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National South Asian Organization Welcomes Proposed Immigration Changes Promoting Family Unity

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South Asian Americans Leading Together (SAALT), a national immigrant and civil rights organization, welcomes the recent proposed changes announced by the U.S. Citizenship and Immigration Service (USCIS) that would promote family unity in certain immigration cases. South Asians are a predominantly foreign-born community, which includes a significant number of families that have both undocumented and U.S. citizen family members, known as “mixed-status families.” These proposed changes are a step in the right direction towards minimizing lengthy separation between loved ones in certain mixed status families going through the immigration process. SAALT welcomes these proposed changes and encourages USCIS to continue to take further measures that would mitigate the effects of the current immigration system that keeps families apart.

Under current law, many undocumented spouses and children of U.S. citizens apply for a green card based on these family relationships and are required to return to their country of origin in order to obtain their visas. For certain undocumented individuals required to return to their country of origin, those who have been undocumented in the U.S. for more than six months are prevented from returning back to the U.S. for three or ten years, unless they obtain a waiver demonstrating that this lengthy separation would cause “extreme hardship” to their qualifying U.S. citizen family member. Under current procedures, this waiver application process begins abroad and an individual can wait months or even years outside the U.S. before finding out if it has been approved.

The **proposed rule change from USCIS** would allow individuals to seek a provisional “extreme hardship” waiver *while still in the U.S.* and before going abroad to complete their visa interview. The proposed changes would shorten processing times significantly and ensure that families are not unnecessarily separated for lengthy periods of time as they await the results of their waiver application.

The changes proposed by USCIS last week are a much-needed step towards promoting family unity within the immigration system – a reform that SAALT and other immigrant rights organizations have been advocating around for years. In the coming months, SAALT will be engaging with USCIS to make these proposed changes a reality and will continue to advocate for removing remaining hurdles in the system.

For questions or further information on the proposed rule change, community members are encouraged to check out the following resources:

- *Announcement from USCIS regarding the proposed rule change, available [here](#).*
- *“Frequently Asked Questions” resource developed by the American Immigration Lawyers Association, available [here](#).*
- *Have further questions? Contact SAALT at info@saalt.org.*