Marriage-based immigration is undergoing significant changes with increased scrutiny and enforcement. Spouses of U.S. citizens now face more rigorous interview processes, heightened background checks, and expanded vetting that extends even when a marriage petition is pending.

This shift reflects a broader move toward treating these applicants more like the general enforcement population, resulting in more detailed questioning, demands for extensive documentation, and a tougher overall approach in evaluating eligibility and credibility.

What is changing in practice

USCIS and the Department of Homeland Security have long vetted marriage cases for fraud, identity issues, and inadmissibility. What has changed is the breadth and intensity of review, and the fact that marriage based applicants are now being treated more like the general enforcement population rather than a historically more insulated category.

Advocates and attorneys report several overlapping developments:

More aggressive green card interview posture

Applicants at adjustment of status interviews are facing expanded questioning and requests for documentation. Practitioners

are advising clients to prepare for detailed questions about:

- when and how the relationship began
- timelines around entry to the United States and any prior status issues
- prior immigration filings or encounters with immigration enforcement
- documentary proof of a shared life, beyond what would have satisfied an officer in prior years

Immigration attorney Eric Welsh, who represents clients in California, has said clients should expect questions about when and how they applied for a green card, and be prepared to provide broader evidence tied to eligibility and credibility.

Increased emphasis on background, identity, and “good moral character” themes

In marriage based cases, “good moral character” is technically most prominent in naturalization, and in certain discretionary contexts. But attorneys are reporting that officers are asking more questions and seeking more evidence that touches character and conduct even earlier in the process. That can include arrest history, prior misrepresentations, tax compliance, and other items that can become determinative when an application is adjudicated under a more enforcement driven lens.

More interviews, and more intrusive vetting for some applicants

A recent memo has been described as encouraging officers to conduct more interviews. It also encouraged officers to consider whether an applicant returned to the home country for consular processing when reviewing the case. That kind of instruction can affect strategy choices.

For couples where the noncitizen spouse entered without inspection, overstayed, or otherwise fell out of status, the decision between consular processing and adjustment of status has always been legally and factually complex. Now, additional scrutiny and a tougher discretionary posture can increase risk for applicants who stay in the United States to pursue adjustment, particularly when there are prior status violations, entries without inspection, or past immigration filings that require careful reconciliation.

A broader enforcement net, including people with pending family petitions

The scope of who is a target for deportation has widened. USCIS has also emphasized in public messaging that a marriage petition does not create immunity. USCIS spokesman Zach Kahler summarized the agency's position in terms of safety and compliance, stating that verifying identities and personal histories requires a rigorous process that prioritizes safety by thoroughly screening and vetting all noncitizens.

USCIS has also made a point that:

- Marrying a U.S. citizen and starting the petition process does not protect someone from deportation.
- A pending or approved Form I-130, Petition for Alien Relative, does not confer immigration status.
- Individuals who entered without inspection or overstayed are considered removable and subject to enforcement action.

This is not new law, but it is being applied in a more visible, consequential way for families.

Why this is a significant departure for U.S. citizen spouses

Spouses of U.S. citizens have a special place under U.S. immigration law.

- They are not subject to immigrant visa quotas or caps as "immediate relatives."
- They can often adjust status even after overstaying or falling out of status, if otherwise eligible and admissible.
- Historically, they have been treated as a more protected class in day to day enforcement priorities, even though fraud and inadmissibility screening always existed.

Sharvari Dalal-Dheini, senior director of government relations at the American Immigration Lawyers Association, has described this group as traditionally not included in broader enforcement efforts in the same way, even while being vetted.

Advocates describe the current environment differently. Ashley DeAzevedo, executive director of American Families United, has said life has become more difficult for Americans married to non U.S. born individuals, and that there has been a chilling effect that discourages families from moving forward because of fear of detention or separation.

American Families United reports significant growth in membership over the last year, attributed to rapid policy changes. The organization reports roughly 1.4 million people in the United States seeking support and around 300,000 outside the country, including people who left the United States and those seeking to enter.

They also report that some members chose to self deport or leave the country because of fear of indefinite detention, and that some spouses have been detained in circumstances that were less common under earlier detention prioritization approaches.

The scale of marriage based immigration, and why delays ripple

Family and fiancé petitions make up close to half of green card approvals. DHS data for 2024 indicates about 343,000 people received green cards through spouses, roughly 25 percent of all green card approvals. Over the last decade, the spouse based number has generally ranged from about 200,000 to 340,000 annually. Including other immediate relatives like parents and children roughly doubles the overall immediate relative impact.

Processing times have not dramatically shifted on paper in all categories, at least not uniformly. Reported averages include:

- About 13 months for certain family member petitions
- About 7 months for fiancé petitions

Those timelines appear similar to early 2025 in many places. But averages can obscure the lived impacts when policy changes create holds, slowdowns, or uncertainty for specific nationalities or processing posts.

In the first quarter of FY2026, USCIS approved 167,401 immediate relative petitions and 8,612 fiancé petitions. Approval volumes fluctuate across administrations, and the raw count does not necessarily reveal how many cases are stuck in additional review, subject to more interviews, or delayed at the consular stage.

Practical implications for marriage based cases

For law firm casework, the environment increases the importance of front end screening and careful strategy selection. Common pressure points include:

- prior unlawful entry or entry without inspection
- overstays, terminated student or work status, or long periods without valid status

- prior immigration filings with inconsistencies across addresses, dates, or marital history
- arrests, citations, or undisclosed criminal matters, including expunged records that still require analysis
- travel history and time spent abroad that can affect continuous residence for naturalization or raise additional vetting questions
- consular processing risks, including administrative processing and country specific holds

This is also occurring alongside broader policy signals, including reported requests for financial institutions to review bank accounts of people without permanent status in the United States. While not a marriage specific change, it contributes to the overall compliance focused climate that families experience when deciding whether to file, travel, or appear for interviews.

Bottom line

Marriage based immigration remains a central, lawful pathway. The volume of spouse based green cards remains substantial, and immediate relatives still occupy a privileged category in the statute in terms of quota treatment. But the current policy environment increases scrutiny, expands interview and vetting demands, and makes it clearer that marriage does not shield a removable person from enforcement.

For families, the result is often delays, more intrusive questioning, and higher perceived risk in cases involving prior status

issues or consular processing obstacles. For legal strategy, it raises the stakes on thorough intake, document consistency, and anticipating discretionary concerns early, before the case reaches an interview or a consular post.