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USCIS Reverts to Previous Criteria for Interviewing Petitioners Requesting Derivative Refugee and Asylee Status for Family Members

Release Date : 12/10/2021

USCIS is rescinding a November 2020 policy memorandum requiring interviews of all petitioners filing [Form I-730, Refugee/Asylee Relative Petition](#). Effective immediately, USCIS will return to its prior long-standing practice of making case-by-case determinations on whether to interview Form I-730 petitioners.

The policy memorandum, which directed the phased expansion of in-person interviews for Form I-730 petitioners, imposed significant burdens on refugee and asylee populations. This is inconsistent with Executive Orders 14012, [Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans](#), and 14013, [Rebuilding and Enhancing Programs To Resettle Refugees and Planning for the Impact of Climate Change on Migration](#).

The rescinded policy also decreased adjudicative efficiency by requiring petitioner interviews in addition to the routine beneficiary interviews in cases without any identified deficiencies in the petition or supporting documentation. USCIS can perform robust fraud and security screenings and maintain strong program integrity without this blanket interview policy. In addition, USCIS reserves its authority to interview any petitioner where USCIS determines there is a need to do so.

An individual admitted to the United States as a principal refugee or granted asylum as a principal asylee may file a Form I-730 petition on behalf of a spouse or child. Eligible spouses or unmarried children may receive derivative refugee or asylee status as Form I-730 beneficiaries. They do not have to qualify independently as principal asylees or refugees, but they must meet the requirements for the relationship to the petitioner and must qualify under all other applicable eligibility criteria, including those related to criminal and security grounds.

Last Reviewed/Updated: 12/10/2021