



## Records Preservation & Access Coalition

### BRIEFING PAPER FOR THE BIDEN-HARRIS PRESIDENTIAL TRANSITION



#### TRANSFER OF HISTORICAL US IMMIGRATION & NATURALIZATION RECORDS FROM USCIS TO THE NATIONAL ARCHIVES

##### Biden-Harris Platform

Recommitment to the Open Government Directive to meet the records management needs of Federal Agencies and the Public.

##### Relevant Programs

Agency: National Archives and Records Administration (NARA)

Program: Office of the Chief Operating Officer

Agency: US Citizenship and Immigration Services (USCIS)

Program: Immigration Records and Identity Services Directorate

#### Recommendation- Budget Proposal

\$10 million to the National Archives to facilitate scheduling, accessioning, ingesting, processing, and providing access to all USCIS historical records (other than A-files) and associated indices. A plan for this process must be presented by Q4 FY21, and the transfer process completed by 2024.

*The Records Preservation and Access Coalition (RPAC) advises the genealogical and historical communities, as well as other interested parties, on ensuring proper access to public records and on public policy related to strong records preservation practices. RPAC is sponsored by the National Genealogical Society and the International Association of Jewish Genealogical Societies and is supported by American Society of Genealogists, Association of Professional Genealogists, Ancestry.com, Board for Certification of Genealogists, and International Commission for the Accreditation of Professional Genealogists.*

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## TRANSFER OF HISTORICAL US IMMIGRATION & NATURALIZATION RECORDS FROM USCIS

### Background in Brief

USCIS and its predecessor, Immigration and Naturalization Service, have long failed to manage the nation's historical immigration and naturalization records. USCIS historical records management problems include failure to reschedule significant historical records as permanent and/or transfer such records to NARA, failure to maintain accurate records of holdings and locations, failure to create/maintain adequate indices to historical files and records, failure to train staff to service historical records, and failure to satisfy FOIA requests for records in USCIS custody. As a result, irreplaceable records precious to the nation and individual family history remain beyond reach.

There is no operational need for USCIS to maintain its historical records.<sup>1</sup> USCIS must be unburdened of its historical records so it can focus on its mission of providing benefits and services to living immigrants. The agency's overwhelming operational need for such records is to respond to historical FOIA and Genealogy Program requests for which it charges unreasonable fees. Any historical records could be obtained from NARA.

It should be noted that in 2020, USCIS promulgated new rules which increased application fees for many essential immigration services by 200% or more and eliminated most waivers for low-income applicants. The Records Preservation and Access Coalition wrote a statement to USCIS protesting these fee increases which was signed-on by more than 146 genealogical organizations representing over 330,000 members located in twenty-eight states and Washington, DC. We continue to strongly object to these unconscionable fee increases. The fee for a Genealogy Index Search (G-1041) filed online has increased from \$65 to \$160—a 246% increase and the fee for a Genealogy Records Request (G-1041A) filed online has increased from \$65 to \$255—a 392% increase. Paper filings of each form are \$10 more than the online applications.

This is a salvage operation to save the records of America's 19th and 20th Century immigration history. The National Archives and USCIS must cooperate to facilitate the transfer of custody of USCIS' historical records and indices to ensure their preservation and availability to both a nation of immigrants and their descendants.

<sup>1</sup> Any record needed could be obtained/recovered from NARA.