



Fulfilling a mother's dying wish: Mexican American woman determined to bring family over legally

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It was her mother's dying wish.

After immigrating from Mexico and becoming a United States citizen, Elena Navarro's dream was to bring her family to the U.S. for a better life.

Navarro filed the formal petition in the mid-1990s to bring her adult children to Los Angeles from Mexico.

But during the process, Navarro, 78, died in 2008.

Now her daughter, Gabriela Reyes, has taken up her mother's torch to bring her brothers, Victor Manuel, 66, and Hector Jaime Navarro, 55, to the U.S. — just what her mother had wanted.

"This is very important to me," said Reyes, a 61-year-old Covina resident, through a translator. "The fact that my mother passed away, I have to try my best to bring my brothers over."

But the family-based green card process for Mexican Americans could be long, confusing and daunting. It's also expensive.

What Reyes is trying to do is even more complex since it attempts to transfer her mother's original petition to Reyes as a substitute sponsor.

Still, being able to reunite with her brothers would be worth it.

"This is what my mother would have wanted," she said. "This is what my mother would have wanted," she said.

As the border crossing and illegal immigration debate heat up along the Mexico-U.S. border, little mainstream news attention is paid to the other crisis for many immigrant citizens trying to reunite with their loved ones legally.

In recent years, the visa backlog for the family-sponsored immigration category has ballooned due to former President Donald Trump's policies to end what he called chain migration. The coronavirus pandemic that shut down U.S. embassies and consulate offices around the world also compounded the situation.

Last year, Trump signed a proclamation suspending new green cards and placed restrictions on other immigration categories right before he left office. President Joe Biden had since tried to reverse many of those policies upon taking office earlier this year.

Still, Trump's actions, along with the pandemic, added what could be years to an already long and tedious process for those foreign family members of U.S. citizens attempting to become U.S. lawful permanent residents.

"The problem with the last administration is they hamstrung USCIS (the United States Citizenship and Immigration Services) and had to close consulates because of the pandemic," said Vanessa Bartsch, Reyes' immigration attorney in Westminster. "We saw a record number of people quitting or retiring and little to no replacements.

"When you have the mass exodus that happened in the State Department, they just never replaced those workers so that left embassies and consulates short-staffed or closed," she said.

As of May 31, the most recent data, more than half a million visa applicants worldwide are ready for the interview process for a green card to join their relatives in the U.S.

A U.S. Department spokesman said in a statement to Spectrum News that presidential proclamations restricting travel along with "the COVID-19 pandemic has resulted in profound reductions in the Department's visa processing capacity."

"U.S. embassies and consulates are working to resume routine visa services on a location-by-location basis as expeditiously as possible in a safe manner, following a suspension due to COVID-19," the statement said. "However, the pandemic continues to severely impact the number of visas our embassies and consulates abroad are able to process. We are making significant efforts with constrained resources to safely return to pre-pandemic workload levels but are unable to provide a specific date for when this will happen at each post."

In the U.S., American citizens and long-time permanent residents or green card holders over the age of 21 can petition immediate family members who are foreign citizens abroad to join them in the U.S.

Family-based immigration has been an essential part of the legal migration system, experts say, adding that new immigrants are vital to the social-economic success of the country.

While there are no caps to bring a U.S. citizen petitioner's immediate relatives such as a spouse, minor children, or parents, the U.S. limits the number of family-sponsored visas for a petitioner's siblings or adult married or unmarried children up to 480,000 a year worldwide.

Across all categories, the U.S. grants 675,000 family and employment-based visas each year.

In the State Department's report in November 2020, there is a waitlist of more than 3.7 million applicants in the family-sponsored category.

As of 2019, the average wait time to apply for a chance at a green card is five years and eight months, more than double what it was in the early 1990s, public policy research organization the Cato Institute reported.

But family members that live in countries that have the highest demand or what immigration officials call "oversubscribed," such as China, India, the Philippines, and Mexico, face the longest wait times.

If a Mexican American, for example, files a petition to bring over a sibling that lives in Mexico, the process to get an interview for a green card could take more than 20 years, the CATO Institute said. The Philippines has the most extended wait times to reunite siblings, which is about 23 years for a chance to apply for a green card.

Currently, the State Department is processing applications for siblings from Mexico that were filed in September 1998.

Once approved, it would allow the sibling to move to the U.S., but it takes another three to five years before the green card holder could become a U.S. citizen.

In Reyes' situation, her mother, Elena, died before the process could have been completed. Elena would have needed to have lived another ten years before her sons' priority date for a chance at a green card to come up.

If the original petitioner dies during the long process, it starts all over again, Bartsch, Reyes' attorney, said.

There are exceptions. Normally, once the petitioner dies, the petition gets automatically terminated.

Bartsch said she is working on transferring Reyes' mother's original petition to Reyes as a substitute sponsor for humanitarian reasons.

Reyes, who has a slew of health issues, just wants to reunite with her brothers.

The family, she said, has been separated for more than 30 years.

"They don't really know my children and grandchildren," she said, adding that she has only seen her brothers once in the past 30 years.

She said the immigration process, backlog, and long waits are among the reasons people from Mexico and other countries illegally cross the border. The financial cost is also significant.

"The problem is that it does take too long, and there's a financial cost," she said. "It's not easy to get an attorney and get it done the right way. It's expensive."

Still, if she can get this done, she believes it will be worth it in the long run.

"It's all about reuniting with my family," Reyes said. "Once they get here, I'd like to take them to Disneyland, but it doesn't really matter where we go, as long as they are here and we spend quality time together."

"This is what my mother wanted," she added. "I'm trying to fulfill my mom's dying wish."