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August 11, 2020

The Honorable Chad F. Wolf
Acting Secretary of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, D.C. 20528

RECEIVED

By ESEC at 8:11 am, Aug 12, 2020

Dear Acting Secretary Wolf:

I urge this administration to set aside this draft rule, which would impose drastic and punitive fee increases on lawful immigrants seeking naturalization, lawful permanent residency, work permits, and even asylum. This callous rule change serves no purpose other than to discourage lawful immigration into America, and because our country is a nation of immigrants, these radical fee increases are un-American.

People seeking to establish and maintain a lawful presence in America are often "essential workers", performing work that supports the ability of Americans to receive quality medical care, unadulterated food, and other products of necessity and convenience. During the COVID-19 pandemic, these essential workers have been disproportionately sickened, and many have died, due to exposure to the virus in their workplaces as they toiled, so that the rest of us could enjoy as normal a life as we were accustomed to prior to the onset of the pandemic. We should not take our comforts and conveniences for granted by imposing unconscionable fee increases upon those who make those necessities and comforts possible.

The unprecedented 80% fee increases for naturalization would reduce applications and ending the fee waiver program for low-income immigrants is calculated to keep hard working essential workers from entering this country. This administration's odious proposal to impose fees upon those seeking asylum plunges our country into a league to which only three other countries in the world have descended.

Clarkston, Georgia lies within the Fourth Congressional District which I proudly represent. Clarkston is often referred to as "The Ellis Island of the South". Thousands of immigrants and refugees call this small town home. The town's residents comprise of more than 40 nationalities and speak over 60 languages. They have become valued citizens of America by working hard to achieve "the American Dream". They have become business proprietors and homeowners, and some have even been elected to local office. Their participation in and contributions to the community have been notable. My district is a proud example of what it means to be a nation of immigrants; we embrace diversity, and we benefit from the richness that flows from a diverse community of people working together for the common good.

The exorbitant fee increases proposed by the Trump administration would, if allowed to take effect, make it more difficult for certain immigrants to lawfully gain entry into our country. Our country would thus be deprived of the value and positive benefits that these hardworking people have historically contributed to America's ability to maintain its status as the world's most

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prosperous and free nation. Our country has never required persons seeking lawful entry into America to be people of wealth. This rule would add that racist precondition to the list of requirements.

The words “Give me your tired, your poor, [y]our huddled masses yearning to breathe free ...”, are etched atop the Statue of Liberty, the historic gateway to our nation. America is a nation of immigrants. Our country’s greatest strength is our diversity. And yet, by imposing this arbitrary and capricious fee increase, we are destroying just that. We must act to ensure this guiding principle is not erased from our own nation’s conscience. I urge this administration to set aside this draft rule.

Sincerely,

A handwritten signature in black ink that reads "Hank Johnson". The signature is written in a cursive, flowing style with a large initial "H".

Representative Henry C. “Hank” Johnson, Jr.
Member of Congress



U.S. Citizenship
and Immigration
Services

August 31, 2020

The Honorable Henry C. "Hank" Johnson, Jr.
U.S. House of Representatives
Washington, DC 20515

Dear Representative Johnson:

Thank you for your August 11, 2020 letter. Acting Secretary Wolf asked that I respond on his behalf.

The Immigration and Nationality Act authorizes the Department of Homeland Security (DHS) to recover the full cost of providing immigration adjudication and naturalization services, including the cost of services provided at no charge, through the U.S. Citizenship and Immigration Services (USCIS) fee schedule. Unlike most government agencies, USCIS is fee funded, and fees collected and deposited into the Immigration Examinations Fee Account fund nearly 97 percent of the USCIS budget.

As required by federal law, DHS conducted a comprehensive biennial fee review and determined that the current USCIS fees do not recover the full cost of providing adjudication and naturalization services. Current fees would leave USCIS underfunded by about \$1 billion per year. After considering this information, DHS published a proposed rule in November 2019 to adjust fees to help USCIS recover operational costs. The public was invited to submit comments, and USCIS reviewed and considered all submissions received during the comment period (which was extended twice). DHS recently announced that the final rule will go into effect on October 2, 2020.¹

The rule supports payroll, technology, and operational costs required to accomplish the USCIS mission. DHS is not increasing fees or limiting fee waivers to discriminate against any group, nationality, race, or religion; to reduce the number of immigrants; or to limit applications or petitions. The fees are the same for all people who submit benefit requests regardless of their physical, cultural, or individual characteristics.

In your letter, you mentioned your concerns about imposing a fee for asylum applications. It is important to note that the nominal fee of \$50 for affirmative asylum applications will not recover the full cost of adjudication, but rather will alleviate the increase of fees for others. That is, it is intended to limit the increase of fees for other applications and

¹ The final rule addresses many of the issues that you raised and is available in the Federal Register at this link: [USCIS Final Rule](#).

The Honorable Henry C. "Hank" Johnson, Jr.

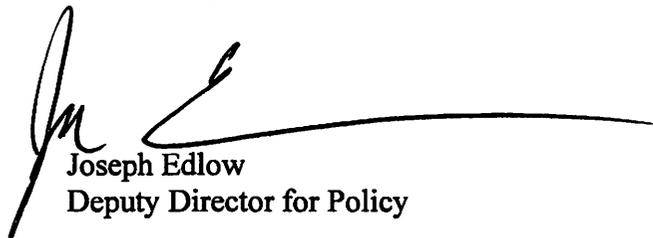
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petitions that would need to be raised to cover the estimated full cost of adjudicating asylum applications.

DHS agrees that immigrants make significant contributions to the United States, which includes providing crucial services in healthcare, food supply and many other industries. DHS does not have data that would indicate that the fees in this rule would make a U.S. employer that is unable to find a worker in the United States forego filling a vacant position rather than submitting a petition for a foreign worker. Further, we believe that immigration to the United States remains attractive to millions of individuals around the world and that its benefits continue to outweigh the costs. If the final rule results in a significant reduction in the number of requests submitted for immigration benefits, USCIS can address that result in a future fee rule.

Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (202) 272-1940.

Respectfully,

A handwritten signature in black ink, appearing to read 'J Edlow', with a long horizontal flourish extending to the right.

Joseph Edlow
Deputy Director for Policy