

Form I-730 Refugee/Asylee Follow-to-Join Processing National Stakeholder Engagement Questions

July 21, 2022

Background

U.S. Citizenship and Immigration Services (USCIS) conducted a national stakeholder engagement on July 21, 2022, on Form I-730 Refugee/Asylee follow-to-Join processing. Following are questions submitted by participants during the engagement. Please note that we may have revised some of the questions for clarity.

1. Could USCIS bring the beneficiary of an asylee to the United States to wait for processing due to the dangers they may face in their country?

RESPONSE:

Those in danger outside of the United States should consider seeking assistance from nongovernmental or other humanitarian organizations. Additionally, anyone outside of the United States may request parole based on urgent humanitarian or significant public benefit reasons. See our [Guidance on Evidence for Certain Types of Humanitarian or Significant Public Benefit Parole Requests](#) webpage for more information on the types of evidence that may support a parole request for protection from targeted or individualized severe harm. Parole is not intended to be used solely to avoid normal refugee or visa processing or to provide protection to individuals at generalized risk of harm around the world. However, in some limited circumstances, protection needs are so urgent that waiting for normal visa or refugee processing is not feasible. There is no set formula for determining whether someone merits a favorable exercise of discretion to authorize parole. We review each request on a case-by-case basis. Parole allows for temporary lawful presence in the United States, but it does not confer immigration status or provide a path to lawful immigration status.

2. Many attorneys are retained for the Form I-730 petition, but do not assist with overseas processing. As a practical matter, it is difficult to know when a Form I-730 petition is "approved" and ready to go to overseas processing. I remember the days when we would receive approval notices for Form I-730. Would USCIS consider re-implementing approval notices for Form I-730, or is there some other stage of the case at which we can assume there will be no further Request for Evidence (RFE) on a Form I-730?

RESPONSE:

When USCIS completes initial domestic processing, we issue a notice of transfer or approval to the petitioner. We also notify attorneys of record, who have a Form G-28 on file for the petition, as appropriate. Once the Form I-730 petition has been transferred to the appropriate USCIS field office or Department of State (DOS) embassy or consulate, the

office will notify the beneficiary to schedule their interview and complete additional processing. USCIS domestic and international field offices issue decision notices to the Form I-730 petitioner when they make a decision. We defer to the Department of State on their notification procedures for Form I-730 beneficiaries under their jurisdiction. For additional information on DOS Form I-730 processing, see the [DOS Follow-to-Join Refugees and Asylees webpage](#).

We understand that this is a complex process; to assist, we have updated the Form I-730 webpage, which outlines these steps and provides greater transparency into the process.

3. Is USCIS prioritizing overseas processing of follow-to-join (FTJ) cases based on the oldest cases first, or will USCIS be concentrating its resources on certain countries? Indeed I expect there is some overlap, especially with countries affected by the previous administration’s travel bans.

RESPONSE:

Generally, each USCIS directorate and office sets priorities for specific form types and workloads, given the volume of petitions and applications that USCIS receives. In general, we strive to process and adjudicate Form I-730 petitions as they are received; however, for Form I-730 petitions already in the backlog, we concentrate on completing older Form I-730 petitions first. Currently USCIS is prioritizing processing Form I-730 petitions for Afghan nationals. We defer to the Department of State on their process for expediting.

Regarding Form I-730 processing outside the United States, USCIS international offices work to prioritize actions on long-pending cases in their jurisdiction. Depending on the specific case, the office may be waiting on responses to RFEs, other required third-party action, or location-specific circumstances that are outside the office’s control (for example, COVID-19 related travel restrictions or civil unrest in the country of processing that prevents applicants from traveling to the office for interview).

4. Form I-485-related questions:

a. Does filing Form I-485, Application to Register Permanent Residence or Adjust Status, when a Form I-730 application is pending affect the processing of the Form I-730 application?

RESPONSE:

A Form I-730 and a Form I-485 can be pending concurrently. The filing and adjudication of a Form I-485 does not affect the adjudication of the Form I-730, nor does a pending Form I-730 affect the adjudication of the Form I-485.

b. Can you file Form I-485 while the Form I-730 is still pending for an asylee, or do you recommend waiting for an approval?

RESPONSE:

Yes, you can file a Form I-485 for yourself while Forms I-730 that you have filed for family members are still pending. The order of Form I-730 and Form I-485 adjudication is interchangeable and does not need to occur in any particular sequence.

c. USCIS just processed 1 of my Forms I-485 in the opposite order than described. The Form I-730 is still pending and the Form I-485 has been adjudicated. Whose attention should I bring this to?

RESPONSE:

Due to the operational flow of our work, there are times that a Form I-730 may be adjudicated before the related Form I-485 and times that the Form I-485 may be adjudicated before the related Form I-730. The order of Form I-730 and Form I-485 adjudication is interchangeable and does not need to occur in any particular sequence. There is no need to alert the agency about this order of adjudication.

5. Please address the following questions relating to case transfers for follow-to-join refugee petitions from the Los Angeles Asylum Office to the Asylum Vetting Center in Atlanta:

a. What is the status of the transfer to the new unit?

RESPONSE:

The workload transfer of follow-to-join refugee (FTJ-R) petitions in initial domestic processing from the Los Angeles Asylum Office to the Form I-730 Processing Unit at the Asylum Vetting Center in Atlanta was completed on April 1, 2022. The Asylum Vetting Center is now completing initial domestic processing and review of consular returned cases for all Form I-730 FTJ-R petitions.

b. Are there similar delays as seen with transfers from the International Adjudications Support Branch (IASB)?

RESPONSE:

The workload transfer did not experience any delays and was successfully completed on April 1, 2022.

c. Are case files still being boxed and shipped? Are cases being manually entered?

RESPONSE:

The transfer of Form I-730 follow-to-join refugee petitions in initial domestic processing from the Los Angeles Asylum Office to the Asylum Vetting Center was completed on April 1, 2022. As part of this workload transfer, all but a few Form I-730 petitions were sent from the Los Angeles Asylum Office to the Asylum Vetting Center. Some Form I-730 FTJ-R petitions, less than 1% of the pending workload, remain at the Los Angeles Asylum Office to complete processing based on unique case-specific circumstances. Upon transfer, all Form I-730 petitions have been updated in appropriate systems.

- d. Does receiving a case transfer notice say anything about whether anyone, and if so, who, is actually processing the case?**

RESPONSE:

Transfer notices were sent to follow-to-join refugee petitioners indicating their Form I-730 petition was transferred from the Los Angeles Asylum Office to the Form I-730 Processing Unit at the USCIS Asylum Vetting Center.

- e. Are they prioritizing cases in any way? Is there any way to expedite those cases?**

RESPONSE:

For Form I-730 petitions being processed at the Form I-730 Processing Unit at the Asylum Vetting Center, expedite requests can be made through the [USCIS Contact Center](#). Expedite requests can also be made by postal mail to:

Form I-730 Processing Unit
Asylum Vetting Center
P.O. Box 57100
Atlanta, GA 30308-0506

Please note that the Asylum Vetting Center is not a public-facing office and does not accept requests or inquiries made in person.

The Asylum Vetting Center follows USCIS guidance on evaluating expedite requests, which is found in the [USCIS Policy Manual, Volume 1, Chapter 5, Requests to Expedite Applications or Petitions](#).

Based on the feedback received during the USCIS Form I-730 Refugee/Asylee Follow-to-Join Processing Public Engagement held on July 21, 2022, we are updating the Form I-730 webpage to link to expedite criteria and information.

f. Will processing times for cases in Atlanta be made public?

RESPONSE:

In the future, USCIS plans to expand the information on processing times across the agency beyond the information that is currently on our [Form I-730 processing times](#) website, which presently only displays initial domestic processing times for Forms I-730 filed by asylee petitioners at the Texas Service Center and Nebraska Service Center. We are working to update processing times for each step of Form I-730 processing within USCIS (that is, initial domestic processing and interview and additional processing times for Service Center Operations Directorate; Field Operations Directorate; and RAIO)). Note these anticipated processing times will only include USCIS processing and not case processing by DOS.

g. How many adjudicators are in the new unit?

RESPONSE:

The Asylum Vetting Center has 20 asylum officer positions, including filled and vacant positions. Asylum officers are assigned to a variety of workloads, which may include Form I-730 processing.

h. What training has USCIS provided to officers in the new unit?

RESPONSE:

Staff employed at the Asylum Vetting Center in Atlanta receive standard Form I-730 training as well as training specific to Form I-730 FTJ-R initial domestic processing and review of consular returns.

6. The transfer of Form I-730 petitions to a central office has already occurred. How is the Atlanta office transfer going to improve processing?

RESPONSE:

On April 1, 2022, USCIS transitioned initial domestic processing of the Form I-730 for follow-to-join refugees from the Los Angeles Asylum Office to the Asylum Vetting Center. This transition is now complete. The Form I-730 Processing Unit at the Asylum Vetting Center completes initial domestic processing of Form I-730 petitions filed by refugees and reviews consular returned petitions when necessary. The establishment of the Form I-730 Processing Unit at the Asylum Vetting Center ensures dedicated staff and resources for Form I-730 processing to better serve Form I-730 petitioners and beneficiaries. USCIS continues to provide ongoing training for all staff working on the Form I-730 caseload.

- 7. Can you provide additional details on the status of the transfer of FTJ-R cases to the Asylum Vetting Center in Atlanta? What has this transfer consisted of and what is the status of the transfer? For instance, are all of the physical files in Atlanta and does each case have to be manually uploaded?**

RESPONSE:

The transfer of Form I-730 follow-to-join refugee petitions in initial domestic processing from the Los Angeles Asylum Office to the Asylum Vetting Center was completed on April 1, 2022. Because the Los Angeles Asylum Office continues to work on cases affected by the Doe settlement agreement and other discrete subsets of cases, some petitions (less than 1% of the pending Form I-730 FTJ-R caseload) remain at the Los Angeles Asylum Office. The vast majority of FTJ-R files have been transferred to the Asylum Vetting Center.

- 8. Are there future plans to move all Form I-730 adjudications to the Asylum Vetting Center?**

RESPONSE: In terms of USCIS resources assigned to Form I-730 processing, USCIS is currently completing an internal review of resources allocated to Form I-730 processing and is considering proposals for expanding dedicated support to this workload.

9. Data Requests

- a. Please provide the following data: USCIS processing times and projections for Form I-730 adjudications that account for the entire period of processing broken down by type (that is, refugee or asylee) and nationality.**

RESPONSE:

In the future, USCIS plans to expand the information on processing times across the agency beyond the information that is currently on the [Form I-730 processing times](#) website, which presently only displays initial domestic processing times for the Texas Service Center and Nebraska Service Center. We hope to update processing times for each step of Form I-730 processing within USCIS (that is, initial domestic processing and interview and additional processing times for the Service Center Operations Directorate, Field Operations Directorate, and RAIO). Note that these anticipated processing times will only include USCIS processing and not processing times by DOS.

In terms of projections, USCIS is projected to receive 25,000 Form I-730 petitions annually over the next 5 years, or approximately 126,000 from FY 2024 through FY 2028.

We understand that other data requests were made for this engagement related to nationality and other fields of interest. However, we unfortunately do not have more specific data to share today.

- b. Please provide the following data: The current backlog for Form I-730 petitioners broken down by type (that is, refugee or asylee), nationality, and processing stage at which the case is backlogged (that is, pre-interview, re-interview needed, security checks, etc.).**

RESPONSE:

As of Jan. 26, 2023, there are approximately 22,500 Form I-730 petitions pending initial domestic processing with USCIS and approximately 9,500 Form I-730 petitions pending interview and additional processing with USCIS. Additionally, there are 16,000 Form I-730 petitions pending interview and additional processing with DOS.

We understand that other data requests were made for this engagement related to nationality and other fields of interest. However, we unfortunately do not have more specific data to share today.

- c. What is the breakdown of the FTJ-A and FTJ-R cases pending interview and domestic processing?**

RESPONSE:

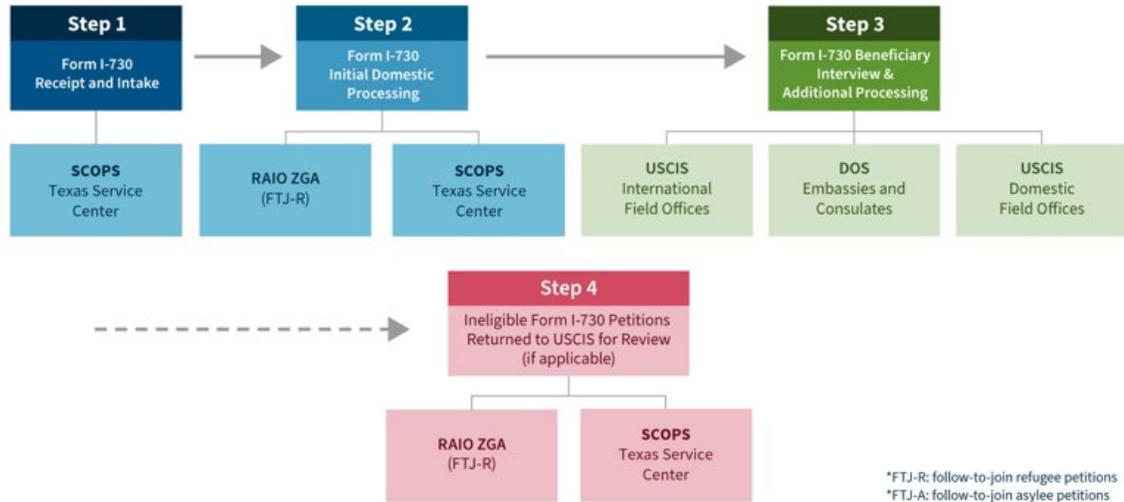
The following statistics were pulled on Jan. 26, 2023, and are current only as of Jan. 26, 2023. Of the approximately 22,500 Form I-730 petitions pending initial domestic processing with USCIS, approximately 5,900 are pending follow-to-join refugee petitions and approximately 16,600 are pending follow-to-join asylee petitions.

Of the approximately 9,500 Form I-730 petitions pending interview and additional processing with USCIS, approximately 1,000 are follow-to-join refugee petitions and approximately 8,500 are follow-to-join asylee petitions.

- 10. Please provide a detailed description of the current form life cycle and adjudication process, including current policy guidance and a list of the agencies or entities responsible for each processing stage.**

RESPONSE:

For information on the current life cycle for Form I-730 petitions, please see below:



*FTJ-R: follow-to-join refugee petitions
 *FTJ-A: follow-to-join asylee petitions
 *Note: As of Jan. 1, 2023, Form I-730 petitions are no longer being sent to the Nebraska Service Center.

Policy updates shared during the Form I-730 stakeholder engagement in July 2022:

USCIS is reviewing and implementing policy changes to more efficiently process cases and address the unique and vulnerable populations in this caseload.

Informal (Camp) Marriage:

- In recognition of the circumstances and family dynamics of refugee and asylee populations, we revised guidance on how RAI0 handles informal or “camp marriages.” [The revised guidance](#) recognizes certain informal marriages for the purpose of obtaining derivative refugee or asylee status – including cases previously denied solely on the basis of an informal marriage.

Requesting Form I-590 for Follow-to-Join Refugee Beneficiaries:

- At the start of his administration, President Biden issued Executive Order (EO) 14013, *Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration*. This executive order revoked several immigration-related executive orders issued by the prior administration and directed the departments of Homeland Security and State to examine actions that were taken under those revoked orders and recommend whether they should be maintained, reversed, or modified. In accordance with this directive, USCIS reviewed related Form I-730 practices established in 2018 and decided to maintain actions implemented for Form I-730 processing, including efforts to align follow-to-join refugee and refugee processing. This means that, until we revise the Form I-730 to include all the necessary information from petitioners and beneficiaries, USCIS will continue to request the Form I-590 for follow-to-join refugee beneficiaries during the

initial domestic processing stage. As of January 2023, we are making the described revisions to the Form I-730.

Form I-730 Petitioner Interviews:

- In accordance with EO 14013 and also EO 14012, Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans, on Dec. 10, 2021, USCIS rescinded the November 2020 Policy Memorandum 602-0180 that imposed a general requirement for petitioners filing Form I-730 petitions to appear for an in-person interview. USCIS has now returned to its previous policy of interviewing Form I-730 petitioners on a case-by-case basis only.
- Finally, USCIS is working to develop a Form I-730 section in our Policy Manual which will be public-facing and will contain detailed information on case processing and policies. There is no current timeline for when this will be published, although we are actively developing it.

11. Please provide a description of USCIS’ plan to adjudicate Form I-730 cases over the remainder of FY 2022, including scheduled or projected circuit rides and plans to reduce certain pre- or post-interview backlogs.

RESPONSE:

A primary workload at USCIS international offices is processing Form I-730, and those offices are actively interviewing and adjudicating pending cases. Unfortunately, the COVID-19 pandemic affected the offices’ ability to interview and complete cases over the past 2 years, and the offices are working to reduce any backlogs that have developed. Where feasible, we are assigning additional staff to assist. For example, refugee officers have assisted the Nairobi Field Office with Form I-730 processing during refugee processing trips in East Africa, and refugee officers have been detailed directly to the USCIS international offices in Nairobi, Guatemala City, and San Salvador. Generally, we try to process and adjudicate Form I-730 petitions as they are received. However, for Form I-730 petitions already in the backlog, USCIS concentrates on completing older Form I-730 petitions first. USCIS is also exploring the feasibility of establishing new field offices in certain locations outside the United States, where practical, to support key USCIS workloads, including Form I-730 processing. We will provide further updates to the public as this longer-term effort progresses.

12. Expedited Review

a. Is USCIS prioritizing cases in any way and is there any way to expedite them?

RESPONSE:

For Form I-730 petitions that do not fall under broader agency expedite criteria, such as individuals from Afghanistan, USCIS works to prioritize actions on longer-

pending Form I-730 petitions first. Based on the feedback received during the USCIS Form I-730 Refugee/Asylee Follow-to-Join Processing Public Engagement held on July 21, 2022, we are working to better communicate expedite procedures for all Form I-730 types.

- b. The USCIS customer service number will not take expedite requests or inquiries for pending Form I-730 petitions since April 1. They say they cannot see the case in their system, and we have to contact the local asylum office. This is incorrect. Please update and correct the scripts and access for I-730 cases.**

RESPONSE:

Based on stakeholder feedback from the Form I-730 Refugee/Asylee Follow-to-Join Processing Stakeholder Engagement on July 21, 2022, we are updating USCIS Contact Center scripts to provide clearer instruction on which USCIS office to contact for Form I-730 processing.

- c. What is the procedure to request expedited review of Form I-730 petitions? In March 2022, when we called USCIS for expedited review, the USCIS representative stated that she could not access the petitioner's Form I-730 file and urged us to contact an asylum office in New Jersey where the petitioner got his asylum approval. When we contacted an asylum office, they stated that we need to contact USCIS as they do not have jurisdiction. Could you please explain what is the procedure? I want to add the following statement to my question: The petitioner is eligible for expedited review of his Form I-730 under USCIS' policy.**

RESPONSE:

For details on submitting Form I-730 expedite requests, please refer to the Form I-730 receipt notice or transfer notice you have received indicating the USCIS office that your Form I-730 petition has been transferred to for processing. To make a request for expedited processing of a Form I-730 petition, follow the steps for the USCIS component indicated below:

Form I-730 Processing Unit at the Asylum Vetting Center (ZGA):

For Form I-730 petitions that are currently pending with the Form I-730 Processing Unit at the Asylum Vetting Center, make expedite requests through the [USCIS Contact Center](#) or by mail to:

Form I-730 Processing Unit
Asylum Vetting Center
401 W Peachtree St NW, Ste 1000

Atlanta, GA 30308.

USCIS Service Center Operations Directorate:

For Form I-730 petitions that are currently pending with either the Nebraska Service Center or the Texas Service Center, make expedite requests through the [USCIS Contact Center](#).

USCIS International Office:

For Form I-730 petitions that are currently pending with a USCIS international office, make expedite requests to the USCIS Field Office Director of that office. Find contact information for USCIS international offices at the [USCIS International Immigration Offices](#) webpage.

USCIS Domestic Field Office (USCIS Field Operations Directorate):

For Form I-730 petitions with a beneficiary located within the United States and currently pending with a USCIS domestic field office, make expedite requests through the [USCIS Contact Center](#) or by mail. Please refer to the mailing address for the USCIS field office where we have transferred the Form I-730 petition.

Note: This information is for Form I-730 expedite requests for pending Form I-730 petitions that are being processed by USCIS offices. If your Form I-730 petition has been transferred to the DOS, please contact the [National Visa Center](#) and the appropriate U.S. embassy or consulate. Find contact information for U.S. embassies and consulates at the [DOS U.S. Embassy Locator](#) webpage.

d. What can be done to speed up the process at the consulate?

RESPONSE:

For Form I-730 petitions that are at a DOS embassy or consulate, the petitioner or beneficiary should contact the U.S. embassy or consulate directly for any expedite requests. Find contact information for U.S. embassies and consulates at the [DOS U.S. Embassy Locator](#) webpage.

e. Has USCIS resolved the situation to allow expedite requests to be made via the 1-800 number? On previous calls to USCIS we were told that we must ask the asylum office, but of course the asylum office has no jurisdiction over Forms I-730.

RESPONSE:

Based on stakeholder feedback from the Form I-730 Refugee/Asylee Follow-to-Join Processing Public Engagement on July 21, 2022, USCIS is working to update

USCIS Contact Center scripts to provide clearer instruction on which USCIS office to contact for Form I-730 processing.

13. The [Form I-730 webpage](#) still directs follow-to-join refugees to submit Form I-590 for vetting under Feb. 1, 2018, USCIS and Department of State procedures. It is our understanding that this enhanced vetting was revoked under President Biden's Executive Order on Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration (EO 14013). Why are these instructions still on the website?

RESPONSE:

At the start of his administration, President Biden issued EO 14013, *Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration*. This executive order revoked several immigration-related executive orders issued by the prior administration and directed the departments of Homeland Security and State to examine actions that were taken under those revoked orders and recommend whether they should be maintained, reversed, or modified. In accordance with this directive, USCIS reviewed related Form I-730 practices established in 2018 and decided to maintain actions implemented for Form I-730 processing, including efforts to align follow-to-join refugee and refugee processing.

This means that until the Form I-730 is revised to include all the necessary information from petitioners and beneficiaries, USCIS will continue to request the Form I-590 for follow-to-join refugee beneficiaries during the initial domestic processing stage. Currently, the Form I-730 is undergoing the described revisions.

14. Requests for Evidence

- a. Practitioners are continuing to receive RFEs for refugee beneficiaries that do not state the legal basis for the requested evidence. What training or templates citing the law are officers being given to ensure that RFEs are requesting legally required information?**

RESPONSE:

We appreciate stakeholders bringing this issue to our attention. We will take this opportunity to review our RFE templates to ensure that they are requesting required information. RAIO uses a standardized RFE form to notify petitioners and representatives, if present, when additional information is needed for USCIS to decide on their Form I-730 petition. This form explains what evidence is needed, why it is needed, and when it is needed by. USCIS was directed under Executive Order 14013 to review practices implemented under the last administration to align follow-to-join refugee processing with Form I-590 refugee processing. As a result, until the Form I-730 is revised, USCIS will continue requesting necessary

biographic information during initial domestic processing, often through an RFE. For more information about Form I-730 processing and instructions on how to submit the requisite information with the Form I-730 petition, please refer to the [Form I-730 webpage](#).

- b. Our network of practitioners has been frustrated with the failure of USCIS to timely adjudicate and process refugee family reunification arrivals on the Form I-730 program. This appears to be caused by the transfer to the IASB and Los Angeles office, including baseless RFEs, sent in mass after long administrative delays after transfer. The RFEs from these offices no longer state the legal deficiency of the document and frequently request documentation that is not legally required. For example: Requesting a UN High Commissioner for Refugees ID for a Form I-730 beneficiary (not required or mentioned in the instructions), without explaining what statutory requirement of the application it was needed to support.**

RESPONSE:

In some cases, USCIS may request “additional evidence” beyond what is required in form instructions, where the initial evidence submitted does not establish eligibility. This can occur in cases where there are inconsistencies in the record as well as for other reasons. USCIS continually reviews its Request for Evidence (RFE) templates and strives to communicate clearly with petitioners about any outstanding evidentiary requirements. We will continue these quality control efforts to identify any anomalous or unclear RFE templates. We welcome specific examples of unclear RFEs for review. Please email any related examples to public.engagement@uscis.dhs.gov. In the subject line, please indicate “Follow Up to July 2022 Form I-730 National Engagement.” We will request that our offices route these examples to the appropriate USCIS component headquarters for review. Please note that submitting examples of unclear RFEs to USCIS **does not** constitute compliance with the RFE. You must still comply with the instructions in the RFE and submit your response to the designated USCIS office within the timeframe provided.

- c. On what legal basis are you continuing to require the additional information? It's not in the statute nor the instructions.**

RESPONSE:

USCIS uses a standardized RFE form to notify petitioners and representatives, if present, when we need additional information to adjudicate their Form I-730 petition. This form explains what evidence we need, why we need it, and when we need it by. Under EO 14013, USCIS was directed to review practices implemented under the last administration to align follow-to-join refugee processing with Form

I-590 refugee processing. As a result, until the Form I-730 is revised, USCIS will continue requesting necessary biographic information during initial domestic processing, often through an RFE. For more information about Form I-730 processing and instructions on how to submit the requested information with the Form I-730 petition, please refer to the [Form I-730 webpage](#).

d. Please describe current USCIS policy on issuance of RFEs and interview requirements for Form I-730 cases.

RESPONSE:

We may issue RFEs at several points during the adjudication process if needed – this could be after initial review of supporting documentation submitted with the petition, or following an interview if we need more information to complete the adjudication. RAIO uses a standardized RFE form to notify petitioners and representatives, if present, when we need additional information to adjudicate their Form I-730 petition. This form explains what evidence we need, why we need it, and when we need it by. For more information about Form I-730 processing and instructions on how to submit the requested information with the Form I-730 petition, please refer to the [Form I-730 webpage](#).

e. Can you clarify the process for flagging problematic RFEs to headquarters? The International Refugee Assistance Project is concerned with the process outlined during the engagement and believes there should be a designated person at headquarters tasked with reviewing bad RFEs.

RESPONSE:

Based on questions received during the Form I-730 Refugee/Asylee Follow-to-Join Processing Public Engagement on July 21, 2022, we recognize stakeholders need more information and clarity on Form I-730 RFEs. Since the engagement in July, we have been reviewing current Form I-730 RFE templates to ensure the legal basis for the RFE is clearly indicated, and we will update templates accordingly. It is our aim that by ensuring RFE template language clearly indicates the legal basis for the request, this may resolve the need for a process specific to unclear Form I-730 RFEs. As detailed in the response to question 14.b. above, please email any examples of unclear RFEs to public.engagement@uscis.dhs.gov with the subject line, “Follow Up to July 2022 Form I-730 National Engagement.” We will continue to provide additional updates on Form I-730 RFEs at upcoming Form I-730 stakeholder engagements, and we look forward to continued dialogue on this issue. Please note that submitting examples of unclear RFEs to USCIS **does not** constitute compliance with the RFE. You must still comply with the instructions in the RFE and submit your response to the designated USCIS office within the time frame provided. Examples submitted by the public will inform USCIS’ review of

templates, but Form I-730 petitioners must continue to address all items that are identified or requested in a Form I-730 RFE.

15. How can we amend or correct information on Form I-730? For example, the beneficiary is outside the United States, but on page 1, part 2 in the beneficiary physical address, instead of writing the address outside the United States, a U.S. address was used "c/o or in care of." What is the best way to correct or amend this without causing delays on the case?

RESPONSE:

It is important to notify USCIS or DOS if the contact information for the petitioner, representative, or beneficiary changes. To update your address, submit Form AR-11 or submit your [Change of Address online](#) and if applicable, contact the international field office, embassy or consulate processing your case abroad. If a Form I-730 petitioner has changes to a pending Form I-730 petition, they should contact the USCIS or DOS office processing the Form I-730 petition.

16. Processing Times

a. Form I-730 petitions are taking a long time to be processed, typically past processing times.

RESPONSE:

We have revised the [Form I-730 webpage](#) to include processing steps for initial domestic processing and beneficiary interview and additional processing to provide more transparency into the process and to better explain where cases are. We also plan to include more information on processing times across the agency than what is currently on the [Form I-730 processing times webpage](#), which presently only displays initial domestic processing times for the Texas Service Center and Nebraska Service Center. USCIS acknowledges the effects of recent events on Form I-730 processing – the closure of our International Operations Division and most of our international offices, a global pandemic, and limited staffing – all of which have affected processing times for Form I-730 petitions. We are reviewing and implementing policy changes to more efficiently process cases and address the unique and vulnerable populations in this caseload.

b. We have submitted case inquiries on certain cases which are past processing times and have not received a response.

RESPONSE:

USCIS is working to provide more specific information on the [Form I-730 processing times webpage](#) that includes details on the different stages of processing with different USCIS components. We hope to have more updates in

the near future. We encourage petitioners to sign up for a [Case Status Online](#) account to track the status of their filing and get automatic updates.

- c. I have many Form I-730 petitions that are more than a year beyond normal processing times. USCIS has not adjudicated petitions that I filed near the start of COVID.**

RESPONSE:

USCIS recognizes the effects that the global pandemic, the closure of our International Operations Division and most of our international offices, and prior policies have had on the processing of Form I-730 petitions. We are working hard to make concerted changes to the issues that have affected Form I-730 processing with the aim of increasing efficiency, accuracy, transparency, and integrity within the Form I-730 program.

Given the volume of petitions and applications USCIS receives each directorate and office sets priorities for specific form types and workloads. In general, USCIS strives to process and adjudicate Form I-730 petitions as they are received; however, for Form I-730 petitions already in the backlog, USCIS concentrates on completing older Form I-730 petitions first.

- d. Is the 11.5-month processing time currently on the USCIS website accurate for asylee petitions filed in Nebraska?**

RESPONSE:

Processing times are provided as a reference point for how long USCIS has taken to complete most cases. Because many factors affect the processing time – and to better manage our limited resources by allowing staff to focus on adjudicating cases rather than responding to inquiries – we allow inquiries only for cases that are taking longer than the time USCIS took to complete 93% of adjudications. Those cases are deemed to be outside normal processing times.

- e. What is the processing time at the National Benefits Center (NBC) in Lee’s Summit, Missouri?**

RESPONSE:

Form I-730s are not adjudicated or pre-processed by the National Benefits Center (NBC) in Lee’s Summit, Missouri. Form I-730s may have transited through the NBC but are routed onward (such as to a domestic field office).

17. Are 'V92' cases at DOS the same as Form I-730 cases at USCIS?

RESPONSE:

"V92" or "Visa 92" is a term that DOS uses to refer to follow-to-join asylee or FTJ-A petitions. "V93" or "Visa 93" is a term that DOS uses to refer to follow-to-join refugee or FTJ-R petitions.

18. If one asylum petitioner files multiple Form I-730 petitions for beneficiaries, some who are in the United States and some who are outside the United States, are there differences in the processing steps? I noticed on a recent case that applications for my beneficiaries outside the United States were also sent to a USCIS field office, along with the U.S.-based beneficiary applications, and only after that were sent to the Texas Service Center.

RESPONSE:

For a beneficiary located inside the United States, the Service Center will forward the Form I-730 petitions to the field office with jurisdiction over that beneficiary. If the beneficiary is located outside the United States, the Service Center will forward the petition to the DOS National Visa Center, which will then send it to an overseas USCIS office or a U.S. embassy or consulate.

19. Is there any way to get an approval for a Form I-730 petition due to never receiving the original without having to file Form I-824?

RESPONSE:

For cases that were administratively closed per the Tsamcho agreement: **If the beneficiary can attend an interview at a U.S. embassy or consulate within 6 months**, you must contact USCIS by calling the USCIS Contact Center's toll-free number at 800-375-5283 or 800-767-1833 (TDD for the hearing impaired). You must tell the customer service representative that you are calling under the Tsamcho settlement agreement. You will also need to provide updated contact information for both yourself and the beneficiary, the Form I-730 petition receipt number, and the beneficiary's and petitioner's A-Numbers. There is no fee to reaffirm and proceed with the processing of your Form I-730 petition.

20. Is there a process for beneficiaries located in a country without a DOS presence (for example, Afghanistan)?

RESPONSE:

USCIS is working closely with DOS to identify how to process Form I-730 petitions in locations outside the United States where there is not a U.S. government presence. In situations where the Form I-730 beneficiary has departed a country without U.S.

government presence, we ask that Form I-730 petitioners and beneficiaries provide updated information on the beneficiary's location so either USCIS or DOS can process them in a third country. USCIS has revised the Form I-730 webpage with information on contacting USCIS or DOS if the beneficiary's address has changed. To update your or your spouse's or child's address in the United States, submit a [Form AR-11 online](#). If the beneficiary is located outside of the United States, you should also contact the [NVC](#) and the U.S. embassy or consulate or USCIS international field office processing the case. Find contact information for USCIS international field offices at the [International Immigration Offices webpage](#). Find contact information for the U.S. embassy or consulate at the [DOS US Embassy webpage](#), which includes details on whether the U.S. embassy or consulate is open for interviews and additional processing.

21. Should I visit a field office if I received a notice to change my address for my case?

RESPONSE:

If there is an issue or you need assistance changing a domestic address online using the Form AR-11, petitioners and beneficiaries can contact the [USCIS Contact Center](#).

22. How can an attorney check to see if an approved Form I-730 petition has actually reached DOS NVC?

RESPONSE:

Once your Form I-730 petition has been transferred to the NVC, the petitioner and any representative with a Form G-28 on file will receive notification of the transfer. If the petitioner, beneficiary, or representative has not been notified further after receiving the transfer notice, we recommend contacting the NVC at nvcresearch@state.gov to check on the status of the petition.

23. What happens if the petitioner becomes a U.S. citizen while the Form I-730 process is still pending? Is the beneficiary still eligible to follow-to-join?

RESPONSE:

An individual who is already a naturalized citizen is not eligible to file Form I-730. However, USCIS may continue to process Form I-730 petitions that were filed by a petitioner before they became a naturalized U.S. citizen.

U.S. citizens and lawful permanent residents may also file a Form I-130 on behalf of an eligible relative.

24. What is considered acceptable evidence to have the waiver for the 2-year requirement approved?

RESPONSE:

The 2-year limitation may be waived by USCIS for humanitarian reasons. Please include an explanation, as well as any evidence or documents in support of the humanitarian reasons for the delay in filing with your Form I-730 petition. USCIS will consider all information when deciding on waiving the 2-year limitation.

25. For informal marriage policy, can you provide any information on considerations for LGBTQ couples, where the type of evidence USCIS looks for is very unlikely to be available due to dangerous country conditions?

RESPONSE:

USCIS Informal Marriage Guidance, issued by RAIO, provides a non-exhaustive list of possible indications of a marriage (linked above). There may be circumstances where the applicant's testimony on its own is sufficient to establish the spousal relationship by a preponderance of the evidence in order to demonstrate eligibility for derivative refugee or asylum benefits.

26. Since the refugee ceiling has been increased, is there any direction by DHS or USCIS to prioritize FTJ-R adjudication to meet this ceiling?

RESPONSE:

In general, USCIS strives to process and adjudicate Form I-730 petitions as they are received; however, for Form I-730 petitions already in the backlog, USCIS concentrates on completing older Form I-730 petitions first. While FTJ-R admissions count toward the refugee ceiling, USCIS is currently completing an internal review of resources allocated to Form I-730 processing and considering proposals for increasing resources dedicated to the workload. To immediately address follow-to-join refugee backlogs, USCIS continues to deploy targeted refugee processing circuit ride teams to complete Form I-730 follow-to-join refugee beneficiary interviews and assist with post-interview processing.

27. Regarding the updated Form I-730 in progress:

- a. Are you planning to incorporate the beneficiary biodata questions on Form I-590 into the Form I-730 itself so that requesting the I-590 at initial filing will no longer be necessary?**

RESPONSE:

USCIS is planning to incorporate all required data points and questions into Form I-730 so it will not be necessary to request a Form I-590 for Form I-730 follow-to-join refugee beneficiaries.

b. Do you have an estimated date when the new Form I-730 will be available?

RESPONSE:

The revision project is still underway. There are many steps to complete before the revised form will be ready for public use, to include completing 2 rounds of public comment on the draft changes and completing systems updates for intaking and processing the revised form changes. At this point, USCIS expects the new version of the Form I-730 will be available in 2024.

c. We would appreciate an opportunity to offer input on the updated Form I-730. Please let us know if that would be possible.

RESPONSE:

USCIS is still working on this package. A 60-day notice will be published in the Federal Register, approximately in April 2023, allowing the public to provide comments and offer input on the proposed changes to Form I-730.

28. What technological improvements is the agency considering to increase efficiency in processing?

RESPONSE:

USCIS is reviewing the different case management and other systems used across the agency to identify how best to use technology to streamline Form I-730 processing and align it with the USCIS director's priority initiatives on processing times.

29. Will the agency consider measures to standardize the process and training that embassy and consular officials undertake for the overseas portion of processing?

RESPONSE:

USCIS works closely with our DOS counterparts who process Form I-730 petitions outside the United States and has provided training and resources as needed.