



March 13, 2023

Samantha Deshombres
Chief, Regulatory Coordination Division
Office of Policy and Strategy
US Citizenship and Immigration Services
US Department of Homeland Security
20 Massachusetts Avenue NW
Washington, DC 20529

Comment Reference: US Citizenship and Immigration Services Fee Schedule, DHS Docket No. USCIS-2021-0010

Dear Chief Deshombres,

On behalf of the League of Women Voters of the United States (the League), we write in response to the US Citizenship and Immigration Services' (USCIS') proposed rule to adjust certain immigration and naturalization benefit request fees. We are deeply concerned about the consequences of increasing fees for family-sponsored and employment-based visas and naturalization, among other applications. Therefore, the League urges USCIS not to raise immigration application fees.

The League is a century-seasoned federated organization with more than 500,000 members and supporters across the country. The League uses advocacy, education, litigation, and organizing to achieve our mission to empower voters and defend democracy.

The League believes that immigration policies should promote the reunification of immediate families while meeting the economic and employment needs of the United States. In transition to a reformed immigration system, the League supports provisions for individuals already living in the country to earn legal status, as well as a path to citizenship. Additionally, the League believes that one of the goals of US social policy should be to promote self-sufficiency for individuals and families, and that the most effective social programs are those designed to prevent or reduce poverty.

USCIS should not be increasing immigration application fees because it will price people out of accessing certain immigration and citizenship programs and associated critical benefits. These programs and benefits not only help immigrants socially, economically, and civically, but also benefit our society and economy as a whole.

As of 2019, one-third of the more than 44 million immigrants in the United States were living below 200 percent of the federal poverty level.ⁱ The proposed 33-101% fee increase for family-sponsored visas (Forms I-130 and I-751) will make it more difficult for them to reunite and stay with family members abroad. Further measures to add a 105% increase to apply for a green card (Form I-485) will preclude eligible immigrants from living and working in the US permanently. Additionally, the 19% fee increase for naturalization (Form N-



400) will prevent many of the 9.2 million eligible lawful permanent residents (LPRs) from attaining citizenship.ⁱⁱ

It is especially inhumane to price immigrants out of accessing benefits for which they are eligible as the United States continues to grapple with the health and economic consequences of the COVID-19 pandemic, during which immigrant populations have played a disproportionate role in response and recovery. As of 2020, 69 percent of all immigrants, compared to 65 percent of native-born workers, had jobs categorized as “essential” by the Department of Homeland Security. This included playing an outsized role in the US health care services sector.ⁱⁱⁱ While this data does not disaggregate immigrants by their specific status, instituting additional barriers to eligible immigrants from attaining green cards will hinder vital workforce participation.

Further, the consequences of precluding eligible individuals from becoming citizens cannot be overstated. A 2021 case study of the impact on receipt of public benefits found that one in four lawfully present immigrants were uninsured, compared to less than one in ten citizens, due to differences in access to public and employer-based insurance and barriers to enrollment. While lawful permanent residents are just one cohort of lawfully present immigrants and may obtain qualified status to be eligible for Medicaid and Children’s Health Insurance Program (CHIP), they must wait five years after obtaining this status to enroll, leaving them vulnerable to not having access to health care, or taking on additional financial hardship to meet their basic needs, potentially creating financial barriers for generations to come.^{iv}

The League is grateful for USCIS’ consideration of the operational costs to timely adjudicate their immigration and naturalization benefits. While we commend USCIS’ proposal to expand fee exemptions for certain humanitarian programs, these steps to reform policies related to asylum seekers and refugees do not offset the harm that the other numerous proposed fee increases will do to our nation’s immigrant populations.

By increasing immigration and naturalization application fees, USCIS will be placing additional barriers for individuals living with low incomes. This is not only inhumane, but it will have devastating consequences on the US workforce and economy. Further, as a voting rights organization, the League opposes the imposition of additional financial barriers to citizenship, which will prevent valued members of our communities from participating fully in our democracy. For these reasons, the League of Women Voters of the United States respectfully urges USCIS to withdraw the proposed rule increasing fees for immigration and naturalization benefit requests.

We thank you for the opportunity to comment on the proposed rule.

Sincerely,

A handwritten signature in black ink, which reads "Virginia Kase Solomon". The signature is written in a cursive style.

Virginia Kase Solomón
CEO

ⁱ https://www.migrationpolicy.org/sites/default/files/publications/mpi_low-income-immigrants-factsheet_final.pdf

ⁱⁱ https://www.dhs.gov/sites/default/files/2022-10/2022_0920_plcy_lawful_permentent_resident_population_estimate_2022_0.pdf

ⁱⁱⁱ <https://cmsny.org/publications/us-essential-workers/>

^{iv} <https://www.kff.org/racial-equity-and-health-policy/fact-sheet/health-coverage-and-care-of-immigrants/>