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Via Federal eRulemaking Portal (www.regulations.gov)

Ms. Samantha Deshommes
Chief, Regulatory Coordination Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services
Department of Homeland Security
Mailstop #2140
20 Massachusetts Avenue NW
Washington, D.C. 20529-2140

Re: DHS Docket Number [USCIS-2019-0010]; RIN 1615-AC18 U.S. Citizenship and Immigration Services Fee Schedule

Dear Ms. Deshommes:

On behalf of the University of California (UC), thank you for the opportunity to comment on the U.S. Department of Homeland Security's (DHS) proposal to adjust certain immigration and naturalization benefit request fees charged by U.S. Citizenship and Immigration Services (USCIS), as published in the Federal Register on November 14, 2019 (Docket no. USCIS-2019-0010). UC has significant concerns regarding the fee and policy proposals in the published fee schedule, and requests that USCIS withdraw all provisions that make immigration-related services less accessible to low-income and other vulnerable immigrants.

Undocumented students' needs as college students include a greater financial need than their peers, as they are not eligible for federal financial aid. Increasing the fees for renewing a Deferred Action for Childhood Arrivals (DACA) application will add to the already heavy financial burden these students carry, and the added cost will adversely affect their mental health and wellness. Financial burdens also cause ripple effects in undocumented students' academic performance, further disadvantaging these immigrants. Increasing the DACA renewal fee to \$765—a more than 50 percent increase—will only further complicate DACA recipients' already stressful pursuit of higher education.

The University of California Immigrant Legal Services Center (Center) provides services to undocumented and immigrant students who attend UC. During the 2018-2019 academic year, the Center handled close to 1,400 cases for student clients and their family members. Of those cases, close to 900 involved DACA renewals.

The proposed USCIS fee schedule disproportionately increases fees and eliminates fee waivers for the benefit categories most commonly used by many of our students, which is especially

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unfortunate considering that the Pew Research Center estimates that the average income for an undocumented family of three is \$31,000. Many of the Center's student clients are DACA recipients or United States citizens who come from families with an income in that range. The Center routinely serves students who cannot afford to renew their DACA status because they do not have the \$495 to submit with their renewal application. When the State of California provided funds to the Center to issue grants to cover DACA renewal fees, the Center saw a noticeable increase in the number of clients seeking to renew their DACA status. In fact, students' DACA permits were often already expired when the students came to the Center to seek help, because they could not afford to pay the fees necessary for renewal. Many of UC's students are eligible for state higher education grants that cover their tuition, but struggle to pay for housing, food, books, and other items that comprise the total cost of attendance. In fact, use of the university food pantry is common among the Center's clients.

Similarly, many of the Center's clients seeking naturalization cannot afford the \$640 filing fee and will not be able to afford the 83 percent fee increase to \$1,170. Even with the current fee, the Center's clients require fee waivers to continue with the naturalization process. Raising fees and eliminating fee waivers puts naturalization completely out of reach for many of our students and their family members. The proposed regulations also allow for the first fees captured through USCIS applications to be directed to enforcement activities within U.S. Immigration and Customs Enforcement (ICE) and the funding of information sharing between ICE and other government agencies. This undermines the agency's argument that the purpose of the increase is to improve processing and processing times.

The vibrant, diverse community of undocumented and immigrant students, staff, and faculty at UC enrich the experience of all who attend or visit the University. They live, work, and study in our communities while paying taxes, buying homes and automobiles, and they contribute broadly to our local, regional, and national economies. In addition, they have been subject to exhaustive background investigations to ensure they are not a security threat. They have called no country but the United States home. By so drastically increasing fees to renew DACA permits, DHS is effectively denying these students the opportunity to continue to contribute to their communities.

Omission of any proposed change from this comment letter should not be interpreted as tacit approval. The University of California opposes all aspects of the proposed fee schedule that would act as a barrier between low-income immigrants and the immigration benefits and services for which they qualify.

Yours very truly,


Janet Napolitano
President

cc: Chief Policy Advisor Jenny Kao
Associate Vice President Chris Harrington, Federal Government Relations