December 12, 2019

Submitted via 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
20 Massachusetts Ave. NW
Washington, D.C. 20529


Dear Chief Deshommes:

On behalf of Wake Forest University, I write to submit a comment in response to U.S. Citizenship and Immigration Services' (USCIS) proposed rule, Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements, published on November 14, 2019. We write to express our concern about a number of the fee and policy proposals in the proposed fee schedule, and request that USCIS withdraw all provisions that make immigration benefits less accessible to low-income and vulnerable immigrants, especially current and prospective students and their families.

Wake Forest University is located in Winston-Salem, NC, enrolls over 8,000 students, and employs more than 3,000 faculty and staff. We are committed to each and every one of our students, staff, and faculty. We are proud of and grateful for the contributions of every member of our academic community, including first and second generation immigrants. We are particularly sensitive to the needs of students who are eligible for the DACA program, and understand that they often experience challenges unknown to other students. These challenges, both economic and personal, can strain their academic experiences. As a community of scholars we strive to create a learning community where students, scholars, and staff can reach their full potential so that their presence on our campus can better enrich the academic, professional, and lived experiences of all who call Wake Forest home.

The proposed USCIS fee schedule disproportionately increases fees and eliminates fee waivers for benefit categories most commonly used by low-income and vulnerable immigrants, especially students and their families, leaving essential immigration benefits accessible primarily to the affluent. These unwarranted changes would result in financial hardship for immigrant and mixed-status families, immigrants delaying or losing immigration status due to financial considerations, and increased dependence on debt to finance applications.

The proposed changes would also decrease involvement of qualified legal assistance (e.g. as immigrants would have to choose to spend their limited funds on filing fees instead of representation) resulting in difficult and inefficient USCIS processing and adjudication, among other problems. These increases do not reflect the costs that applicants must endure when securing and compensating legal
counsel to assist in preparing time consuming and complicated immigration petitions. Immigration fees can range from $250 to upwards of $10,000, with many petitions hovering around $1,000. Thus, the proposed increases exacerbate the already high cost of applying for an immigration benefit, from beginning to end.

Generally, our institution strongly opposes USCIS' proposal to increase the total fees for Deferred Action for Childhood Arrivals (DACA) to $765, up from $495, a total increase of 55 percent. USCIS proposes increasing the fee to file Form I-765 to $490 from $410; and Form I-821D from $0 to $250. USCIS will maintain the current $85 biometrics fee. We urge USCIS to maintain the current total cost of $495. We oppose this proposed increase as it represents a significant barrier that will reduce the number of DACA recipients who will successfully obtain DACA renewal and participate and complete their higher education, further discussed below.

We are particularly concerned how three specific changes will impact our institution, students, and those we serve; and we have specifically described the reasons for our opposition:

1. **Proposed Increase in Naturalization Fees and Elimination of Fee Waiver Will Deter Eligible Applicants from Applying**

Proposed Fee Schedule will deter low-income immigrant students and family members from applying for naturalization. This will result in reduced social and economic mobility for students and reduced long-term contributions to our communities and economy.

Wake Forest University opposes USCIS' attempt to significantly increase naturalization fees on low-income immigrant students and families. As educators working with low-income immigrant students, we see first-hand the benefits of social and economic mobility for our students, alumni, and their families. Encouraging and lowering the barriers to those eligible for permanent residency and citizenship is an important element of this integration, which strongly benefits our campuses, communities, and economy in the long-term. Naturalization is a key driver in allowing immigrants to fully integrate into our society and economically contribute to our country. For example, naturalization boosts individual earnings by upwards of 11 percent, leading to upwards of $45 billion in increased cumulative earnings over a decade.

2. **Proposed Increase for DACA Fees Represents Significant Financial Burden for Renewal Requestors**

USCIS' proposed increase for DACA renewals represents a significant financial barrier that will dramatically lessen DACA renewal applications. DACA students on our campus must be very judicious - and are - in managing their financial aid awards, and an increase in DACA fees will tax their already limited financial capabilities. The Migration Policy Institute (MPI) concluded that even the current renewal fee "remains a barrier to DACA renewal." Importantly, nearly half of DACA holders received financial assistance from family or others to pay DACA fees. DACA holders have consistently shared that the recurring renewal fee is a "large financial burden," with over a third of applicants delaying applying for DACA for an average of three months while they saved additional funds. A majority (51 percent) of DACA holders stated that even the previous $465 filing fee was "a financial hardship on themselves or their families." Approximately 35 percent of DACA eligible individuals live in families with incomes less than 100 percent of the federal poverty level; and two-thirds live in households with incomes less than 200 percent of the federal poverty level. Moreover, over two-thirds of DACA holders support their families financially, further depleting available funds for renewal of DACA. The above economic and fiscal data demonstrate that the fee increase will depress and discourage renewal application numbers.
3. Proposed Increase for DACA Fees Will Undermine Access to Higher Education and Reduce Career Mobility

The continued financial accessibility of DACA is essential for students to continue and complete their education and establish new careers. Thirty-three percent of DACA recipients indicated they were currently “in school” and pursuing a bachelor’s or higher degree. Of the DACA recipients who indicated they were enrolled in school, 93 percent indicated that because of DACA they pursued educational opportunities that they previously could not. DACA opened up opportunities across various educational settings by facilitating recipients’ completion of certificate and vocational programs, associate’s degrees, bachelor’s degrees, and graduate and professional degrees from master’s programs to law and medical school. DACA recipients “leveraged short-term training opportunities to find entry into new professions. They found paths back to postsecondary education that allowed them to pursue graduate programs and to be competitive in the labor market. Moreover, DACA recipients utilized DACA to move up the mobility ladder, according to findings from the National UnDACAmented Research Project.

At a time when immigrants and children of immigrants are projected to be a primary source of future U.S. labor force growth and our nation faces growing skills shortages, the proposed fee increases would be an impediment to immigrant students’ success and detrimental to our national economic prosperity. For the reasons provided above, USCIS should promptly withdraw the provisions of its proposed fee schedule that would make immigration benefits less accessible to hard-working students, families and vulnerable migrants.

Thank you for the opportunity to submit comments on the proposed fee schedule. Please do not hesitate to contact me at hatch@wfu.edu or 336-758-5211 or José Villalba at villalja@wfu.edu or 336-758-5840

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