

Congress of the United States
Washington, DC 20515

May 6, 2019

Samantha Deshommes
Chief, Regulatory Coordination Division
USCIS Office of Policy and Strategy
Department of Homeland Security
20 Massachusetts Avenue NW
Washington, DC 20529-2140
Submitted via email to dhsdeskofficer@omb.eop.gov

Dear Ms. Deshommes:

We write in opposition to U.S. Citizenship and Immigration Services' (USCIS) proposal to stop accepting proof of receipt of a means-tested benefit as evidence of eligibility for a fee waiver, published at 84 Fed. Reg. 13687 (OMB Control Number 1615-0116). The proposed change would restrict access to citizenship and other benefits for hundreds of thousands of eligible immigrants who may apply for waivers to manage the high cost of application fees. This policy change is contrary to our American values as a country founded by immigrants.

Our nation benefits greatly from the contributions of naturalized Americans. These individuals dedicate years and undertake great efforts to prove their good character and belief in American ideals to earn citizenship, paving the way for their engagement as citizens after naturalization. Naturalized citizens have higher mean annual wages and annual earnings as well as higher employment and homeownership rates than immigrants eligible for naturalization, increasing their investment in the American economy. Naturalized Latino and Asian American adults even vote at higher rates than native-born Latino and Asian American citizens. As such, any policy focusing on citizenship should encourage and support eligible immigrants to naturalize, especially those who would benefit most from the economic opportunities that accompanies citizenship.

It is extremely troubling to hear that USCIS might fail in its duty to minimize the cost and burden and maximize the usefulness of the fee waiver adjudications by eliminating the most efficient means of proving eligibility for a waiver. Instead USCIS's proposed changes will increase the work required of applicants, USCIS officers, and employees of other government agencies. Current guidance is not only accessible for fee waiver applicants to submit their receipt of means-tested benefits to prove eligibility, but it also reflects a government agency's completed analysis of an applicant's financial situation. An applicant's alternative is to demonstrate an income below 150 percent of the poverty line or extraordinary financial hardship, which typically requires much more work from USCIS, including analysis that's already completed by other agencies for applicants who receive means-tested benefits. It is USCIS's duty to minimize burdens on its own internal operations; however, this ruling would create duplicative, unnecessary, and burdensome

work for its employees that hinders potential low-income applicants from applying for citizenship and other benefits.

This potential change is especially disconcerting with the current state of USCIS's backlog of naturalization applications awaiting adjudication, which in Fiscal Year 2017 was over 2.3 million cases. These changes not only creates a burden for applicants as they must now wait even longer to adjudicate their cases, but it also creates a burden employees and officers who must now obtain additional training and spend additional time on what used to be simple fee waiver applications. Additionally, these changes create liabilities far beyond USCIS employees, as their counterparts from IRS, Social Security Administration, and the Federal Emergency Management Administration will need to process additional tax transcripts and letters as well as data about sources of income to assist USCIS in their duplicative analysis.

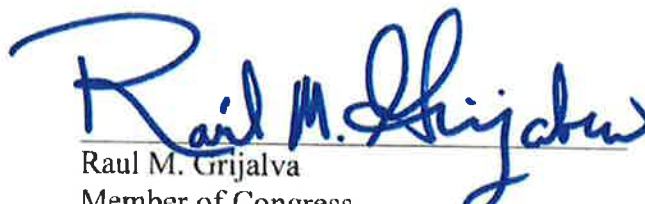
It is integral that our nation continue to ensure accessibility to naturalization and other immigration benefits. Citizenship provides vital protection and security, helps stabilize families, and create more integrated, prosperous communities. As such, we urge USCIS to withdraw and OMB to reject USCIS's proposed rule to the fee waiver process, especially in respect to the preservation of the current well-functioning system that better serves the Paperwork Reduction Act and is in best interests of our nation.

Sincerely,


Joaquin Castro
Member of Congress


Nydia M. Velázquez
Member of Congress


Henry Cuellar
Member of Congress


Raul M. Grijalva
Member of Congress


Adriano Espaillat
Member of Congress


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Juan Vargas
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Sylvia Garcia
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Alexandria Ocasio-Cortez
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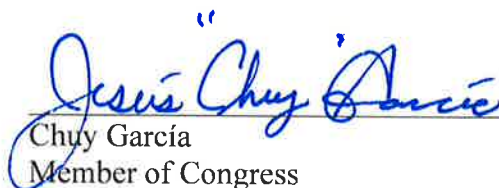
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