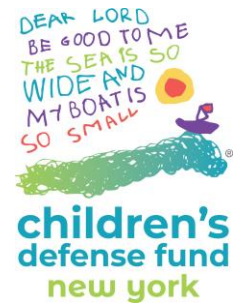


April 16, 2018



Submitted via www.regulations.gov

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

Re: Public Comment Opposing Form G-1530: USCIS Tip Form
OMB Control Number 1615-NEW
Docket ID USCIS-2019-0001

Dear Ms. Deshommes:

I am writing on behalf of the Children's Defense Fund-New York (CDF-NY) in opposition to the Department of Homeland Security (DHS), United States Citizenship and Immigration Services (USCIS) proposal to implement the new Form G-1530: USCIS Tip Form, OMB Control Number 1615 - NEW, Docket ID USCIS-2019-0001, published in the Federal Register on February 15, 2019.

CDF-NY submits these comments on behalf of immigrant children and families. For 45 years, CDF has been advocating for children and seeking strong support for families through passage of laws and implementation of rules, programs, and services in their best interest. CDF's Leave No Child Behind® mission is to ensure every child a *Healthy Start*, a *Head Start*, a *Fair Start*, a *Safe Start*, and a *Moral Start* in life and a successful passage to adulthood with the help of caring families and communities.

In New York, CDF-NY has a unique approach to improving conditions for children, combining research, public education, policy development, community organizing and advocacy. A recognized authority in the endeavor to protect children and strengthen families, CDF-NY serves as a resource and partner for children, families and organizations throughout New York City and State.

CDF-NY has worked with countless young people since its establishment. Some of the youth are immigrants themselves or young people whose families came to the United

States to seek a better life. With the support of their families and communities in the United States, many of our young people have gone on to beat the odds against them and become American success stories. Who is to say whether these young people won't go on to be the next great entrepreneur, scientist, or the next president?

Bias and Bigotry

CDF-NY is alarmed by the proposed rulemaking because it will permit unsubstantiated reporting to USCIS and create a high likelihood that bias and bigotry will play a role in reporting. Reported individuals face increased scrutiny, surveillance, and potential loss of benefits without any due process that could enable them to refute allegations of fraud. There has already been an uptick in harassment and violence against Muslim, Arab Iranian, Middle Eastern and South Asian Americans¹ in addition to the increased hate crimes against Hispanics and Latino communities². This rule will result in more harassment of immigrants and immigrant communities across New York and the US.

Additional Delays

This rule will also take resources away from the important work of reuniting children and families in the United States. USCIS has radically slowed application processing in the past two years.³ The wellbeing of many immigrant families depends on USCIS's efficient adjudication of benefits requests. For instance, processing delays frequently jeopardize the ability of individuals to work, leaving families without a source of income for necessities such as food, housing, and transportation.⁴ Complicating the adjudications process with anonymous and unfounded allegations of fraud in a system that already suffers from backlogs and lack of transparency will harm applicants and their families.

Encourages Misuse

The USCIS Tip Form also appears to allow any and all unsubstantiated information provided to be shared liberally with other law enforcement agencies, including Immigration and Customs Enforcement. USCIS has not provided any direction on what types of information should be submitted nor provided a notice that a submission to this government system is subject to perjury laws. This administration does not need yet another unsubstantiated reason for causing detention or deportation of immigrants that leads to the separation of children and families. We have already witnessed the harm that comes from these cruel and inhumane separations.

¹ John Eligon, Hate Crimes Increase for the Third Consecutive Year, F.B.I. Reports, New York Times (November 13, 2018), available at <https://www.nytimes.com/2018/11/13/us/hate-crimes-fbi-2017.html>.

² See Arab American Institute, Hate Crimes Continue to Surge in America (November 13, 2018), available at http://www.aaiusa.org/hate_crimes_continue_to_surge_in_america (summarizing FBI 2017 statistics).

³ Jason Boyd and Greg Chen, AILA Policy Brief: USCIS Processing Delays Have Reached Crisis Levels Under the Trump Administration, American Immigration Lawyers Association (January 30, 2019), available at <https://www.aila.org/advo-media/aila-policy-briefs/aila-policy-brief-uscis-processing-delays>.

⁴ AILA, "Deconstructing the Invisible Wall: How Policy Changes by the Turmp Administration are Slowing and Restricting Legal Immigration" (Apr 24, 2018), available at <https://aila.org/infonet/aila-report-deconstructing-the-invisible-wall>.

Conclusion

This proposed Tip Form is an example of yet another attack on immigrant children and families and the vulnerable in our society by this administration, following the inhumane separation of children from their parents, severely limiting refugees and asylees, rescinding DACA, and prioritizing arrest, detention, and deportation. Children and society cannot tolerate these mean-spirited and un-American assaults on the most defenseless amongst us – our children and families.

Children's Defense Fund-New York stridently opposes the publication of the USCIS Tip Form as it creates additional hardship for immigrant children and families and vulnerable individuals. USCIS should withdraw the USCIS Tip Form immediately and instead work on developing policies that do not threaten immigrant communities, waste resources, or undermine due process and access to critical immigration benefits.

Sincerely,

Naomi Post
Executive Director
The Children's Defense Fund-New York