

Via email

November 12, 2019

Kenneth Cuccinelli, Acting Director
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, N.W.
Washington, D.C. 20529

Paul Ray, Acting Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street, NW
Washington, D.C. 20503

**RE: Request for 60-Day Comment Period for USCIS Proposed Fee Schedule:
DHS Docket USCIS-2019-0010; RIN 1615-AC18**

Dear Acting Director Cuccinelli and Acting Administrator Ray:

We, the undersigned organizations, write to respectfully request that USCIS not limit but ensure a standard 60-day review period in connection with USCIS' proposal to adjust certain immigration and naturalization benefit request fees and the associated regulatory changes.

On November 8, 2019, the U.S. Citizenship and Immigration Services posted for public inspection its biennial fee review and fee adjustment schedule in the Federal Register. The pre-publication notice at page 2 indicated the public would be given only 30 days for comment. We are writing to respectfully request an extension of the comment period in view of the wide scope of this 300+ page rule and in keeping with past USCIS practices that provided the public a 60-day period to review and comment.

Executive Order 12866 states that agencies should allow "not less than 60 days" for public comment in most cases, in order to "afford the public a meaningful opportunity to comment on any proposed regulation." Executive Order 13563 states that "[t]o the extent feasible and permitted by law, each agency shall afford the public a meaningful opportunity to comment through the Internet on any proposed regulation, with a comment period that should generally be at least 60 days."

Considering the complexity of the rule, its policy implications above and beyond fee changes, and the serious consequences of the changes proposed, the undersigned do not see a justification for deviating from the 60-day standard for comment periods, as designated in EO 12866 and EO 13563.

In its proposed rule, USCIS provides no justification whatsoever for deviating from these executive orders. A comparison with prior comparable proposed fee rules shows what a dramatic and unprecedented departure from past practice it would be for USCIS to persist with a 30-day public comment period in this instance:

- 2007 proposed fee rule: approx. 25,500 words (60 days for public comments)
- 2016 proposed fee rule: approx. 38,300 words (60 days for public comments)
- 2019 proposed fee rule: approx. 90,900 words (30 days for public comments)

In other words, USCIS is currently requiring that the public thoroughly analyze and provide comments on a rule that is over 3.5 times longer than a comparable prior proposed rule, in only half the time.

We request this extension of the comment period in order to allow our organizations and the public adequate time to review the proposed regulatory and policy changes and provide meaningful feedback. A 60-day comment period would allow more organizations and affected groups to carefully examine the changes and weigh-in, in turn providing USCIS with more meaningful information to better address and consider the scope of related issues, assess unintended consequences, and prevent potential waste of resources.

Given the nature of the proposals and populations involved, we believe that these unique and expansive changes warrant additional time for review and comment. We thank you for your consideration of our request. Please contact Jill Marie Bussey at jbussey@cliniclegal.org or Rosalind Gold at rgold@naleo.org for any questions or concerns.

Sincerely,

¡HICA! Hispanic Interest Coalition of Alabama

A New Start

African Communities Together

American Immigration Lawyers Association

Arizona Latino Legislative Caucus
Arkansas Immigrant Defense
Arkansas United
ARYSE
Asian American Federation of Florida
Asian Americans Advancing Justice - Atlanta
Asian Americans Advancing Justice - Los Angeles
Asian Americans Advancing Justice | AAJC
Asian Counseling and Referral Service
Asian Pacific American Labor Alliance, AFL-CIO
Asian Pacific Institute on Gender-Based Violence
ASISTA
Bhutanese Community Association of Pittsburgh
Bonding Against Adversity
Boulder Valley Unitarian Universalist Immigration Justice Task Force
Boundless Immigration Inc.
California Partnership to End Domestic Violence
Campesinos Sin Fronteras
Canal Alliance
Canopy NWA
Casa San Jose
Catholic Charities East Bay
Catholic Charities Maine Refugee & Immigration Services
Catholic Charities of East Tennessee
Catholic Charities of the Archdiocese of Washington
Catholic Charities of the Diocese of Stockton
Catholic Legal Immigration Network, Inc.
Catholic Migration Services

Center for Gender & Refugee Studies
Center for Immigrant Advancement, Inc
Center for Law and Social Policy (CLASP)
Center for Pan Asian Community Services, Inc.
Center for Public Policy Priorities
Central American Resource Center of California (CARECEN Los Angeles)
Central American Resource Center of Northern California (CARECEN)
Central Valley Immigrant Integration Collaborative (CVIIC)
Centro Romero
Chaldean Community Foundation
Chicanos Por La Causa
Chinese Information and Service Center
Church World Service
Citizenship News
Coalition for Humane Immigrant Rights - CHIRLA
Colorado Immigrant Rights Coalition (CIRC)
Comunidades Unidas
Conexión Américas
District 1199C Training & Upgrading Fund
Dsi International Inc
Education and Leadership Foundation
Employee Rights Center
End Domestic Abuse Wisconsin
Entre Hermanos
Equality California
Erie Neighborhood House
Esperanza Legal Assistance Center / Immigrant Connection Heritage Church
Families Belong Together

Feeding Texas
Florida Asian Services
Florida Chinese Federation
Freedom for Immigrants
Freedom Network USA
Friendly House Inc
Gateway Community Services Maine
Global Cleveland
GMHC
Greater Portland Immigrant Welcome Center
HANA Center
Her Justice
Heritage Network
HIAS Pennsylvania
Hispanic American Community Education & Services
Hmong American Women's Association
Illinois Coalition Against Domestic Violence
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Legal Advocacy Project
Immigrant Legal Resource Center
Immigration Advocates Network
Immigration Center for Women and Children
Immigration Institute of the Bay Area
Indian Horizon of Florida
Interfaith Refugee and Immigration Service, Los Angeles
Iowa Coalition Against Domestic Violence
Kentucky Refugee Ministries
Kids in Need of Defense (KIND)

Korean Community Center of the East Bay
Lambda Legal
Latin American Coalition
LatinoJustice PRLDEF
League of United Latin American Citizens (LULAC)
Long Beach Immigrant Rights Coalition
Maine Immigrants Rights Coalition
Maine Intercultural Communication Consultants
Make the Road New Jersey
Maria Medrano
Mayor Muriel Bowser (District of Columbia, DC)
Mi Familia Vota
Mi Familia Vota Education Fund
Miami-Dade County Asian American Advisory Board
Michigan United
MIRC
Mixteca Organization, Inc.
NAACP
NANAY CEDC
National Association of Latino Elected and Appointed Officials (NALEO)
Educational Fund
National Association of Social Workers - Texas Chapter
National Immigrant Justice Center
National Immigration Forum
National Immigration Law Center
National Korean American Service & Education Consortium (NAKASEC)
National Partnership for New Americans
Naturalize Charlotte
New York Immigration Coalition

New York Legal Assistance Group (NYLAG)
Nigerians in Diaspora Organization Americas, Florida Chapter
Northwest Side Housing Center
Oasis Legal Services
OCA South Florida Chapter
OCA-Greater Houston
OCCORD (Orange County Communities Organized for Responsible Development)
OneAmerica
Pennsylvania Immigration and Citizenship Coalition
Presidents' Alliance on Higher Education and Immigration
Pro Bono Net
Proteus Inc.
Proyecto Inmigrante ICS, INC.
RAICES
San Joaquin College of Law- New American Legal Clinic
SEAMAAC
Self Help for the Elderly
Service Employees International Union
Services, Immigrant Rights & Education Network (SIREN)
Somali Community Center of Maine
Somali Family Safety Task Force
South Asian Network (SAN)
Sull and Associates, PLLC
Sylvester Turner, Mayor of Houston, Texas
Tennessee Immigrant and Refugee Rights Coalition
TheLegalClinic Hawaii
UnidosUS
UNITE HERE

United African Organization

United We Dream

Villa Comunitaria

Virginia Coalition for Immigrant Rights

Voces de la Frontera

We Are All America/Central Arizonans for Sustainable Economy

Welcoming the Stranger

West African Community Council

Winp LLC

World Relief