



ISSUE BRIEF: Addressing Likely American Family Separation Arising From the Closure of United States Citizen and Immigration Services (USCIS) Offices Abroad

Background

In March 2019 the Trump administration announced, without public consultation or notifying USCIS staff, plans to close all 22 international USCIS offices and to transfer those duties, now performed by employees worldwide, to domestic offices and US embassies and consulates. The Trump administration claims this is a cost-cutting exercise, although USCIS's funding comes primarily from fees paid by people who use its services.

USCIS officers are responsible for adjudicating a wide variety of petitions and applications filed internationally, providing vital services and issuing travel documents to people in a wide variety of circumstances.

Closing the USCIS offices would reassign 70 staffers who, beyond processing petitions and applications, provide valuable services to Americans abroad, including:

- providing expertise and advice to families adopting internationally;
- helping members of the military obtain legal documents;
- aiding widows of US citizens;
- assisting those who lose or want to abandon their green card;
- investigating fraud in visa applications;
- providing technical immigration advice to US government officials; and
- processing refugee applications within its Refugee Asylum and International Operations division.

Impact

The work of USCIS officers abroad is expected to be taken over by State Department officials in US embassies and consulates, although the State Department's consent to take over these duties has not yet been obtained. This is causing enormous concern amongst Americans abroad and the immigration law practitioners who prepare and submit their filings.

When and if the State Department agrees to take on these responsibilities, the closure of international USCIS offices are nonetheless expected to substantially slow and delay the processing of matters such as family visa applications, foreign adoptions, and citizenship petitions from US citizens and members of the military living and stationed abroad.

Democrats Abroad has particular concerns about family separation during the processing of I-130 immigration applications filed by US citizens petitioning for their non-US immediate family members to return home to the US with them.

The practical impact of the policy is that it will separate multi-national families applying to immigrate to the US. This comes at a time when these families already face undue challenges. Immigration lawyers say the Trump administration has already delayed application processing and heightened scrutiny for applications that used to clear quickly. This is preventing spouses and children of Americans from being able to join their families in the US.

Remedy

Democrats Abroad supports direct consular filing of I-130s for families of US citizens living abroad to the State Department (as it was pre-August 15, 2011) and supports reverting to the process that was in place prior to August 15, 2011: direct consular filing of all clearly approvable Form I-130s (Petition for Alien Relative) for Family of Americans living abroad.

Contact: Julia Bryan, Democrats Abroad Chair

chair@democratsabroad.org

<https://democratsabroad.org>