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THE TAHIRIH JUSTICE CENTER RESPONDS TO SHOCKING DATA IN USCIS REPORT ON CHILD MARRIAGE

On January 11, the United States Citizenship and Immigration Services (USCIS) published a new report titled “How the U.S. Immigration System Encourages Child Marriages”. The report highlights inadequate policies and procedures that fail to protect vulnerable girls and allow child marriage to continue in the U.S. The Tahirih Justice Center, a national leader in the movement to end child marriage in the United States, is deeply concerned by the data in the report and the number of approvals of visa petitions involving child brides.

Tahirih is particularly alarmed by the number of U.S. minors who apparently successfully petitioned for foreign spouses despite a law already in place (INA Section 213(A)(f)(1)(B)) that should prevent these marriages. Tahirih is seeking more clarity on the data and how these cases are allowed to occur.

Further, the report reveals that the number of U.S. citizen adults who petitioned for minor foreign spouses and fiancé(e)s is almost double that of U.S. citizen minor petitioners. Many of these adult U.S. citizens were in their 40s and 50s, and in one case a 68 year-old U.S. citizen successfully petitioned for a 16 year-old foreign spouse. In another, a 71 year-old U.S. citizen petitioned for a 17 year-old foreign spouse.

“Given that girls were the younger party in 95 percent of the petitions approved by USCIS, what this report truly underscores is how current immigration laws actually facilitate predatory behavior by U.S. citizens,” said Casey Carter Swegman, manager of Tahirih’s Forced Marriage Initiative. “Citizens are marrying vulnerable underage girls that they can then easily isolate and control. Current state laws that permit children under age 18 to be married further enable that exploitation,” said Swegman.

The U.S. has its own longstanding, “home-grown” child marriage problem with over 200,000 minors legally married in the U.S. between 2000 and 2015. Many of the former child brides turned advocates who have led the charge for legal change in the U.S. are multi-generational Americans.

“If this report comes as a shock to the American conscience, so much the better – hopefully, it will be a wake-up call to get the public and policymakers to change U.S. state laws on minimum marriage age that are contributing to girls’ vulnerabilities” said Swegman.

To that end, as chair of the national Forced Marriage Working Group, Tahirih has been conferring with other specialized agencies working with immigrant survivors of abuse and those that have particular expertise with forced and child marriages to arrive at the best way to address these problems. In fact, in June of 2018, Tahirih provided extensive comments to USCIS in order to better detect and prevent forced and child marriage.

Tahirih is still looking for clarity on some of the muddled and conflated data points in the report, and urges USCIS to provide a better understanding of the problem. Tahirih is deeply invested in finding the right solutions hand in hand with legislative champions who want to make careful, well-considered changes that will better protect vulnerable girls from abuse and exploitation.

Tahirih Justice Center is a national non-profit that protects courageous immigrant women and girls who refuse to be victims of violence through free legal and social services, public policy advocacy, and training and education. Through our specialized Forced Marriage Initiative (FMI), Tahirih is leading efforts at the state and federal levels to tackle forced marriage as a domestic problem impacting women and girls in the United States. Visit www.tahirih.org or www.preventforcedmarriage.org for more information.