Congress



Susan Wild
Member of Congress



Gregory W. Meeks
Member of Congress



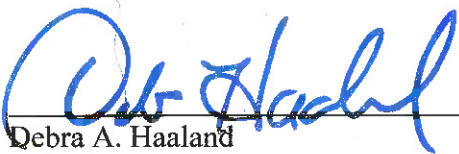
Gwen Moore
Member of Congress



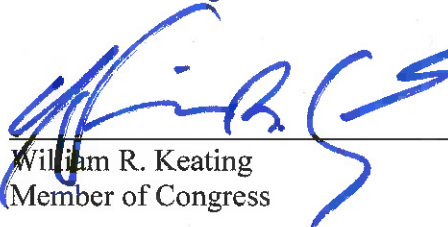
Adam B. Schiff
Member of Congress



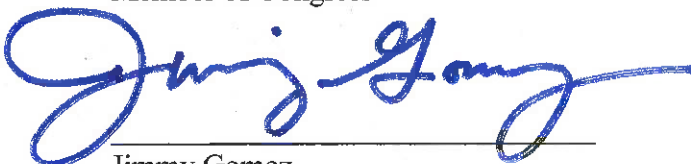
Eleanor Holmes Norton
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Debra A. Haaland
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William R. Keating
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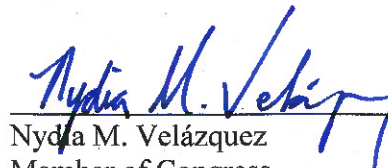
Jimmy Gomez
Member of Congress



Adriano Espaillat
Member of Congress



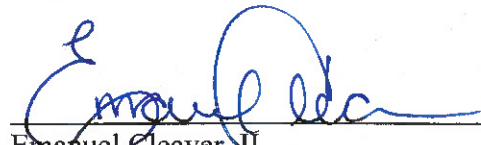
Danny K. Davis
Member of Congress



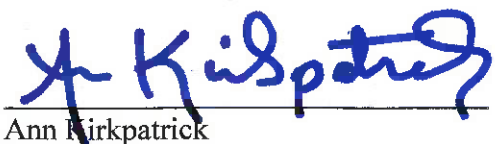
Nydia M. Velázquez
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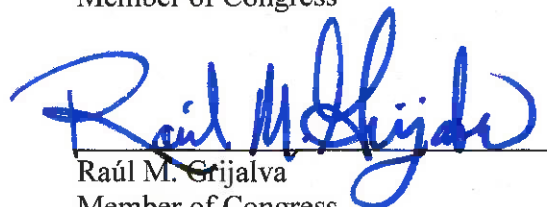
Ayanna Pressley
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Emanuel Cleaver, II
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Ann Kirkpatrick
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Raúl M. Grijalva
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Veronica Escobar
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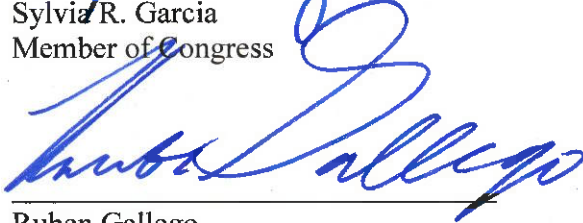
Anthony G. Brown
Member of Congress



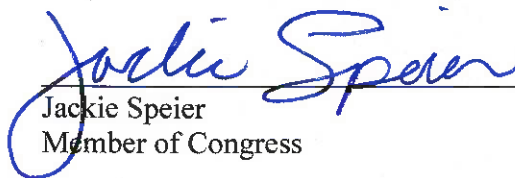
Sylvia R. Garcia
Member of Congress



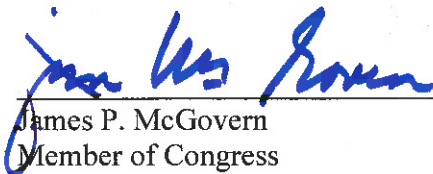
Brian Higgins
Member of Congress



Ruben Gallego
Member of Congress



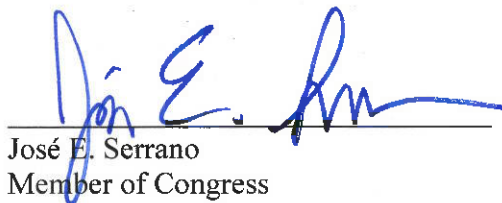
Jackie Speier
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Rick Larsen
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José E. Serrano
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Vicente Gonzalez
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Debbie Mucarsel-Powell
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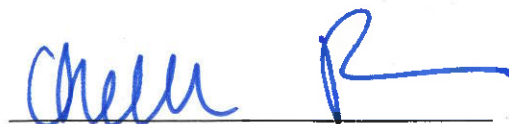
Darren Soto
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Ilhan Omar
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Dina Titus
Member of Congress



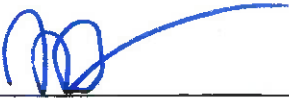
Chellie Pingree
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Rosa L. DeLauro
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Joseph P. Kennedy, III
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Max Rose
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Jamie Raskin
Member of Congress



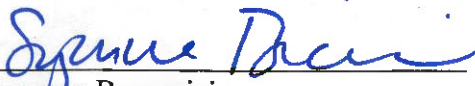
Rashida Tlaib
Member of Congress



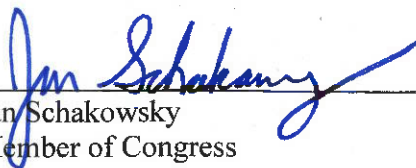
Mark Takano
Member of Congress



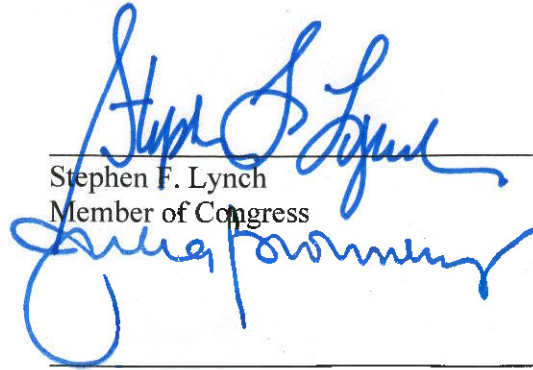
Lori Trahan
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Suzanne Bonamici
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Jan Schakowsky
Member of Congress

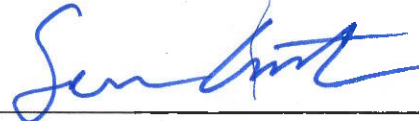


Stephen F. Lynch
Member of Congress

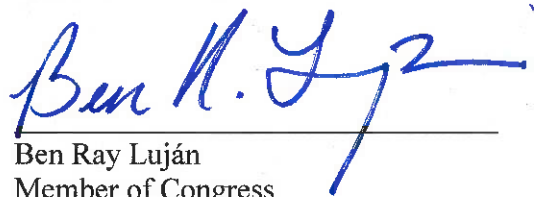
Julia Brownley
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Pete Aguilar
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Sean Casten
Member of Congress



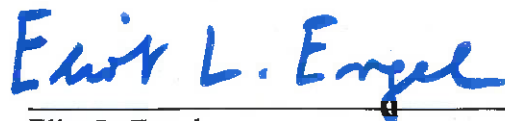
Ben Ray Luján
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Mark Pocan
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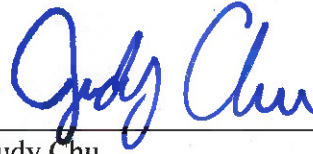
Alan Lowenthal
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Eliot L. Engel
Member of Congress



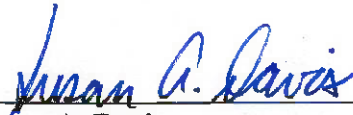
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Lucille Roybal-Allard
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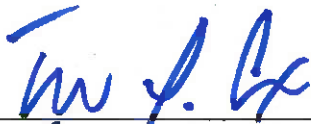
Raja Krishnamoorthi
Member of Congress



Alma S. Adams, Ph.D.
Member of Congress



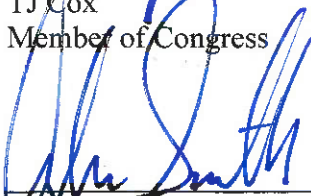
Alexandria Ocasio-Cortez
Member of Congress



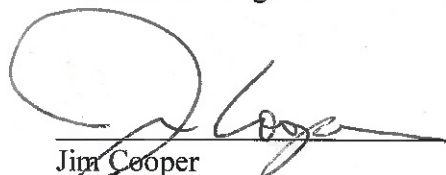
TJ Cox
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Tony Cárdenas
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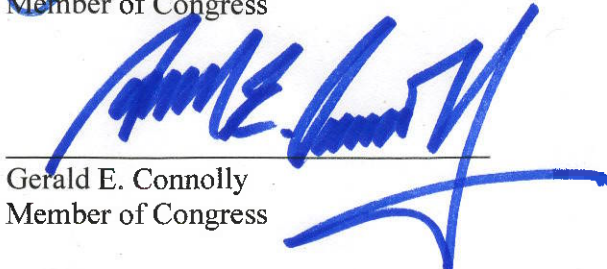



Adam Smith
Member of Congress





Jim Cooper
Member of Congress

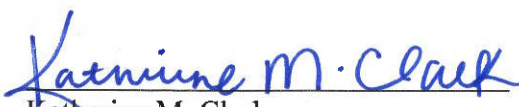

Joaquin Castro
Member of Congress

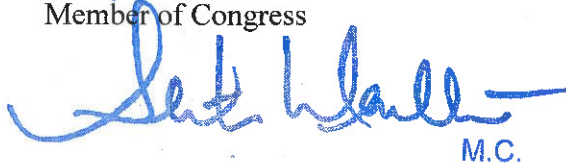

Gerald E. Connolly
Member of Congress

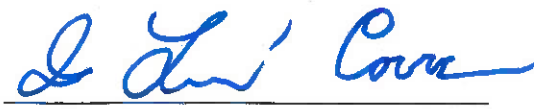

Peter A. DeFazio
Member of Congress

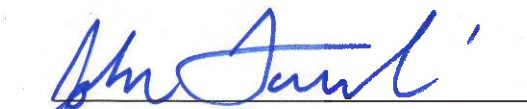

Lloyd Doggett
Member of Congress

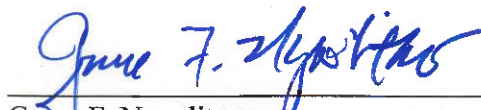

Xochitl Torres Small
Member of Congress



Katherine M. Clark
Member of Congress



Seth Moulton
Member of Congress



J. Luis Correa
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John Garamendi
Member of Congress



Grace F. Napolitano
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Linda T. Sánchez
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