



Annual Report on Immigration Applications and Petitions Made by Victims of Abuse – Fiscal Year 2019

Report to Congress

February 14, 2020



**Homeland
Security**

*U.S. Citizenship and Immigration
Services*



**Homeland
Security**

Message from the Assistant Secretary

February 14, 2020

I am pleased to submit the “Annual Report on Immigration Applications and Petitions Made by Victims of Abuse – FY 2019,” prepared by U.S. Citizenship and Immigration Services.

Pursuant to congressional requirements, this report is being provided to the following Members of Congress:

The Honorable Jerrold Nadler
Chairman, House Committee on the Judiciary

The Honorable Doug Collins
Ranking Member, House Committee on the Judiciary

The Honorable Lindsey Graham
Chairman, Senate Committee on the Judiciary

The Honorable Dianne Feinstein
Ranking Member, Senate Committee on the Judiciary

Please do not hesitate to contact us at (202) 447-5890 if we may be of further assistance.

Respectfully,

A handwritten signature in blue ink that reads "Christine M. Ciccone".

CHRISTINE M. CICCONE
Assistant Secretary for Legislative Affairs

Executive Summary

This report fulfills the requirement set forth in section 802 of the Violence Against Women Reauthorization Act of 2013, Pub. L. 113-4, 127 Stat. 54. The statutory requirement is for the Secretary of Homeland Security to report annually on various statistics relating to aliens who applied or petitioned for nonimmigrant status under paragraphs (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. § 1101(a)) during the preceding fiscal year (FY). It also provides statistics relating to the number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. § 7105(c)(3)) as amended by the *Trafficking Victims Protection Reauthorization Act of 2003*, during the fiscal year 2019 (Oct. 1, 2019 – Sept. 30, 2019).



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I. Legislative Language

This report fulfills the requirement set forth in section 802 of the *Violence Against Women Reauthorization Act of 2013*, Pub. L. 113-4, 127 Stat. 54. The statutory requirement is as follows:

SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2014, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who--

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i)¹, or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

¹ Statistics provided below are for both principal victim applicants, petitioners and self-petitioners and their derivative family members.

II. Data Report

The following tables show various statistics relating to aliens who applied for T nonimmigrant status, petitioned for U nonimmigrant status, or meet the definition of “VAWA self-petitioner”) under paragraphs (15)(T)(i), (15)(U)(i), or (51) of section 101(a) respectively of the *Immigration and Nationality Act* (8 U.S.C. § 1101(a)). In addition, statistics of aliens granted Continued Presence under section 107(c)(3) of the *Trafficking Victims Protection Act of 2000* (22 U.S.C § 7105(c)(3)), as amended by the *Trafficking Victims Protection Reauthorization Act of 2003* are presented. These tables present information on applications and petitions adjudicated in FY 2019.

T Nonimmigrant

T nonimmigrant status (commonly referred to as the T visa) provides immigration status to eligible trafficking victims for up to four years. To qualify for T nonimmigrant status, an applicant must demonstrate to USCIS that he or she: (1) is or has been a victim of a severe form of trafficking in persons; (2) is physically present in or at a port of entry to the United States (including the Commonwealth of the Northern Mariana Islands or American Samoa) on account of such trafficking, including physical presence on account of the victim having been allowed entry into the United States to participate in investigative or judicial processes associated with an act or a perpetrator of trafficking; (3) has complied with any reasonable request for assistance in the investigation or prosecution of acts of trafficking (or the investigation of crime where acts of trafficking are at least one central reason for the commission of that crime), is less than 18 years old, or is unable to cooperate due to physical or psychological trauma; and (4) would suffer extreme hardship involving unusual and severe harm upon removal from the United States.

A principal T visa applicant may apply for derivative T nonimmigrant status for qualifying family members.² By statute, no more than 5,000 principal T visas may be granted in any fiscal year.³ Derivative family members are not subject to the annual cap. The T visa cap has not been reached since the implementation of the T visa program.

T Nonimmigrant Applications Received, Approved, and Denied

Table 1, below, shows the number of principal and derivative T visa applications received by USCIS in FY 2019. Table 1 also shows the number of principal and derivative T visa applications USCIS approved or denied in FY 2019. Please note that most of the T visa applications approved or denied in FY 2019 were received in previous fiscal years. As such, the

² If the principal T applicant is under 21 years of age at the time of application, his or her spouse, parent(s), unmarried child(ren) under 21 years of age or unmarried sibling under the age of 18 are eligible for T derivative status. If the principal T applicant is 21 years of age or older at the time of application, his or her spouse or unmarried child(ren) under 21 years of age are eligible for T derivative status. If a relative faces a present danger of retaliation as a result of the principal T applicant’s escape from the severe form of trafficking in persons or cooperation with law enforcement, the following family members are eligible for derivative T nonimmigrant status regardless of the principal applicant’s age: Parent(s); unmarried sibling(s) under 18 years of age; or adult or minor child(ren).

³ See INA 214(o)(2); 8 U.S.C. §1184(o)(2)

approval and denial of applications shown in Table 1 below does not represent an adjudicative action or trend for those applications received in FY 2019.

Table 1: Applications for T Nonimmigrant Status (Forms I-914 and I-914A) Adjudicated in Fiscal Year 2019

	Number of Applications Received in Fiscal Year 2019	Number of Applications Approved	Number of Applications Denied
T Nonimmigrant Principal (T-1)	1,242	500	365
T Nonimmigrant Derivatives (T-2, T-3, T-4, T-5, T-6)	1,011	491	216

Source: USCIS Data as of October 2019.

T Nonimmigrant Application Processing Times

Table 2, below, shows the mean and the median processing time (in months) for T visa applications that were adjudicated in FY 2019. From receipt to adjudication, a principal T visa application was adjudicated in an average of 17.9 months, and a derivative T visa application was adjudicated in an average of 17.6 months. As noted above, the majority of T visa applications adjudicated in FY 2019 were submitted in prior fiscal years. The processing times are calculated using the date of receipt by USCIS and the date of the final decision (i.e., approval or denial).

Table 2: Mean and Median Time from Receipt of Application for T Nonimmigrant Status (Forms I-914 and I-914A) until Adjudication in Fiscal Year 2019⁴

	Mean Time from Receipt of Application until Adjudication (Months)	Median Time from Receipt of Application until Adjudication (Months)
T Nonimmigrant Principal	17.9	16.6
T Nonimmigrant Derivative	17.6	16.6

Source: USCIS. Data as of October 2019.

⁴ “Mean time from receipt of application until adjudication” and “median time from receipt of application until adjudication” are calculated using the date of receipt and “Action Date In,” which is the most recent adjudicative action. Included in this time could be processing delays, such as when a Request for Evidence (RFE) is issued to request missing, initial, or additional evidence from applicants.

T Nonimmigrant Processing Times for Employment Authorization Documents (EADs)

Table 3, below, shows the mean and the median processing time (in months) for the issuance of Form I-765, Application for Employment Authorization, to T visa applicants adjudicated in FY 2019. Principal T nonimmigrants are employment authorized upon approval of their application for T nonimmigrant status. Therefore, principal T visa applicants are not required to submit a Form I-765 to receive an EAD; principal T visa applicants may check a box on the Form I-914 requesting an EAD upon approval of their T nonimmigrant status application. However, USCIS does not track principal T visa applicant requests for authorization to work submitted directly on Form I-914 separately from requests submitted on Form I-765. The mean and median processing time for EAD issuance for an approved principal T visa holder can generally be assumed to be the same as the mean and median processing time of the adjudication of the T visa application.

Derivative family members are also authorized to work if their application is approved. However, unlike principal T visa applicants, derivative T visa applicants are required to submit a Form I-765 to receive an EAD. The data below represents those derivative T visa applicants who were approved for T nonimmigrant status, submitted an application for employment authorization, and were approved for an EAD. Please note: T visa derivative applicants may submit their Form I-765 concurrently with the Form I-914A, or at a later time. On average, a derivative T visa applicant who submitted a Form I-765 for employment authorization in FY 2019 was pending for about 26.3 months.

Table 3: Mean and Median Time from Receipt of T Visa Application until EAD Issuance in Fiscal Year 2019⁵

	Mean Time from Receipt of T Visa Application until EAD Issuance (Months)	Median Time from Receipt of T Visa Application until EAD Issuance (Months)
T Nonimmigrant Principal	17.9	16.6
T Nonimmigrant Derivative	26.3	24.3

Source: USCIS. Data as of October 2019.

U Nonimmigrant Status

U nonimmigrant status provides an immigration benefit to certain victims of qualifying crimes who assist law enforcement in the detection, investigation, or prosecution of those crimes. A petitioner may qualify for U nonimmigrant status by establishing to USCIS that he or she: (1) has suffered substantial physical or mental abuse as a result of having been a victim of a qualifying criminal activity; (2) possesses information concerning the criminal activity; (3) has been helpful, is being helpful, or is likely to be helpful to law enforcement or other officials in the

⁵ “Mean time from receipt of T Visa application until EAD issuance” and “median time from receipt of T Visa application until EAD issuance” are calculated using the date of receipt of the T application and the approval date of the EAD. Included in this time could be processing delays, such as when a Request for Evidence (RFE) is issued to request missing, initial, or additional evidence from applicants.

investigation or prosecution of the qualifying criminal activity; and (4) the qualifying criminal activity occurred in the United States (including Indian country, military installations, possessions and territories), or violated a U.S. federal law that provides for extraterritorial jurisdiction to prosecute the offense in a U.S. federal court. Derivative U nonimmigrant status is available to certain family members of principal U nonimmigrants. A principal U petitioner may petition for derivative U nonimmigrant status for qualifying family members: spouse, child, parent of a principal U petitioner who is under 21 years of age at the time of filing the petition, or unmarried sibling under the age of 18 of a principal U petitioner who is under 21 years of age at the time of filing the petition. By statute, no more than 10,000 individuals may be issued principal U visas or provided principal U nonimmigrant status in any fiscal year. By regulation, USCIS places petitioners who have established eligibility for U nonimmigrant status and would have been granted a visa but for the numerical cap, on a U visa principal petitioner, on a waiting list. While on the U visa waiting list, principal petitioners and derivative family members petitioned for by a principal residing in the United States receive deferred action and are eligible for work authorization. Derivative family members are not subject to the annual cap.

U Nonimmigrant Petitions Received, Approved, and Denied

Table 4, below, shows the number of U visa principal and derivative petitions received by USCIS in FY 2019. Please note that most of the petitions approved or denied in FY 2019 were received by USCIS in prior fiscal years. As such, the approval and denial of petitions shown in Table 4 below does not necessarily represent an adjudicative action for those petitions received in FY 2019 by USCIS.

Table 4: Petitions for U Nonimmigrant Status (Forms I-918 and I-918A) Adjudicated in Fiscal Year 2019

	Number of Petitions Received in Fiscal Year 2019	Number of Petitions Approved in Fiscal Year 2019	Number of Petitions Denied in Fiscal Year 2019
U Nonimmigrant Principal	28,364	10,010	2,733
U Nonimmigrant Derivative	18,861	7,846	2,397

Source: USCIS. Data as of October 2019.

U Nonimmigrant Petition Processing Times

Table 5, below, shows the mean and the median processing time (in months) for U visa petitions that were adjudicated in FY 2019. As noted earlier, receipts from eligible petitioners continue to far exceed the statutory cap of 10,000 visas; petitions that are approvable, but for the cap, are placed on the U visa waiting list until a visa becomes available, at which point they are reviewed and adjudicated.⁶ Because of the U visa waiting list process, the data on the mean and median processing time for these two distinct phases are the following: (1) for petitions placed on the U

⁶ See INA 214(p)(2); 8 U.S.C. §1184(p)(2).

visa waiting list in FY 2019, the mean and median processing time from receipt of petitions to waiting list placement; and (2) for petitions that were previously placed on the U visa waiting list in FY 2019, the mean and median processing time from waiting list placement until final adjudication in FY 2019. All U visa petitions placed on the U visa waiting list and all U visa petitions adjudicated to completion in FY 2019 were received in prior fiscal years and do not necessarily represent an adjudicative action for those petitions received by USCIS in FY 2019.

On average, a principal petition for U nonimmigrant status that was placed on the waiting list by USCIS in FY 2019 was pending for approximately 47.5 months before being placed on the U visa waiting list; for those principal petitions adjudicated in FY 2019, petitions spent approximately 10.5 months on the waiting list before a final adjudicative action was taken. The processing times are slightly different for derivative petitions. Not all U visa principal petitioners submit a petition for a qualifying family member at the same time as their principal petition. U visa principal petitioners may submit a petition for a qualifying family member through Form I-918A any time prior to the adjudication of their principal petition. Because not all U visa derivative petitions are submitted concurrently with the principal petition, the processing times will necessarily be different. On average, a derivative whose principal was placed on the U visa waiting list in FY 2019 was pending for about 46.5 months before being placed on the waiting list. Those derivatives whose petitions were adjudicated in FY 2019 were placed on the U visa waiting list for about 11.6 months before a final decision was issued.

Table 5: Mean and Median Time from Receipt of U Nonimmigrant Status (Forms I-918 and I-918A) until Waiting List Adjudication and Final Adjudication in Fiscal Year 2019⁷

	Mean Time from Receipt of Petition until Waiting List Adjudication (Months)	Median Time from Receipt of Petition until Waiting List Adjudication (Months)	Mean Time from Waiting List Adjudication until Final Adjudication (Months)	Median Time from Waiting List Adjudication until Final Adjudication (Months)
U Nonimmigrant Principal	47.5	48.7	10.5	8.2
U Nonimmigrant Derivative	46.5	48.6	11.6	8.6

Source: USCIS. Data as of October 2019.

U Nonimmigrant Processing Times for Employment Authorization Documents

Table 6, below, shows the mean and median processing time for issuance of EADs to U visa principal and derivative family members in FY 2019. As noted earlier, principal U visa petitioners and derivative family members residing in the United States receive deferred action and are eligible for work authorization once placed on the waiting list by USCIS.

⁷ “Mean time from receipt of Petition until Waiting List Adjudication”, “Median Time from Receipt of Petition until Waiting List Adjudication”, “Mean Time from Waiting List Adjudication until Final Adjudication”, and “Median Time from Waiting List Adjudication until Final Adjudication” are calculated using the date of receipt and “Action Date In,” which is the most recent adjudicative action. Included in this time could be processing delays, such as when a Request for Evidence (RFE) is issued to request missing, initial, or additional evidence from applicants.

Principal U nonimmigrants are employment authorized incident to their U nonimmigrant status. Therefore, principal U visa petitioners in the United States are automatically issued an EAD upon approval of their U nonimmigrant status petition and are not required to submit an application for employment authorization to receive an EAD. Derivative petitioners in the United States are also employment authorized incident to status, but must submit an application for employment authorization to receive an EAD. Principal and derivative U nonimmigrant status petitioners outside the United States must submit an application for employment authorization upon admission to the United States to receive an EAD.

The employment authorization data presented in Table 6 represents only those U visa nonimmigrant status petitioners who separately applied for an employment authorization document and were also granted U nonimmigrant status in FY 2019. Not all U visa petitioners placed on the waiting list for U nonimmigrant status apply for employment authorization; further, while many U nonimmigrant status petitioners submit an application for employment authorization at the same time as their petition for U nonimmigrant status, they may submit an employment authorization application later. Because not all applications for employment authorization and U visa petitions are submitted concurrently, the processing times will necessarily be different. In all cases, however, USCIS does not approve an application for employment authorization prior to placement on the U visa wait listing or approval of the U visa nonimmigrant status petition. These data represent those U visa petitioners who were granted U nonimmigrant status, and who also submitted an application for employment authorization and who were approved for an EAD.

On average, for U nonimmigrant status petitioners approved in FY 2019 who also submitted an application for employment authorization, USCIS took approximately 48.3 months from receipt of the application for an employment authorization document until issuance of the EAD. Note this is approximately the same amount of time petitioners spent on the waiting list until final adjudication (approval). For derivative petitioners granted U nonimmigrant status in FY 2019 who also submitted an application for an employment authorization document, USCIS took approximately 50.8 months from receipt of the application for an employment authorization document until issuance of the EAD, on average.

Table 6: Mean and Median Time from Receipt of U Visa Application until EAD Issuance in Fiscal Year 2019⁸

	Mean Time from Receipt of U Visa Petition until EAD Issuance (Months)	Median Time from Receipt of U Visa Petition until EAD Issuance (Months)
U Nonimmigrant Principal	48.3	50.4
U Nonimmigrant Derivative	50.8	52.2

⁸ “Mean time from receipt of U Visa petition until EAD issuance” and “median time from receipt of U Visa petition until EAD issuance” are calculated using the date of receipt of the U petition and the approval date of the EAD. Included in this time could be processing delays, such as when a Request for Evidence (RFE) is issued to request missing, initial, or additional evidence from applicants.

Source: USCIS. Data as of October 2019.

VAWA

The Violence Against Women Act (VAWA) provisions in the INA allow certain spouses, children, and parents of abusive U.S. citizens and certain spouses and children of abusive Lawful Permanent Residents (LPRs) to petition for immigration benefits without the abuser’s participation or knowledge (self-petition). Self-petitioners must establish that they: (1) have or had a qualifying relationship with the abuser; (2) are eligible for immigrant classification as an immediate relative or certain family sponsored preference categories during the qualifying relationship; (3) resided with the abuser during the qualifying relationship; (4) have been subject to battery or extreme cruelty during the qualifying relationship; (5) is a person of good moral character; and (6) entered into the qualifying relationship in good faith (for self-petitioning spouses only).

VAWA Self-Petitions

Table 7, below, shows the number of VAWA self-petitions received by USCIS in FY 2019. In addition, Table 7 shows the number of VAWA self-petitions USCIS approved or denied in FY 2019. Please note that most of the self-petitions approved or denied in FY 2019 were generally received by USCIS in prior fiscal years. As such, the approval and denial of self-petitions shown in Table 7 below does not necessarily represent petitions received by USCIS in FY 2019.

Table 7: VAWA Self-Petitions (VAWA Form I-360) Received and Adjudicated in Fiscal Year 2019

	Number of Petitions Received in Fiscal Year 2019	Number of Petitions Approved	Number of Petitions Denied
VAWA Self-Petitioning Spouse	11,838	6,476	1,849
VAWA Self-Petitioning Child	525	161	245
VAWA Self-Petitioning Parent	1,581	94	293

Source: USCIS. Data as of October 2019.

VAWA Self-Petition Processing Times

Table 8, below, shows the mean and the median processing time (in months) for VAWA self-petitions (VAWA Form I-360) that were adjudicated in FY 2019. On average, a VAWA self-petition filed by an abused spouse adjudicated by USCIS in FY 2019 was pending for about 20.2 months, a VAWA self-petition filed by an abused child adjudicated by USCIS in FY 2019 was pending for about 17.6 months, and a VAWA self-petition filed by an abused parent adjudicated by USCIS in FY 2019 was pending for about 15.8 months. The processing times are calculated using the date of receipt by USCIS and the date of the adjudication (i.e., approval or denial). Not all self-petitions adjudicated in FY 2019 were received in FY 2019; as such, VAWA self-

petitions adjudicated in FY 2019 does not necessarily represent petitions received by USCIS in FY 2019.

Table 8: Mean and Median Time from Receipt of VAWA Self-Petition (VAWA Form I-360) until Adjudication in Fiscal Year 2019⁹

	Mean Time from Receipt of Self-Petition until Adjudication (Months)	Median Time from Receipt of Self-Petition until Adjudication (Months)
VAWA Self-Petitioning Spouse	20.2	19.4
VAWA Self-Petitioning Child	17.6	18.4
VAWA Self-Petitioning Parent	15.8	17.4

Source: USCIS. Data as of October 2019.

Processing Times From Receipt of the VAWA Self-Petition to Issuance of Employment Authorization

VAWA self-petitioners and derivative beneficiaries are eligible for employment authorization after USCIS approves their Form I-360. Principal VAWA self-petitioners are not required to submit a Form I-765, Application for Employment Authorization, to request an EAD. Instead, they may check a box on the Form I-360 to request employment authorization upon approval of their self-petition. Derivative beneficiaries and principal VAWA self-petitioners who did not check the box on Form I-360, however, must file Form I-765 to request employment authorization and obtain an EAD.

USCIS does not track requests for employment authorization submitted on Form I-360. As such, the mean and median amount of time between receipt of the self-petition and issuance of an EAD for approved VAWA self-petition petitioners can be assumed to be similar to the mean and median processing time for adjudication of the VAWA I-360 petition. Table 9, below, shows the mean and the median processing time (in months) for VAWA self-petitions adjudicated in FY 2019. Note that the table below does not include the processing times for EADs requested by: derivative beneficiaries; principal VAWA self-petitioners who did not check the employment authorization box on Form I-360; or any VAWA self-petitioner or derivative beneficiary who requests employment authorization on a separate basis, such as employment authorization issued on the basis of deferred action.

⁹ “Mean time from receipt of self-petition until adjudication” and “median time from receipt of self-petition until adjudication” is calculated using the date of receipt and “Action Date In,” which is the most recent adjudicative action. Included in this time could be processing delays, such as when a Request for Evidence (RFE) is issued to request missing, initial, or additional evidence from applicants.

Table 9: Mean and Median Time from Receipt of the VAWA Self-Petition to Issuance of Employment Authorization in Fiscal Year 2019¹⁰

	Mean Time from Receipt of Self-Petition until EAD Issuance (Months)	Median Time from Receipt of Self-Petition until EAD Issuance (Months)
VAWA Self-Petitioning Spouse	20.2	19.4
VAWA Self-Petitioning Child	17.6	18.4
VAWA Self-Petitioning Parent	15.8	17.4

Source: USCIS. Data as of October 2019.

Continued Presence Statistics

Continued Presence (CP) allows alleged victims of a severe form of trafficking in persons who may be potential witnesses to such trafficking to remain in the United States for two years and renewed in increments of up to two years, to facilitate the investigation or prosecution of the trafficker. U.S. Immigration and Customs Enforcement (ICE) has the authority to grant CP. CP is a discretionary law enforcement tool utilized on a case-by-case basis as warranted and appropriate. CP may be requested by any law enforcement agency (LEA). However, requests by state and local LEAs must be sponsored by a federal LEA. If a federal law enforcement official has filed an application with the Homeland Security Investigations Law Enforcement Parole Unit stating that the alien is a victim of a severe form of trafficking and may be a potential witness to such trafficking and the alien has filed a civil action under 18 U.S.C. § 1595, the alien shall be permitted to remain in the United States until the civil litigation is concluded.

Aliens Granted Continued Presence¹¹ Fiscal Year 2019		
Number of Applications Granted Continued Presence	Number of Applications Granted Continued Presence Extension	Total Number of Approved Applications for Continued Presence
125	48	173

¹⁰ “Mean time from receipt of self-petition until EAD issuance” and “median time from receipt of self-petition until EAD issuance” are calculated using the date of receipt of the self-petition and the approval date of the EAD. Included in this time could be processing delays, such as when a Request for Evidence (RFE) is issued to request missing, initial, or additional evidence from applicants.

¹¹ The data in this table reflects the statistics for Continued Presence from October 1, 2018 to September 30, 2019 were provided by ICE.

III. USCIS Actions to Reduce Adjudication and Processing Times

The following information responds to section 802 of the Violence Against Women Reauthorization Act of 2013, Pub. L. 113-4, 127 Stat. 54. requesting:

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

T, U, and VAWA Self-Petitioners

- In 2000, USCIS established the VAWA Unit, subsequently renamed the Humanitarian Unit, at the Vermont Service Center (VSC) to ensure the safe, competent, and consistent adjudication of applications for T nonimmigrant status, petitions for U nonimmigrant status, and VAWA self-petitions.
- USCIS continues to train officers in the adjudication of applications for T nonimmigrant status, petitions for U nonimmigrant status, and VAWA self-petitions. This unique training ensures officers understand the dynamics associated with domestic violence, crime victimization, and human trafficking.
- As U visa filings far exceeded the 10,000 statutory visa cap again in FY 2019, USCIS continues its U visa workshare program between the VSC Humanitarian Division and the Nebraska Service Center (NSC). This workshare began in September 2016.
- The VSC and NSC continue to assign applicant service work to officers within the unit, resulting in consistent inquiry response times. USCIS is currently answering written inquiries within 14 business days and phone inquiries within 72 hours.
- The number of applications for adjustment of status to lawful permanent resident filed by T and U nonimmigrants also continue to increase.
- USCIS Service Center Operations (SCOPS), the VSC and NSC are in constant contact to assure consistency in the application of USCIS policy and immigration law in the adjudication of the U nonimmigrant petitions.
- USCIS maintained its general processing times for VAWA self-petitions and T nonimmigrant status applications. In FY 2019, USCIS continued to utilize the waiting list process for U nonimmigrant petitioners who would have had their petitions approved, but for the statutory limit of 10,000 approvals per fiscal year.

Continued Presence

- All Continued Presence (CP) applications are managed by the ICE Parole and Law Enforcement Programs Unit (PLEPU). ICE has exclusive authority to approve or deny CP applications.
- PLEPU handles all cases for CP in an expeditious manner.
- PLEPU continues its frequent consultation and continuous operational and policy-related dialogue with USCIS' VSC management. Approved requests for Form I-94 Arrival/Departure Records and employment authorization documents (EADs) are sent directly to the VSC, which produces and sends the documents to the requesting agency law enforcement officer who made the request, who then provides the documents to the alien. USCIS will produce and send an EAD upon receipt of the request by ICE, with the EAD generally being issued within 30 days.
- As a result of this process, CP applications are generally approved with an EAD issued within 30-60 days from the date of application.
- In FY 2017, PLEPU updated the Continued Presence Directive and Protocol for Requesting and Sponsoring Law Enforcement Agencies. The updated policies extend the initial grant of CP from one year to two years and extension grants from one year to up to two years. This change improves processing times of CP applications by reducing the frequency of extension requests.