

March 7, 2024

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By ESEC at 12:02 pm, Mar 08, 2024

The Honorable Alejandro Mayorkas
Secretary
US Department of Homeland Security
Washington, DC 20528

Dear Secretary Mayorkas,

The 27 undersigned anti-trafficking organizations write today to request that the Department of Homeland Security quickly finalize the final [T Visa rule](#) on the administration's regulatory agenda. Extensive [comments](#) on the Interim Final Rule were provided by advocates during the public comment period, which ended September 14, 2021. We strongly urge the administration to prioritize publishing the T Visa Final Rule to ensure survivors throughout the United States are able to access its crucial protections.

The T Visa offers trafficking survivors protection from removal so they can access victim services, work safely in legal jobs, and engage in US judicial processes. Congress's intent in creating the visa, and subsequently amending the statute, is to provide survivors with time and support to recover safely. Reducing barriers to accessing these benefits should be a top priority for this administration.

The Interim Final Rule contains important changes that will improve access to the T Visa, including removing the filing deadline for applicants whose trafficking occurred prior to Oct 28, 2000, clarifying exceptional circumstances for delayed adjustment of status filings, expanding the definition of Law Enforcement Agency to include State and local agencies, including the "any credible evidence" standard, and referencing confidentiality standards for human trafficking survivors. These clarifications would address many of the issues that impede access to the T Visa and should be finalized as soon as possible. In the Final Rule, we also hope to see the widely recommended inclusion of provisions that will provide for Bona Fide determinations soon after filing, so that survivors will be able to access safe work and public benefits that create stability and prevent further victimization.

It is crucial that the administration prioritize advancing just immigration regulations in the last year of this term. Harmful immigration policies of all types exacerbate and create vulnerabilities to human trafficking. We urge the administration not to waste time pursuing harmful regulations and instead address the remaining regulatory priorities that will help reduce barriers to lifesaving immigration benefits.

Sincerely,

National Organizations:

ASISTA Immigration Assistance

Esperanza United

Freedom Network USA

Futures Without Violence

HEAL Trafficking

Humanity United

National Immigrant Justice Center

National Survivor Network

NIWAP, Inc.

Polaris

Tahirih Justice Center

The Human Trafficking Legal Center

U.S. Committee for Refugees and Immigrants (USCRI)

State-based and Local Organizations:

Advocating Opportunity

Coalition to Abolish Slavery and Trafficking

Florida Legal Services, Inc.

Her Justice

International Institute of Minnesota

Justice At Last, Inc.

JusticeMatters, Inc.

Law Office of Alicia R. Kinsman PLLC

Legal Aid Society of Metropolitan Family Services

Mosaic Family Services

Rocky Mountain Immigrant Advocacy Network

Safe Horizon

Swan Counseling Services

Volunteer Lawyers for Justice

Cc: Neera Tanden, Director, Domestic Policy Council



**U.S. Citizenship
and Immigration
Services**

March 19, 2024

ASISTA Immigration Assistance
P.O. Box 12
Suffield, CT 06078

Dear ASISTA Immigration Assistance:

Thank you for your March 7, 2024 letter to the Department of Homeland Security (DHS). I am responding on behalf of the Department.

On December 19, 2016, DHS published an interim final rule amending its regulations governing the requirements and procedures for victims of a severe form of trafficking in persons seeking T nonimmigrant status. The 2016 interim final rule amended the regulations to conform with legislation enacted after the publication of the initial regulations and to codify discretionary changes based on DHS's experience implementing the T nonimmigrant status program since it was established in 2002. In July 2021, DHS reopened the public comment period for the interim final rule for 30 days, and subsequently extended the deadline for comments for an additional 30 days. DHS is currently working towards finalizing the T Final Rule as soon as possible, as reflected in the Fall 2023 Unified Agenda.

Thank you again for your letter and interest in this important issue. Please share this response with the other organizations that cosigned your letter. Should you require any additional assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Ur M. Jaddou". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ur M. Jaddou
Director