



December 19, 2019

*Submitted via [www.regulations.gov](http://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

**RE: U.S. CITIZENSHIP AND IMMIGRATION SERVICES FEE SCHEDULE, DHS DOCKET No. USCIS-2019-0010; RIN 1615-AC18**

Dear Chief Deshommes:

On behalf of The Colorado Community College System, its 13 member colleges and the 138,000 students we serve, 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 are concerned for our students and their families, all of whom are struggling to improve their opportunities in life through the pursuit of higher education. The number of fee and policy proposals in the proposed fee schedule will almost certainly make immigration benefits less accessible to low-income and vulnerable immigrants.

Colorado is a state with a vibrant economy and a diverse population. Our 13 community colleges are the institutions of choice for thousands of students who are low-income, first generation, under-resourced financially and sometimes underprepared academically. They are native and immigrants, English speakers and English learners, academically and career oriented. Collectively, they are crucial to sustaining our growing economy and our civic and cultural institutions, but only if they have the opportunity to successfully pursue educational opportunities. At a time when immigrants and children of immigrants are projected to be a primary source of future U.S. labor force growth, the proposed fee increases would be an impediment to immigrant students' success and detrimental to our state and national economic prosperity.





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.

We also *strongly* oppose USCIS' proposal to increase the total fees for Deferred Action for Childhood Arrivals (DACA). The proposed increase represents a significant barrier that will reduce the number of DACA recipients who will successfully obtain DACA renewal and complete their higher education.

Our concerns are set forth in greater detail below:

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

There is a very real likelihood that the Proposed Fee Schedule will deter low-income immigrant students and their family members from applying for naturalization with the result being that those students will face reduced social and economic mobility for students and reduce the long-term contributions they might otherwise make to our communities and economy.

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.

**2. The 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. We know that many of our DACA students have struggled to pay for basic needs and the result will be that our students may be unable to pay the increased fee, thus putting their educational futures at risk.





### **3. The 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. 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 found paths to postsecondary education that allowed them to pursue educational programs and to be competitive in the labor market.

Colorado is among those states where DACA is a prerequisite for in-state tuition. Most of our DACA students would have to give up their educational dreams if forced to pay non-resident tuition. When state law was changed to allow DACA students to qualify for resident tuition, we saw a dramatic increase in the number of students enrolling in our programs and filling previously unfilled seats in our classrooms, thus benefiting our colleges and, ultimately, our communities.

### **4. The Proposed Fee Increases Would Severely Impact Low-Income Immigrant Community College Students**

Many of our students face significant challenges, including attending college part-time while juggling jobs and family responsibilities. However, immigrant-origin students often face not only those challenges but also unique financial challenges due to their ineligibility for many forms of financial aid.

### **5. The Proposed Fee Schedule Would Decrease Experiential Learning Opportunities**

The proposed increase in fees, especially for DACA, asylum, adjustment of status, and naturalization, would represent a significant financial burden on low-income immigrants who would be eligible to apply. The proposed fees would likely discourage these individuals from seeking support that would help them in their application process. This can include legal assistance, citizenship classes, ESL classes, and other kinds of support. Beyond the adverse consequences on the impacted immigrant populations, the proposed rule will also impact our students who gain invaluable experiential learning opportunities through programs and clinics designed to support low-income populations in our community.





**6. USCIS' Proposed \$50 fee for Asylum Seekers Runs Counter to Our Obligation to Assist Refugees**

USCIS plans to impose a \$50 fee for those filing for affirmative asylum. Our nation and higher education campuses have a moral imperative to accept asylum seekers as well as obligations under domestic and international laws. Asylees bring diverse perspectives to our classrooms, both as students and scholars. As a signatory to the 1967 Protocol of the 1951 Convention Relating to the Status of Refugees, our country has an obligation to accept asylum seekers who seek protection.

We must adhere to our international and domestic obligations and not refuse asylum seekers their chance to seek protection simply for the inability to pay. Asylum is the first step for individuals to be able to normalize and stabilize their life and one day pursue or teach in higher education.

For the reasons provided above, the Colorado Community College System requests that USCIS 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 [joe.garcia@cccs.edu](mailto:joe.garcia@cccs.edu).

Sincerely,

**Joseph Garcia**  
Chancellor  
Colorado Community College System

