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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CENTRO LEGAL DE LA RAZA;
IMMIGRANT LEGAL RESOURCE
CENTER; TAHIRIH JUSTICE CENTER;
REFUGE AND IMMIGRANT CENTER FOR
EDUCATION AND LEGAL SERVICES,

Plaintiffs,

vs.

EXECUTIVE OFFICE FOR IMMIGRATION
REVIEW; JAMES MCHENRY, Director,
Executive Office for Immigration Review;
UNITED STATES DEPARTMENT OF
JUSTICE; MONTY WILKINSON, Acting
United States Attorney General,

Defendants.

Case No. 3:21-cv-00463-CRB

**BRIEF OF ORGANIZATIONS
ADVOCATING FOR THE RIGHTS OF
SURVIVORS OF DOMESTIC
VIOLENCE AND HUMAN
TRAFFICKING AS *AMICI CURIAE* IN
SUPPORT OF PLAINTIFFS' MOTION
FOR A PRELIMINARY INJUNCTION
AS TO THE ADMINISTRATIVE
CLOSURE RULE**

TABLE OF CONTENTS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	Page
INTEREST OF <i>AMICI CURIAE</i>	1
SUMMARY OF POSITION OF <i>AMICI CURIAE</i>	5
ARGUMENT	7
I. THE TRUNCATED RULEMAKING PROCESS ALLOWED INADEQUATE TIME FOR COMMENTS THAT WERE UNLAWFULLY IGNORED IN THE FINAL RULE	7
A. Truncating the Period for Comment in Half—During a Pandemic—Is Unreasonable, as it Deprived <i>Amici</i> a Meaningful Opportunity to Provide Comments	8
B. The Administrative Closure Rule’s Failure to Respond to Comments Identifying Contravention to Statutory Law is Arbitrary and Capricious and Otherwise Not in Accordance With Law	13
1. Congress Passed Legislation to Provide Noncitizen Survivors with Pathways to Legal Status and Gave USCIS Exclusive Jurisdiction to Adjudicate Such Applications.....	14
2. Immigration Courts Must Be Able to Administratively Close Appropriate Cases to Allow USCIS Adequate Time to Process Applications	18
II. NONCITIZEN SURVIVORS AND COMMUNITIES WILL SUFFER IMMEDIATE AND IRREPARABLE INJURY	20
A. The Administrative Closure Rule’s Impact on Noncitizen Survivors Contravenes Congress’s Intent in Passing Relief Statutes.....	20
B. The Final Rule’s Impact on Communities and Law Enforcement Contravenes Congress’s Intent in Passing Relief Statutes.....	22
III. THE FINAL RULE’S RELIANCE ON CONTINUANCES AND MOTIONS TO DISMISS ARE INADEQUATE SUBSTITUTES FOR ADMINISTRATIVE CLOSURE	24
IV. THERE IS NO EFFICIENCY JUSTIFICATION FOR THE FINAL RULE	25
CONCLUSION	27

TABLE OF AUTHORITIES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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1 This action has been brought to declare unlawful and to prevent application and
 2 implementation of aspects of a final rule promulgated by the Department of Justice, Executive
 3 Office for Immigration Review. Appellate Procedures and Decisional Finality in Immigration
 4 Proceedings; Administrative Closure, 85 Fed. Reg. 81,588 (December 16, 2020) (“Administrative
 5 Closure Rule,” or, at times “Final Rule”). The Administrative Closure Rule is arbitrary and
 6 capricious, not in accordance with several federal statutes (including the 1994 Violence Against
 7 Women Act, the Victims of Trafficking and Violence Protection Act, and their progeny),
 8 unsupported by the rulemaking record, and was promulgated without following procedures
 9 required by law. *Amici* have special expertise and interests directly related to the Administrative
 10 Closure Rule and bring their expertise before this Court.

11 **INTEREST OF *AMICI CURIAE*¹**

12 *Amici* are nonprofit organizations that serve and advocate on behalf of survivors of
 13 domestic violence, sexual assault, human trafficking, and other forms of gender-based violence.
 14 Based on their experience and expertise, *Amici* understand that noncitizen survivors of violence
 15 often face myriad barriers seeking justice and protection from abuse. *Amici* have extensive
 16 knowledge about the legal protections for noncitizen survivors provided by the Violence Against
 17 Women Act (“VAWA”) of 1994 and its progeny, which Congress created to help address these
 18 barriers. These statutory protections—including the “U” nonimmigrant visa (“U Visa”), “T”
 19 nonimmigrant visa (“T Visa”), and VAWA self-petition—encourage survivors to seek justice and
 20 gain independence and security. For noncitizen survivors, meaningful access to these protections
 21 from removal or deportation is often the determining factor in whether they seek help, safety, and
 22 justice. Survivors in removal proceedings rely on the immigration courts not to obstruct
 23 meaningful access to these critical protections that Congress purposefully and intentionally
 24 established, but for these courts to provide a safe forum for justice and exercise of rights provided
 25 under federal law. *Amici* are nonprofit organizations and have no corporate parents. They are not

26 ¹ *Amici* certify that this brief was authored entirely by counsel for *Amici* and not by counsel for
 27 any party, in whole or in part; no party or counsel for any party contributed money to fund
 28 preparing or submitting the brief; apart from *Amici*, its members, and its counsel, no other person
 contributed money to fund preparing or submitting the brief.

1 publicly traded.

2 **ASISTA Immigration Assistance** is a national organization dedicated to helping
3 attorneys assist noncitizen survivors of violence with their immigration matters through
4 comprehensive, cutting-edge technical assistance and resources. ASISTA worked with Congress
5 to create and expand routes to secure immigration status for survivors of domestic violence,
6 sexual assault, and other crimes, which were incorporated in VAWA of 1994 and its progeny.
7 ASISTA serves as liaison for the field with Department of Homeland Security (“DHS”) personnel
8 charged with implementing these laws, most notably Citizenship and Immigration Services
9 (“USCIS”), Immigration and Customs Enforcement, and DHS’s Office for Civil Rights and Civil
10 Liberties. ASISTA trains and provides technical support to local law enforcement officials, civil
11 and criminal court judges, domestic violence and sexual assault advocates, and legal services,
12 nonprofit, *pro bono* and private attorneys working with immigrant crime survivors. ASISTA has
13 previously filed amicus briefs with the United States Supreme Court and various federal courts of
14 appeal. *See, e.g., United States v. Castleman*, 134 S. Ct. 1405 (2014); *State of Washington v.*
15 *Trump*, No. 17-35105 (9th Cir. 2017); *L.D.G. v. Holder*, 744 F.3d 1022 (7th Cir. 2014).

16 **Asian Pacific Institute on Gender-Based Violence (API-GBV)** is a national resource
17 center on domestic violence, sexual violence, trafficking, and other forms of gender-based
18 violence in Asian and Pacific Islander and immigrant communities, and it serves a national
19 network of advocates, community-based service programs, federal agencies, national and state
20 organizations, legal, health, and mental health professionals, researchers, and policy advocates
21 from social justice organizations. API-GBV analyzes critical issues, promotes culturally relevant
22 evidence-informed intervention and prevention, provides consultation, technical assistance and
23 training, develops resources, conducts and disseminates research, and impacts systems of change
24 through administrative advocacy and policy analysis.

25 **Casa de Esperanza** provides emergency shelter and support services for women and
26 children experiencing domestic violence, with a primary focus on mobilizing Latinas and Latino
27 communities to end domestic violence. Over the past three decades, Casa de Esperanza has
28 expanded to offer critical and comprehensive services and support, ranging from family advocacy

1 and shelter services to leadership development and community engagement initiatives. In 2009,
2 Casa de Esperanza launched the National Latin@ Network for Healthy Families and
3 Communities (NLN), which is a national resource center that provides training and technical
4 assistance, research, and national policy advocacy focused on addressing and preventing domestic
5 violence and sexual assault. Casa de Esperanza also serves on the Steering Committee of the
6 National Task Force to End Sexual and Domestic Violence. Casa de Esperanza is committed to
7 enhancing access to safety, well-being, and justice for all survivors of gender-based violence,
8 including those from immigrant communities.

9 **Freedom Network USA (FNUSA)** is the largest alliance of human trafficking advocates
10 in the United States, providing trafficking survivors in over 40 cities comprehensive legal and
11 social services, including representation in immigration cases. In total, FNUSA members serve
12 over 2,000 trafficking survivors per year, including adults and minors, survivors of both sex and
13 labor trafficking, over 65% of whom are foreign national survivors. FNUSA provides training
14 and advocacy to increase understanding of the wide array of human trafficking cases in the
15 United States, was involved in the passage of the Trafficking Victims Protection Act, and has
16 been a key advocate in each subsequent reauthorization of this Act. FNUSA has an interest in
17 ensuring that survivors are fully protected and have access to the full array of immigration relief
18 for which they are qualified.

19 **Futures Without Violence (FUTURES)**, is a national nonprofit organization that has
20 worked for over thirty years to prevent and end violence against women and children around the
21 world. FUTURES mobilizes concerned individuals; children's, women's, and civil rights groups;
22 allied professionals; and other social justice organizations to end violence through public
23 education and prevention campaigns, public policy reform, training and technical assistance, and
24 programming designed to support better outcomes for women and children experiencing or
25 exposed to violence. FUTURES joins with the other *Amici* because it has a long-standing
26 commitment to supporting the rights and interests of women and children who are victims of
27 violence regardless of their immigration, citizenship, or residency status. FUTURES co-founded
28 and co-chaired the National Network to End Violence Against Immigrant Women working to

1 help service providers, survivors, law enforcement, and judges understand how best to work
2 collaboratively to bring justice and safety to immigrant victims of violence. Using this
3 knowledge, FUTURES helped draft legislative recommendations that were ultimately included in
4 VAWA and the Trafficking Victims Protection Act to assist immigrant victims of violence.

5 The **National Alliance to End Sexual Violence** is the voice in Washington for the 56
6 state and territorial sexual assault coalitions and over 1500 rape crisis centers working in their
7 communities to address and end sexual violence. The programs in the network see the
8 widespread and devastating impacts of sexual violence on survivors every day—especially those
9 who are more vulnerable like immigrant survivors. The National Alliance to End Sexual
10 Violence has an interest in making it less difficult for immigrant survivors to seek safety and
11 justice.

12 The **National Coalition Against Domestic Violence (NCADV)** provides a voice to
13 victims and survivors of domestic violence. It strives to foster a society in which there is zero
14 tolerance for domestic violence by influencing public policy, increasing public awareness of the
15 impact of domestic violence, and providing programs and education that drive that change.

16 The **National Domestic Violence Hotline (The Hotline)**, first established in 1996 as a
17 component of VAWA, provides lifesaving tools and immediate support to enable victims to find
18 safety and live lives free of abuse. Callers to The Hotline can expect highly trained, experienced
19 advocates to offer compassionate support, crisis intervention information, educational services
20 and referral services in more than 200 languages. The Hotline offers free, confidential, and 24/7
21 support to survivors year round through text, chat, and phone services. A substantial number of
22 victims NDVH serves are immigrants or those who request help related to immigration-related
23 issues.

24 The **National Network to End Domestic Violence (NNEDV)** is a network of the 56 state
25 and territorial domestic violence and dual domestic violence and sexual assault coalitions and
26 their over 2,000 member programs. NNEDV serves as the national voice for millions of women,
27 children, and men victimized by domestic violence. NNEDV works with federal, state, and local
28 policy makers and domestic violence advocates to secure and implement increased protections in

1 VAWA and related federal legislation. NNEDV supports legislation that protects immigrant
 2 domestic and sexual violence survivors and provides pathways for survivors to obtain
 3 immigration status. NNEDV is deeply concerned with survivor safety, including the vital role
 4 that access to resources plays in their ability to escape and rebuild their lives after abuse.

5 **Her Justice** has been dedicated to making quality legal representation accessible to low-
 6 income women in New York City in family, matrimonial, and immigration matters since 1993.
 7 Her Justice recruits and mentors volunteer attorneys from New York City's law firms to stand
 8 side-by-side with women who cannot afford to pay for a lawyer, giving them a real chance to
 9 obtain legal protections that transform their lives. Her Justice's immigration practice focuses on
 10 representing immigrant survivors of gender-based violence pursuing relief under VAWA, many
 11 of whom are in removal proceedings. Her Justice has appeared before courts of appeal, including
 12 the United States Supreme Court, in numerous cases as amicus.

13 *Amici* have a direct interest in this case because the challenged rule will have an
 14 immediate and irreparable impact on noncitizen survivors of violence.

15 **SUMMARY OF POSITION OF AMICI CURIAE**

16 Immigrant populations are particularly vulnerable to crimes such as domestic violence,
 17 sexual assault, and human trafficking, with a primary reason being that they fear that they will be
 18 deported for contacting law enforcement or other helping systems, and are thus unlikely to report
 19 the crime. *See* Stacey Ivie *et al.*, *Overcoming Fear and Building Trust with Immigrant*
 20 *Communities and Crime Victims*, 85 *The Police Chief* 34 (Apr. 2018),
 21 [https://niwaplibrary.wcl.american.edu/wp-content/uploads/PoliceChief_April-2018_Building-](https://niwaplibrary.wcl.american.edu/wp-content/uploads/PoliceChief_April-2018_Building-Trust-With-Immigrant-Victims.pdf)
 22 [Trust-With-Immigrant-Victims.pdf](https://niwaplibrary.wcl.american.edu/wp-content/uploads/PoliceChief_April-2018_Building-Trust-With-Immigrant-Victims.pdf). Threatening to get their victims deported if they seek help is
 23 one of an abuser's most powerful weapons against victims. *Id.* Recognizing this reality,
 24 Congress created pathways to legal status for victims to neutralize this weapon. These pathways
 25 include, but are not limited to, the U Visa, T Visa, and VAWA self-petitions. *Id.* USCIS, an
 26 agency within DHS, has the sole jurisdiction to process and adjudicate these petitions. *See* 6
 27 U.S.C. § 271(b); 8 C.F.R. §§ 214.14(c)(1), 214.11(b), (d). Due to massive, historically large
 28 backlogs, a pending application for relief before USCIS now often takes years to process.

1 The United States Department of Justice’s (“DOJ”) Executive Office for Immigration
2 Review (“EOIR”) has authority over removal or deportation proceedings, presided over by
3 Immigration Judges (“IJs”) and reviewed on appeal by the Board of Immigration Appeals
4 (“BIA”). *See generally Stevens v. Osuna*, 877 F.3d 1293, 1304 (11th Cir. 2017) (explaining role
5 of IJs and BIA). Recognizing that different immigration-related proceedings operate across
6 agencies and departments, IJs and BIA rely on an important docket management tool—
7 administrative closure—to pause immigration court proceedings like removal or deportation
8 proceedings while other agency proceedings simultaneously proceed. This enables IJs, BIA, and
9 the parties involved to avoid premature immigration proceedings and conserve resources. It also
10 avoids irreparable injury to victims of domestic violence, sexual assault, trafficking, and similar
11 crimes. As just one example, administrative closure enables IJs and BIA to pause a removal
12 proceeding so that a backlogged USCIS may process a survivor’s petition for relief under a visa
13 program. If the survivor’s petition is approved, removal proceedings become moot. If removal
14 proceedings conclude before the survivor’s petition is approved, the survivor will be deported,
15 directly undermining the goals of VAWA and its progeny and causing irreparable and, in some
16 cases, life-threatening harm.

17 The Administrative Closure Rule challenged in this action expressly forecloses authority
18 for IJs or BIA to utilize administrative closure “unless a regulation promulgated by the
19 Department of Justice or a previous judicially approved settlement expressly authorizes such an
20 action.” 85 Fed. Reg. 81,590. Without administrative closure available as a docket management
21 tool, unnecessary removal proceedings may forge ahead, leaving survivors at risk of unnecessary
22 deportation before USCIS is ever able to open their applications. Through this procedural
23 stratagem, the new Administrative Closure Rule directly contravenes Congress’s intention to
24 provide meaningful pathways to legal status for survivors, making survivors once again “choose
25 between a black eye and broken arm or a one-way ticket out of the country.” 145 Cong. Rec.
26 H26, 577 (daily ed. Oct. 21, 1999) (statement of Rep. Janice D. Schakowsky). While posing as a
27 mere procedural adjustment, the Administrative Closure Rule in fact substantively deprives
28 noncitizen survivors of avenues to relief from removal that were purposefully put in place by

1 Congress. By removing an IJ or BIA’s general administrative closure tool, the fastest track—
 2 EOIR immigration proceedings—will control the fate of survivors without due regard to the
 3 Congressionally mandated pathways to legal status for noncitizen survivors of violence and
 4 human trafficking. Furthermore, by eliminating the administrative closure tool from immigration
 5 proceedings, the Final Rule obstructs the efforts of law enforcement to root out violent crimes,
 6 further thwarting Congress’s effort to limit abusers’ leverage over their noncitizen victims and to
 7 help law enforcement prosecute the offenders. By prohibiting IJs and BIA from managing their
 8 dockets in a way that allows coordination among inter-agency immigration proceedings, the
 9 Administrative Closure Rule sends a message to both crime victims and law enforcement that
 10 perpetrators may once again use immigration courts as weapons against their victims. The
 11 Administrative Closure Rule is unlawful and should be struck down.

12 **ARGUMENT**

13 *Amici* respectfully request this Court grant Plaintiff’s motion for preliminary injunction to
 14 enjoin application of the administrative closure aspects of the Final Rule pending the Court’s final
 15 adjudication of plaintiffs’ claims.² As demonstrated below, EOIR engaged in a truncated
 16 rulemaking process to limit public comment. EOIR compounded this error by ignoring
 17 comments made in response to its Notice of Proposed Rulemaking and by adopting a rule that is
 18 contrary to the purpose and intent of several federal statutes. The Administrative Closure Rule is
 19 arbitrary, capricious and otherwise violates federal law. Noncitizen survivors, law enforcement
 20 organization, and communities will suffer irreparable harm under the Administrative Closure
 21 Rule.

22 **I. THE TRUNCATED RULEMAKING PROCESS ALLOWED INADEQUATE** 23 **TIME FOR COMMENTS THAT WERE UNLAWFULLY IGNORED IN THE** 24 **FINAL RULE**

25 EOIR issued the NPRM on August 26, 2020, and provided a mere 30 days—in the middle
 26 of a pandemic—for the public to comment on a far-reaching rule of general applicability.
 27 Appellate Procedures and Decisional Finality in Immigration Proceedings; Administrative

28 ² The Final Rule changed multiple aspects of the immigration regulations, but this brief focuses solely on the Final Rule’s rejection of IJs and BIA administrative closure authority.

1 Closure, 85 Fed. Reg. 52,491 (proposed Aug. 26, 2020) (“NPRM”). The shortened comment
 2 period is grossly inadequate under these pandemic circumstances. Beyond the pandemic, the
 3 topics in the NPRM impact human trafficking, domestic violence, sexual assault, and unlawful
 4 immigration status—facets of our society that purposefully operate outside the purview of the
 5 public—making communication between survivors and advocates challenging in the best of
 6 times. *Amici* and similarly situated organizations that submitted comments in response to the
 7 NPRM provide a necessary voice to survivors forced to live in the shadows, and the NPRM failed
 8 to offer a meaningful comment period for those voices to be heard.

9 **A. Truncating the Period for Comment in Half—During a Pandemic—Is**
 10 **Unreasonable, as it Deprived *Amici* a Meaningful Opportunity to Provide**
 11 **Comments**

12 The customary period for commenting on proposed rules is 60 days, but without providing
 13 any reason, EOIR provided merely 30 days for public comment on a complex twelve-component
 14 proposed rule.³ In light of the compound nature and magnitude of the topics addressed in the
 15 NPRM and the impact of the pandemic, a 30-day comment period is insufficient to meet the
 16 requirements of the Administrative Procedure Act, or “APA,” 5 U.S.C. § 706(2).

17 The NPRM provided no explanation, let alone a justification, as to why the comment
 18 period was only half of what is required under Executive Order 12866, 58 Fed. Reg. 51,735 (Oct.
 19 4, 1993), and Executive Order 13563, 76 Fed. Reg. 3,821, 3,822 (Jan. 18, 2011), although the
 20 imminent end to the outgoing Trump Administration likely provides the real reason. The Trump
 21 Administration has “finalized more federal rules in its last year than any other recent President,”
 22 “limiting the time for public comment” as a transparent tool simply to disregard what is supposed
 23 to take place in the rulemaking process. Maegan Vazquez *et al.*, *Trump administration pushes*
 24 *‘midnight regulations’ after breaking records for final-year rulemaking*, CNN (Dec. 6, 2020),
 25 [https://www.cnn.com/2020/12/06/politics/trump-midnight-regulations-record-](https://www.cnn.com/2020/12/06/politics/trump-midnight-regulations-record-rulemaking/index.html)
 26 [rulemaking/index.html](https://www.cnn.com/2020/12/06/politics/trump-midnight-regulations-record-rulemaking/index.html). The only apparent reasons why a truncated comment period was
 27 employed were because (a) the Trump Administration was coming to a close, and (b) the Trump

28 ³ Some of *Amici* submitted comments: <https://beta.regulations.gov/comment/EOIR-2020-0004-1268> (ASISTA) and <https://beta.regulations.gov/comment/EOIR-2020-0004-0669> (API-GBV).

1 Administration had no intention of altering the proposed rule in light of comments received in
2 response. In other words, having determined in advance to adopt the rule regardless of the nature
3 and scope of comments, EOIR compounded its violation of the APA by truncating the comment
4 period. Both reasons are unlawful, and this tactic alone renders the rule unlawful, in violation of
5 the APA.

6 Even absent a pandemic, a 30-day comment period is unreasonable for the Administrative
7 Closure Rule. *See Pangea Legal Servs. v. U.S. Dep't of Homeland Sec.*, No. 20-cv-07721, 2020
8 WL 6802474, at *19 (N.D. Cal. Nov. 19, 2020), appeal pending at No. 20-17490 (9th Cir.)
9 (concluding it was “troubled” by a 30-day comment period and granting motion for temporary
10 restraining order). This NPRM’s 30-day comment period is even more troubling.

11 First, immigration regulations have faced immense change this year in light of the tsunami
12 of regulatory changes proposed, and advocates of noncitizen survivors face additional obstacles in
13 providing a voice to the affected population. *See ASISTA Comment*, at 2 (noting organizations
14 had to balance pandemic reality with “the demands of responding to constant and complex
15 changes to immigration policy”); *API-GBV Comment*, at 2 (noting organizations are responding
16 to numerous DHS regulatory changes, “which will have profound impacts on how they work with
17 immigrant survivors” in addition to proposals “by the Department of Housing and Urban
18 Development about survivors’ access to shelter”). Such proposed sweeping agency changes to
19 policy and practice must be subject to meaningful comment. And, the comments must be taken
20 into account in the final rule and the rule modified or changed to reflect the rulemaking record.

21 Second, the NPRM was not, as EOIR described it, “a small, discrete set of procedures.”
22 85 Fed. Reg. at 81,642. The administrative closure component of the Final Rule alone is an
23 attempt to codify an Attorney General decision that set off a federal circuit-split. *See Matter of*
24 *Castro-Tum*, 27 I & N Dec. 271 (A.G. 2018). *Compare Hernandez-Serrano v. Barr*, 981 F.3d
25 459 (6th Cir. 2020), *with Meza Morales v. Barr*, 973 F.3d 656 (7th Cir. 2020), and *Romero v.*
26 *Barr*, 937 F.3d 282 (4th Cir. 2019). Of course, administrative closure is only one of twelve
27 components to the Final Rule sharing the same 30-day comment period. These changes are
28 substantive, not merely procedural, and deprive survivors of pathways to removal relief provided

1 by Congress. EOIR knows full well—or at least should have, had it read *Amici*'s comments—
2 that administrative closure is key to ensuring the multi-agency immigration system can function.

3 Lastly, the elephant in the room of 2020, the pandemic, created an additional reason why a
4 30-day comment period is unlawful under the circumstances. EOIR's attempts to downplay the
5 impact of the pandemic by claiming commenters were able to "adopt[] telework flexibilities to
6 the greatest extent possible" and that commenters face childcare "issues" regardless of the
7 comment period, 85 Fed. Reg. 81,643, ignore the real-world impact that the deadly virus has on
8 public participation in all forms of direct democracy. As a prime example of DOJ and EOIR
9 speaking out of both sides of their mouths to get midnight regulations to the finish line, DOJ
10 described the pandemic in another finalized rule published on December 23, 2020, as "causing
11 tremendous human and economic hardship across the United States. . . . The ongoing public
12 health crisis will continue to weigh on economic activity, employment, and inflation in the near
13 term, and poses considerable risks to the economic outlook over the medium term." Security
14 Bars and Processing, 85 Fed. Reg. 84,160, 84,161 (Dec. 23, 2020). DOJ and EOIR cannot have it
15 both ways.

16 Noncitizen survivors already face myriad barriers accessing services and assistance, and
17 the COVID-19 pandemic exacerbated these barriers. Abusers and perpetrators of crime often
18 threaten noncitizen survivors that reaching out for help will result in separation from their
19 children or in deportation. In this crisis, these threats take on new force as survivors face
20 increased uncertainty and confusion. Meanwhile, risks of human trafficking have increased as
21 economic pressures cause individuals to lose jobs, homes, or health insurance. Christina Bain &
22 Louise Shelley, *The Evolution of Human Trafficking During the COVID-19 Pandemic*, Council
23 on Foreign Relations (Aug. 13, 2020), [https://www.cfr.org/blog/evolution-human-trafficking-](https://www.cfr.org/blog/evolution-human-trafficking-during-covid-19-pandemic)
24 [during-covid-19-pandemic](https://www.cfr.org/blog/evolution-human-trafficking-during-covid-19-pandemic) (noting traffickers exploit vulnerabilities created by pandemic).
25 Sexual exploitation is also increasing as a result of the pandemic, demonstrated by increased
26 reports that landlords are extorting their tenants for sex in lieu of rent payments. *Id.* ("[H]uman
27 trafficking has become a major lucrative crime in a pandemic-rocked world with supply chains
28 cut off for other forms of illicit activities."). During the pandemic, victims are forced to lock

1 down with their abusers or perpetrators because of stay-at-home orders, preventing access to
2 resources and help. Adiel Kaplan & Wilson Wong, *It's hard to flee from your domestic abuser*
3 *during a coronavirus lockdown*, NBC News (May 17, 2020),
4 [https://www.nbcnews.com/health/health-care/it-s-hard-flee-your-domestic-abuser-during-](https://www.nbcnews.com/health/health-care/it-s-hard-flee-your-domestic-abuser-during-coronavirus-lockdown-n1205641)
5 [coronavirus-lockdown-n1205641](https://www.nbcnews.com/health/health-care/it-s-hard-flee-your-domestic-abuser-during-coronavirus-lockdown-n1205641). Victims of intimate partner violence often receive help not
6 because they self-report, but because community services intervene. Without community
7 interactions, such as a doctor seeing signs of physical abuse during a regular medical visit,
8 advocates are struggling to connect with victims during the pandemic. Megan L. Evans *et al.*, *A*
9 *Pandemic within a Pandemic—Intimate Partner Violence during Covid-19*, New Eng. J. Med.
10 (Dec. 10, 2020), <https://www.nejm.org/doi/full/10.1056/NEJMp2024046>.

11 The pandemic itself created enormous obstacles for any organization or individual, but
12 especially for those that work directly with survivors of domestic violence, violent crimes, and
13 human trafficking. Resource organizations are navigating a new world of service provisions with
14 too few resources. *See* ASISTA Comment, at 2. The pandemic has caused an increased rate of
15 domestic violence and augmented the complexity and challenges of serving survivors. *See*
16 Adrienne L. Fernandes-Alcantara & Lisa N. Sacco, Cong. Rsch Serv., IN11323 v.2, Domestic
17 Violence in the Context of COVID-19, <https://crsreports.congress.gov/product/pdf/IN/IN11323>.
18 Eighty-nine percent of survivor-serving programs needed emergency stimulus funding to support
19 survivors at the same time that forty percent reported increased demands on their services. *Id.*;
20 *see also* Jonathan Todres *et al.*, *COVID-19 and Human Trafficking—the Amplified Impact on*
21 *Vulnerable Populations*, JAMA Network (Sept. 21, 2020),
22 <https://jamanetwork.com/journals/jamapediatrics/fullarticle/2770536>. As API-GBV specifically
23 noted in its comments, it was unable to communicate effectively with domestic violence shelters
24 and service providers for purposes of informing its comments to the NPRM because of the
25 pandemic. *See* API-GBV Comment, at 2. Commenters deserved more than a 30-day comment
26 period.

27 EOIR's post hoc justifications for the comment period only demonstrate that the 30-day
28 comment period was unreasonable. EOIR's reliance on the *quantity* of comments in response to

1 the NPRM is an inappropriate metric, 85 Fed. Reg. 81,642, since many of the comments here
 2 expressly complained that the commenters were unable to respond adequately to the NPRM due
 3 to time restraints but opted to submit incomplete comments rather than no comment at all. *Amici*
 4 reviewed every comment made publicly available. *See Administrative Closure Rule*, Docket No.
 5 EOIR-2020-0004, <https://beta.regulations.gov/document/EOIR-2020-0004-0001/comment>.⁴
 6 Attached as Exhibit A is a spreadsheet identifying each set of comments that specifically
 7 discussed administrative closure and identifying whether the comments also objected to the
 8 truncated comment period. Ex. A. First, only 235 comments of the 1,280 available specifically
 9 discussed administrative closure. *Id.* (noting comments in rows 3 through 236 opposed the
 10 specific proposal and row 237 supported the specific proposal; chart does not include comments
 11 that only discussed other aspects of the NPRM or made generalized comments about the rule as a
 12 whole). Two-hundred thirty-five is the appropriate number to consider when determining
 13 whether the quantity of comments on administrative closure provides any indication of
 14 commenters' ability to respond. This is less than half the comments received in *Pangea*. *See*
 15 2020 WL 6802474, at *19-21 (noting 581 comments were received in the "troubling" 30-day
 16 window). Furthermore, of the 235 responses that specifically discussed administrative closure,
 17 122, over half, made objections to the length of the comment period. *Id.* (noting comments in
 18 rows 3 through 124 both opposed administrative closure and objected to length of comment
 19 period).

20 Next, EOIR erroneously claims "commenters did not suggest or indicate what additional
 21 issues the comment period precluded them from addressing," 85 Fed. Reg. 81,642, but *Amici* did
 22 express what adequate time could have added to their comments. *See, e.g., API-GBV Comment*,

23 _____
 24 ⁴ *Amici* reviewed 1,280 publicly available comments. Although the Final Rule indicates that
 25 there were 1,287 comments to the NPRM, the notice posted on the website advises that "agencies
 26 may choose to redact, or withhold, certain submissions (or portions thereof) such as those
 27 containing private or proprietary information, inappropriate language, or duplicate/near duplicate
 28 examples of a mass-mail campaign. This can result in discrepancies between this count and those
 displayed when conducting searches on the Public Submission document type." *See*
 Regulations.gov, <https://www.regulations.gov/document?D=EOIR-2020-0004-0001>. *Amici* also
 note that this website is currently undergoing a new beta rollout, and thus the website has two
 different appearances depending on the day of the week that the user accesses the website, but
Amici assumes the substantive information is the same regardless of which format is displayed.

1 at 2 (noting inability to provide sufficient details in comments due to insufficient time to
 2 respond). Furthermore, comments of *Amici* and similar organizations in response to the NPRM
 3 must be considered in the context of the organization’s mission and its role. ASISTA’s founders,
 4 for example, worked with Congress in the passage of the VAWA. It serves as a liaison for the
 5 field with DHS personnel charged with implementing federal law dealing explicitly with
 6 survivor-based forms of immigration relief. ASISTA’s comments noted explicitly that time
 7 constraints imposed by the truncated comment period allowed ASISTA to include “only a
 8 fraction of the substantive issues we would have liked to address.” ASISTA Comments, at 2.
 9 The truncated comment period thus precluded valuable input from trusted organizations like
 10 ASISTA. The circumstances here are extraordinary, yet EOIR deprived the public of even the
 11 ordinary 60-day comment period. “Troubling,” indeed. *Pangea Legal Servs.*, 2020 WL 6802474,
 12 at *19. The appropriate remedy is to halt implementation of the Administrative Closure Rule and
 13 re-solicit comments using a normalized response period.

14 **B. The Administrative Closure Rule’s Failure to Respond to Comments**
 15 **Identifying Contravention to Statutory Law is Arbitrary and Capricious and**
 16 **Otherwise Not in Accordance With Law**

17 EOIR arbitrarily and capriciously failed to take into account comments in response to the
 18 NPRM, including comments from *Amici*. In addition to ignoring the rulemaking record, in
 19 violation of the APA, the Final Rule—through its prohibition of IJ and BIA’s inherent
 20 administrative closure authority—contravenes Congress’s framework providing accessible
 21 pathways to legal status for noncitizen survivors. The Administrative Closure Rule is not merely
 22 a procedural device; by and through operation of this new generalized rule, substantive
 23 protections in various federal statutes, including VAWA, will be impaired or impeded.

24 As *Amici* explained in their comments, “Congress sought to limit the ability of abusers to
 25 leverage immigration laws and the fear of deportation against their victims” by passing legislation
 26 to end a perpetrator’s “full and complete control” over their victim. *See* API-GBV Comment, at
 27 4. These statutes include VAWA of 1994, Pub L. No. 103-322, 108 Stat. 1902-55, and the
 28 Victims of Trafficking and Violence Protection Act of 2000, Pub. L. No. 106-386, (2000). *See*
 API-GBV, Comment at 3-4. The Administrative Closure Rule has no answer to this critical

1 point, i.e., that EOIR’s proposed administrative closure changes contravene Congress’s “goals of
 2 these vital federal protections” by disrupting immigration courts’ ability to remain in-step with
 3 USCIS proceedings. *Id.* The Administrative Closure Rule does not even engage in a discussion
 4 of these statutes’ important role in our immigration or larger legal system. As the commenters
 5 demonstrated, the administrative closure changes will incapacitate these statutory protections,
 6 placing IJs and BIA in the role of facilitating abusers’ and traffickers’ ability to exploit the
 7 immigration system and render communities unsafe. EOIR is also not the department in charge
 8 of processing these pathways for legal status, and it is therefore critical that it give due regard to
 9 the experts in the field. DHS and USCIS rely on *Amici*, like ASISTA, as liaisons between
 10 survivors and the immigration system. As just one example, in 2019, ASISTA and a partner
 11 organization worked directly with USCIS to alter USCIS’s roll out of new U Visa forms in order
 12 to better serve law enforcement and victims of crime. *See* ASISTA and AILA Letter to USCIS
 13 (May 29, 2019), <https://www.aila.org/File/Related/19052943a.pdf>; USCIS Response Letter (July
 14 5, 2019), <https://www.aila.org/File/Related/19052943a.pdf>. The relationship between agencies
 15 executing the immigration laws and organizations speaking for survivors is critical to effectuating
 16 Congress’s intent to combat the nexus between violent crimes and immigrant populations.
 17 EOIR’s disregard of *Amici*’s sounding the alarm demonstrates EOIR’s neglect of the rulemaking
 18 process and the resulting Administrative Closure Rule’s substantive contravention of these federal
 19 statutes.

20 **1. Congress Passed Legislation to Provide Noncitizen Survivors with**
 21 **Pathways to Legal Status and Gave USCIS Exclusive Jurisdiction to**
 22 **Adjudicate Such Applications**

23 Congress has made great advances over decades to deliver meaningful protections and
 24 pathways to ensure victims’ ability to access safety and justice. *See* Monika Batra Kashyap,
 25 *Heartless Immigration Law: Rubbing Salt Into The Wounds of Immigration Survivors of*
 26 *Domestic Violence*, 95 Tulane L. Rev. 51, 52 (2020). In 1994, Congress passed its first piece of
 27 federal legislation specifically designed to address domestic violence, VAWA of 1994, Pub. L.
 28 No. 103-322, 108 Stat. 1902-55, § 40121 (codified as amended throughout sections of 28 and 42
 U.S.C.). *See* S. Rep. No. 103-138, at 41–42 (1993). The legislative history demonstrates

1 Congress’s acknowledgement of immigrant women’s unique vulnerabilities to domestic violence:
 2 “Many immigrant women live trapped and isolated in violent homes, afraid to turn to anyone for
 3 help. They fear both continued abuse if they stay with their batterers and deportation if they
 4 attempt to leave.” H.R. Rep. No. 103-395, at 26-27 (1993). Congress specifically intended to
 5 prevent abusers from using the immigration system “as a means to control or abuse.” *Id.* at 37.
 6 To disrupt a survivor’s binary choice between violence and deportation, VAWA included the
 7 “VAWA self-petition,” which, if approved, provides the survivor with a green card (legal
 8 permanent residence). 8 U.S.C. § 1154(a)(1)(A)-(B).

9 Six years later, Congress again recognized the need to provide meaningful pathways to
 10 legal status for survivors in the Battered Immigrant Women Protection Act of 2000, Pub. L. No.
 11 106-386, § 1513, 114 Stat. 1518, 1533-37, during its reauthorization of VAWA, Pub. L. No. 106-
 12 386, 114 Stat. 1491 (codified as amended in scattered sections of 8 and 42 U.S.C.). *See New*
 13 *Classification for Victims of Criminal Activity; Eligibility for “U” Nonimmigrant Status*, 72 Fed.
 14 *Reg.* 53,014 (Sept. 17, 2007). To achieve this goal, Congress created the U Visa “for any alien
 15 who is the victim of a qualifying crime in the United States and who assists law enforcement in
 16 the investigation or prosecution of that crime.” *Taylor v. McCament*, 875 F.3d 849, 851 (7th Cir.
 17 2017). “Congress wanted to encourage aliens who are victims of criminal activity to report the
 18 criminal activity to law enforcement and fully participate in the investigation and prosecution of
 19 the perpetrators of such criminal activity.” 72 Fed. Reg. at 53,018 (Supplementary Information)
 20 (citing 114 Stat. § 1513(a)(1)(B)); USCIS, U Visa Demographics (Mar. 2020),
 21 https://www.uscis.gov/sites/default/files/document/reports/U_Visa_Report_-_Demographics.pdf
 22 (U Visa provides law enforcement with a tool to investigate and prosecute crimes by providing
 23 victims who report them protection). To be eligible for a U Visa, the applicant must demonstrate
 24 her cooperation with law enforcement in the investigation or prosecution of her abuser. *See* 8
 25 C.F.R. § 214.14(a)(12) (2020).

26 This legislation proposes to assist these crime victims in three
 27 fundamental ways: Providing a means for immediate protections
 28 from their abusers, such as through access to shelters; easier access
 to the courts and to the legal assistance necessary to keep their
 abusers away from them: and removing the “catch-22s” that

1 sometimes literally compel women to stay with their abusers—such
 2 as ... immigrant women who are sometimes faced with a similar
 3 insidious “choice”.... This bill fixes aspects of this problem that
 4 leave an abused woman with such a horrible, unfair and immoral
 5 choice.

6 145 Cong. Rec. S444 (1999) (Sen. Joseph R. Biden, Jr.).

7 The T Visa created under the Victims of Trafficking and Violence Protection Act shares a
 8 similar story as the U Visa, providing law enforcement with a tool to investigate and prosecute
 9 human trafficking by providing victims with protection. *See* USCIS, Victims of Human
 10 Trafficking: T Nonimmigrant Status, [https://www.uscis.gov/humanitarian/victims-of-human-](https://www.uscis.gov/humanitarian/victims-of-human-trafficking-and-other-crimes/victims-of-human-trafficking-t-nonimmigrant-status)
 11 trafficking-and-other-crimes/victims-of-human-trafficking-t-nonimmigrant-status (last visited
 12 Jan. 10, 2021).

13 One of the most important of these provisions expands assistance
 14 and protection to victims of severe forms of trafficking, ensuring
 15 that they receive appropriate shelter and care, and are able to
 16 remain in the United States to assist in the prosecution of
 17 traffickers. Relief from deportation is also critical for victims who
 18 could face retribution or other hardship if removed from the United
 19 States.

20 146 Cong. Rec. S10170 (2000) (Sen. Joseph Kennedy III).

21 “An alien is eligible for [a T Visa] if the alien demonstrates that he or she is or has been a
 22 victim of a severe form of trafficking in persons, is physically present in the United States or at a
 23 port-of-entry thereto, has complied with any reasonable request for assistance in an investigation
 24 or prosecution of an act involving trafficking of persons, and would suffer extreme hardship
 25 involving unusual and severe harm upon removal.” *Nicholas L.L. v. Barr*, No. 19-cv-2543, 2019
 26 WL 4929795, at *2 (D. Minn. Oct. 7, 2019) (quotation marks omitted) (quoting 8 C.F.R.
 27 § 214.11(b)).

28 Congress maintained its support for survivor pathways by reauthorizing VAWA in 2005
 and 2013. *See* Violence Against Women and Department of Justice Reauthorization Act of 2005,
 Pub. L. No. 109-162, § 812, 119 Stat. 2960, 3057 (2006) (codified as amended at 8 U.S.C.
 § 1229c(d)); Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, 127 Stat.
 54 (codified in scattered sections of 42 U.S.C.).

USCIS has exclusive jurisdiction for processing petitions under these programs. *See* 6

1 U.S.C. § 271(b); 8 C.F.R. § 214.14(c)(1) (U Visa); *id.* § 214.11(b), (d) (T Visa). Through no
2 fault of survivors and wholly outside survivors' control, USCIS suffers from backlogs that
3 already delay and undermine the effectiveness of these critical pathways. At the end of 2019,
4 nearly 152,000 principal U-Visa petitions and nearly 104,000 family members' U-Visa petitions
5 were pending adjudication before USCIS. USCIS, U Visa Filing Trends: Analysis of Data
6 Through 2019 (Apr. 2020),
7 [https://www.uscis.gov/sites/default/files/document/reports/Mini_U_Report-](https://www.uscis.gov/sites/default/files/document/reports/Mini_U_Report-Filing_Trends_508.pdf)
8 [Filing_Trends_508.pdf](https://www.uscis.gov/sites/default/files/document/reports/Mini_U_Report-Filing_Trends_508.pdf). As a result, USCIS reports that current processing time to simply
9 "receive a final decision" is "currently 5-10 years." *Id.* "If filing trends continue, the pending
10 queue and associated processing times will continue to grow significantly." *Id.* Indeed, 2020
11 shows even higher numbers of pending petitions. USCIS, Number of Form I-918, Petition for U
12 Nonimmigration Status By Fiscal Year, Quarter, and Case Status,
13 https://www.uscis.gov/sites/default/files/document/reports/I918u_visastatistics_fy2020_qtr3.pdf.
14 Even to be placed on the U Visa waitlist will take on average 58 months. USCIS, Check Case
15 Processing Times, <https://egov.uscis.gov/processing-times/> (Vermont service center). Pending T
16 visas also increased from 1,169 applications in 2013 to 4,218 applications in 2019. USCIS,
17 Number of Form I-914, Application for T Nonimmigration Status By Fiscal Year, Quarter, and
18 Case Status,
19 https://www.uscis.gov/sites/default/files/document/reports/I914t_visastatistics_fy2020_qtr3.pdf.
20 As of January 2021, USCIS estimates that the processing time for T Nonimmigrant Status is 19 to
21 29 months. USCIS, Check Case Processing Times, <https://egov.uscis.gov/processing-times/>
22 (Vermont service center). VAWA petitions (I-360) have also increased from 7,532 applications
23 in 2013 to 24,458 applications in 2019. As of this month, January 2021, USCIS estimates that the
24 processing time for a VAWA self-petition is between eighteen and twenty-three months. USCIS,
25 Check Case Processing Times, <https://egov.uscis.gov/processing-times/>.

26 The Administrative Closure Rule obstructs Congressional intent by designing EOIR
27 proceedings to act out-of-step with USCIS proceedings, despite its obligation to ensure its
28 regulations do not contravene another agency's obligations. Executive Order 12866, 58 Fed Reg.

1 51,735 (Oct. 4, 1993).

2 **2. Immigration Courts Must Be Able to Administratively Close**
 3 **Appropriate Cases to Allow USCIS Adequate Time to Process**
 4 **Applications**

5 Nearly 79 percent of principal petitioners seeking a U Visa have no lawful status in the
 6 United States, a staggeringly high number of individuals who could face deportation or removal
 7 proceedings at any time while their U Visa petitions are pending. USCIS, U Visa Demographic:
 8 Analysis of Data Through FY 2019, 5-6 (Mar. 2020),
 9 https://www.uscis.gov/sites/default/files/document/reports/U_Visa_Report_-_Demographics.pdf.
 10 In fact, in 2018, 15 percent of petitioners were in U Visa and immigration proceedings
 11 simultaneously, and 33 percent of U Visa petitioners reported that they were previously in
 12 removal or deportation proceedings. *Id.* at 6. IJ and BIA’s administrative closure authority
 13 enabled this bifurcated system to function because IJs and BIA could administratively close
 14 immigration proceedings in appropriate circumstances while USCIS processed such applications,
 15 avoiding counterproductive and potentially irreparable deportations or removals.

16 As the BIA recognized, administrative closure merely pauses the proceedings without
 17 resolution “to await an action or event that is relevant to immigration proceedings but is outside
 18 the control of the parties or the court and may not occur for a significant or undetermined period
 19 of time.” *Matter of Avetisyan*, 25 I & N Dec. 688, 692 (BIA 2012). By providing IJs with a
 20 method to pause proceedings to allow those other forms of relief to play out, IJs are also able to
 21 prioritize other cases that are ready for disposition. Elizabeth Montano, *The Rise and Fall of*
 22 *Administrative Closure in Immigration Courts*, 129 Yale L.J. F. 567, 568 (2019).⁵

23 Consider two real-life examples. F. and her 8-year-old daughter were in the midst of

24 ⁵ Administrative closures cannot be invoked at whim by IJs. Rather, an IJ must apply a six-factor
 25 test focused on the “efficient management of the resources of the Immigration Courts and the
 26 Board.” *Avetisyan*, 25 I. & N. Dec. at 694. Administrative closures are not utilized where the
 27 respondent is unlikely to succeed on such a petition or application for relief, so it is not a tool that
 28 can be invoked merely to stall removal proceedings. *Avetisyan*, 25 I. & N. Dec. at 696
 (incorporating factor of “likelihood the respondent will succeed on any petition, application, or
 other action he or she is pursuing outside of removal proceedings” into test for administrative
 closure); *see, e.g., In re Martha Leticia Hernandez-Ascencio*, 2018 WL 2761436, at *1 (BIA Mar.
 27, 2018) (IJ properly denied administrative closure where relief for U visa appeared unlikely).

1 asylum proceedings when F. walked in on her boyfriend touching her daughter. F.'s asylum
2 proceedings were administratively closed, sparing F., her counsel, and the Government from
3 exerting resources on the upcoming asylum hearing while F. and her counsel pursued a U Visa.
4 On the other hand, A. entered the United States, fleeing gang violence in her country of origin.
5 While in the United States, she was attacked by her partner, and she contacted the police. Despite
6 her U-Visa petition, she was unable to secure administrative closure of her immigration case, so
7 the IJ adjudicated her case, denying her asylum-based relief even though her two children were
8 granted asylum. A. appealed her case to BIA, and her appeal was dismissed. A. then appealed to
9 the United States Court of Appeals for the Sixth Circuit, where the case remains pending. All the
10 while, A. awaits adjudication by USCIS on her U Visa, and her two asylee children risk being
11 separated from their mother, as they would jeopardize their own asylee status if they were to
12 return their country-of-origin with her in the event of her deportation. The Administrative
13 Closure Rule will exacerbate cases like A.'s and impose a rule of general applicability, to
14 thousands of fact-specific cases.

15 In order to function properly, “each agency shall avoid regulations that are inconsistent,
16 incompatible, or duplicative with its other regulations and those of other Federal agencies.”
17 Executive Order 12866, 58 Fed Reg. 51,735 (Oct. 4, 1993). As some *Amici* pointed out in their
18 comments, *see, e.g.*, API-GBV Comment, at 4–5 and ASISTA Comment, at 3–4, the
19 Administrative Closure Rule is inconsistent and incompatible with the inter-agency, inter-
20 department regulatory scheme designed to provide meaningful relief from deportation for
21 survivors as well as support law enforcement efforts to investigate and prosecute criminal
22 activity: “Survivors of sexual and domestic violence who are self-petitioning pursuant to VAWA
23 or seeking U Visas [or] trafficking victims pursuing T Visas ... will face removal before USCIS
24 adjudicates their applications for relief, which can take years while USCIS works its way through
25 a massive, historic backlog.” API-GBV Comment, at 5. As applied to noncitizen survivors, the
26 use of administrative closure is essential to pausing proceedings when a removal proceeding
27 could be affected by a decision on a visa application by USCIS. ASISTA Comment, at 3.

28 Thus, the final Administrative Closure Rule is contrary to the explicit intent of Congress:

1 “Providing battered immigrant women and children who were experiencing domestic violence at
 2 home with protection *against deportation* allows them to obtain protection orders against their
 3 abusers and frees them to cooperate with law enforcement and prosecutors in criminal cases
 4 brought against their abusers and the abusers of their children without fearing that the abuser will
 5 retaliate by withdrawing or threatening withdrawal of access to an immigration benefit under the
 6 abuser’s control.” Pub. L. 106–386 § 1502(a)(2) (emphasis added).

7 In sum, EOIR’s Administrative Closure Rule is arbitrary and capricious, contrary to the
 8 rulemaking record, and otherwise unlawful, because it will not only thwart other agencies’ efforts
 9 to carry out immigration laws but also thwart *Congress’s* intent to ensure noncitizen survivors
 10 may safely report violent crimes without fear of deportation or removal.

11 **II. NONCITIZEN SURVIVORS AND COMMUNITIES WILL SUFFER IMMEDIATE**
 12 **AND IRREPARABLE INJURY**

13 The Administrative Closure Rule unlawfully creates substantial risk of deportation or
 14 removal before survivors’ pending USCIS applications receive a fair opportunity for adjudication.
 15 Congress sought to protect survivors from deportation and removal. Deportation and removal
 16 constitute immediate and irreparable injury that will result unless the Administrative Closure Rule
 17 is enjoined.

18 **A. The Administrative Closure Rule’s Impact on Noncitizen Survivors**
 19 **Contravenes Congress’s Intent in Passing Relief Statutes**

20 Without administrative closure, IJs and BIA will be unable to prevent their own
 21 proceedings from outpacing USCIS Proceedings, frustrating Congress’s purpose in passing
 22 survivor-based immigration relief to prevent deportation of survivors. A survivor deported before
 23 her pending visa application is approved faces additional obstacles, including:

- 24 (a) The impact of loss of access to the United States courts and
 25 criminal justice system (including, but not limited to, the
 26 ability to obtain and enforce orders of protection, criminal
 27 investigations and prosecutions, and family law proceedings
 28 or court orders regarding child support, maintenance, child
 custody, and visitation);
- (b) The abuser’s family, friends, or others acting on behalf of
 the abuser in the home country who would physically or

- 1 psychologically harm the survivor or the survivor’s
- 2 child(ren);
- 3 (c) The survivor’s needs and/or needs of the survivor’s
- 4 child(ren) for social, medical, mental health or other
- 5 supportive services for victims of domestic violence that are
- 6 unavailable or not reasonably accessible in the home
- 7 country;
- 8 (d) The existence of laws and social practices in the home
- 9 country that punish the survivor or the survivor’s child(ren)
- 10 because they have been victims of domestic violence or
- 11 have taken steps to leave an abusive household;
- 12 (e) Abusers traveling to the home country and, in many
- 13 instances, the inability or unwillingness of authorities in the
- 14 home country to protect the survivor and/or the survivor’s
- 15 children from future abuse.

16 API-GBV Comment, at 5.

17 In one real-life example, a 12-year-old and 7-year-old were cooperating with law
 18 enforcement in the investigation of their trafficker. Their mother did not have legal status, so the
 19 children appeared for their immigration proceedings alone, terrified of being in court. Because
 20 their case was administratively closed over a year ago, they did not need to fear deportation to a
 21 country where they had no support. Nor do they have to face stressful court appearances to
 22 secure sequential continuances. Instead, they were able to focus on helping law enforcement and
 23 healing from their trauma while their T-Visa applications await processing with USCIS. As API-
 24 GBV pointed out in its Comment, it has first-hand experience with another noncitizen survivor
 25 who avoided unnecessary removal and 1-10 years of unnecessary separation from their U.S.-
 26 citizen spouse and children *because* administrative closure facilitated coordination between
 27 immigration proceedings and U-Visa processing. *See* API-GBV Comment, at 5.

28 If a survivor is deported while her U Visa is pending, the removal itself triggers additional
 grounds for inadmissibility under 8 U.S.C. § 1182(a). Under this section, “aliens who are
 inadmissible under the following paragraphs [including “aliens previously removed”] are
 ineligible to receive visas and ineligible to be admitted to the United States.” *Id.* (emphasis
 added); *id.* § 1182(a)(9). To overcome this ineligibility, the survivor must seek a waiver, and
 because waivers are discretionary, a waiver is not guaranteed. *See Chavez-Romero v. U.S. Att’y*

1 *Gen.*, 817 F. App'x 919, 922 n. 4 (11th Cir. 2020) (U Visa petitioners “must be admissible under
 2 8 U.S.C. § 1182”). Waivers can also be prohibitively expensive. *See Kashyap, supra*, at 75
 3 (estimating the cost of one waiver application at \$930). Thus, completed removal proceedings
 4 create *another* obstacle to realizing the benefits of a U Visa, another example of the
 5 Administrative Closure Rule’s utter disregard for Congress’s intent to make such relief accessible
 6 and end deportation as a weapon for abusers.

7 The situation is even grimmer for a T Visa applicant. If EOIR were to remove a
 8 trafficking victim while her application was pending, she instantly loses her eligibility for T-Visa
 9 status, as such status requires the applicant to be physically present in the United States. *See* 8
 10 U.S.C. § 1101(a)(15)(T)(i)(II). VAWA applicants face new obstacles to their applications upon
 11 removal because they bear the burden to show their spouse subjected them to qualifying abuse “in
 12 the United States,” which becomes infinitely more difficult when they are removed from the
 13 United States. *See* 8 U.S.C. § 1154(a)(1)(A)(v)(I).

14 **B. The Final Rule’s Impact on Communities and Law Enforcement Contravenes**
 15 **Congress’s Intent in Passing Relief Statutes**

16 When noncitizen crime victims fear interaction with the criminal justice system, everyone
 17 suffers. For example, those engaging in organized criminal gang activity are strengthened by
 18 immigrant vulnerability to deportation because witnesses will not come forward, significantly
 19 diminishing the ability of law enforcement to take dangerous criminals off the street. *See* Dan
 20 Lieberman, *MS13 Members: Trump Makes the Gang Stronger*, CNN (July 28, 2017),
 21 <https://www.cnn.com/2017/07/28/us/ms-13-gang-long-island-trump/index.html>; Meagan Flynn,
 22 *Houston’s Chief Acevedo, Defiant and Introspective, Rails Against SB 4*, Houston Press (Apr. 28,
 23 2017), [https://www.houstonpress.com/news/hpd-chief-acevedo-lambasted-sb4-in-defiant-candid](https://www.houstonpress.com/news/hpd-chief-acevedo-lambasted-sb4-in-defiant-candid-monologue-9394376)
 24 [monologue-9394376](https://www.houstonpress.com/news/hpd-chief-acevedo-lambasted-sb4-in-defiant-candid-monologue-9394376). Witnesses to other crimes will no longer report. Lindsey Bever, *Hispanics*
 25 *“Are Going Further into the Shadows” Amid Chilling Immigration Debate, Police Say*, Wash.
 26 Post (May 12, 2017), [https://www.washingtonpost.com/news/post-](https://www.washingtonpost.com/news/post-nation/wp/2017/05/12/immigration-debate-might-be-having-a-chilling-effect-on-crime-reporting-in-hispanic-communities-police-say)
 27 [nation/wp/2017/05/12/immigration-debate-might-be-having-a-chilling-effect-on-crime-reporting-](https://www.washingtonpost.com/news/post-nation/wp/2017/05/12/immigration-debate-might-be-having-a-chilling-effect-on-crime-reporting-in-hispanic-communities-police-say)
 28 [in-hispanic-communities-police-say](https://www.washingtonpost.com/news/post-nation/wp/2017/05/12/immigration-debate-might-be-having-a-chilling-effect-on-crime-reporting-in-hispanic-communities-police-say). Without Congress’s protections, which are meant to assure

1 noncitizen survivors that they will not be deported after assisting law enforcement but before they
2 have an opportunity to be heard by USCIS, survivors will not speak out. When survivors are too
3 afraid to speak out, law enforcement suffers and communities may become unsafe. Any erosion
4 of trust between noncitizen survivors and law enforcement would take years to rebuild.

5 Law enforcement organizations also need victims of violence to be present to testify.
6 There have already been reports of survivors being deported before they have an opportunity to
7 present their cases before USCIS, including a survivor in Texas who was deported after alleging
8 sexual assault and harassment in a detention center in El Paso. Lomi Kriel, *ICE deported a key*
9 *witness in investigation of sexual assault and harassment at El Paso detention center*, Texas
10 Tribune (Sept. 15, 2020), [https://www.texastribune.org/2020/09/15/ice-deport-witness-sexual-](https://www.texastribune.org/2020/09/15/ice-deport-witness-sexual-assault/)
11 [assault/](https://www.texastribune.org/2020/09/15/ice-deport-witness-sexual-assault/). These reports only validate perpetrators' threats of deportation against their noncitizen
12 victims, further chilling crime reporting. Compare that to another real-life example in which a
13 trafficking victim, the father of a 5-year-old boy, was able to have his immigration proceedings
14 administratively closed so he could cooperate with the U.S. Attorney's Office and Federal Bureau
15 of Investigation, as well as care for his son who had resided in the trafficker's home. The
16 trafficker's family in the father's country of origin was also vengeful about the father's
17 cooperation, and deportation would have placed the father in great danger and further jeopardized
18 his ability to cooperate with law enforcement.

19 When removal proceedings remove a survivor who would have otherwise been approved
20 for survivor-based relief, children are put in danger. Deportation leaves two possible outcomes
21 for the deported survivors' children. The children may either be separated from the survivor and
22 remain in the U.S., either with an abusive parent or in foster care at the taxpayers' expense, or be
23 deported along with their mother to her home country to face tightened financial and physical
24 risks. Michelle J. Anderson, *A License to Abuse: The Impacts of Conditional Status on Female*
25 *Immigrants*, 102 Yale L.J. 1401, 21, 1427-28, fn. 127 (1993). The Centers for Disease Control
26 and Prevention report that in homes with partner-based violence, there is a thirty to sixty percent
27 chance of simultaneous child abuse. See Andrea Hazen, *Intimate Partner Violence Among*
28 *Female Caregivers of Children Reported for Child Maltreatment, Child Abuse and Neglect*, 30,

1 302, 1–319 (March 2004), <https://doi.org/10.1016/j.chiabu.2003.09.016>. If survivors report abuse
 2 only to face swift deportation proceedings that cannot be adequately paused for concurrent
 3 USCIS proceedings, their children’s safety will be further compromised.

4 **III. THE FINAL RULE’S RELIANCE ON CONTINUANCES AND MOTIONS TO**
 5 **DISMISS ARE INADEQUATE SUBSTITUTES FOR ADMINISTRATIVE**
 6 **CLOSURE**

7 Administrative closure became commonly used within immigration courts because a
 8 continuance was an ineffective and inefficient method for pausing immigration proceedings while
 9 a respondent’s USCIS application was processed. *See Avetisyan*, 25 I. & N. Dec. at 697. Forcing
 10 IJs and BIAs to repeatedly continue proceedings further exacerbates backlogs and wastes agency,
 11 advocate, and survivor resources. Similarly, relying on the prosecuting government official to
 12 move to dismiss proceedings is an inadequate substitute for IJ and BIA authority to manage their
 13 own dockets and ensure coordination among proceedings.

14 Administrative closure encourages efficiency as it frees up docket space and resources for
 15 cases that are ripe, sparing the court, the parties, the attorneys, and the interpreters from
 16 unnecessarily premature proceedings. Continuances require regular reports by the parties to the
 17 immigration court, which then necessitate review by the immigration court, consuming more
 18 resources. Re-opening an administratively closed case is no great undertaking for the prosecuting
 19 officer should it wish to move ahead with its prosecution. The officer need only file a motion—a
 20 far lesser burden than repeated rounds of briefing on whether another continuance is needed.
 21 *Avetisyan*, 25 I. & N. Dec. at 695.

22 EOIR’s reliance on continuances as an adequate substitute for administrative closure
 23 provides yet another example of EOIR moving the goal posts for noncitizen survivors. On
 24 November 27, 2020—after the comment period had passed for this NPRM—EOIR proposed
 25 changing the applicable standards to granting a continuance in immigration proceedings. *Good*
 26 *Cause for a Continuance in Immigration Proceedings*, 85 Fed. Reg. 75,925 (Nov. 27, 2020).
 27 EOIR expects continuances to provide an adequate substitute for administrative closure when the
 28 very nature of continuances is in flux. To be clear, that proposed regulation would alter 8 C.F.R.
 § 1003.29 to provide that “a continuance request to apply for a non-immigrant visa ... does not

1 demonstrate good cause unless ... [t]he alien demonstrates that final approval of the visa
 2 application ... will occur within six months of the request for a continuance.” 85 Fed. Reg.
 3 75,940. Given the timelines for USCIS processing, a continuance is of no use to survivors
 4 waiting on U Visas, T Visas, and VAWA-based relief. *See* Texas Rio Grande Legal Aid’s
 5 Comment to 85 Fed. Reg. 75,925, Docket ID No. EOIR-2020-0009-0275 (Dec. 23, 2020) at 18,
 6 <https://www.regulations.gov/document?D=EOIR-2020-0009-0275> (“[t]rafficking survivors will
 7 almost never be able to demonstrate that their T Visa applications will be adjudicated within six
 8 months”).⁶

9 The Administrative Closure Rule speculates that, in lieu of administrative closure,
 10 respondents can “work[] with DHS counsel to file a motion to dismiss” under 8 C.F.R.
 11 § 1239.2(c). This is far from an adequate substitute.

12 First, 8 C.F.R. § 1239.2(c) only allows a “government counsel” or a “designated official”
 13 to move for such relief, preventing a respondent from moving to dismiss herself. 8 C.F.R.
 14 § 1239.2(c). Thus, a survivor respondent is at the mercy of the very prosecuting officer who
 15 issued the notice to appear in immigration proceedings in the first place. Nor could an IJ *sua*
 16 *sponte* dismiss in an effort to manage its own docket, as an IJ is not a qualifying official to whom
 17 the rule applies. *See id.* (citing list of officials in 8 C.F.R. § 239.2(a)). EOIR should not delegate
 18 docket management responsibility to the prosecuting official in immigration proceedings.

19 Second, the regulation only permits a motion to dismiss “on the grounds set out under 8
 20 C.F.R. § 239.2.” *Id.* § 1239.2(c). Those grounds do not involve any considerations of efficiency
 21 or parallel USCIS proceedings. *See* 8 C.F.R. § 239.2. In sum, the Administrative Closure Rule
 22 effectuates a substantive deprivation of rights, without any currently adequate substitute
 23 procedure.

24 **IV. THERE IS NO EFFICIENCY JUSTIFICATION FOR THE FINAL RULE**

25 Four months after the Attorney General issued *Castro-Tum*, effectively ordering IJs and
 26

27 ⁶ On January 8, 2021, the Director of EOIR issued a policy memorandum again altering the
 28 nature and function of continuances. James R. McHenry III, Policy Memorandum: Continuances
 (Jan. 8, 2021), <https://www.justice.gov/eoir/page/file/1351816/download>.

1 BIA to stop using administrative closure, immigration court backlogs increased by almost 55,000
 2 cases. *Montano, supra*, 129 Yale L.J. F. at 579. Sixteen months later, in September 2019, the
 3 backlog stood at 1,023,767 cases, an increase of over 250,000 cases.⁷ There is, accordingly, no
 4 “efficiency” justification for the Administrative Closure Rule, as attempted by EOIR.

5 In fact, the data demonstrate the opposite and lead to an inference that the Administrative
 6 Closure Rule is being used as a weapon to increase immigration case backlogs, enable
 7 deportations and removal, and use 5- to 10-year U-Visa backlog as a deterrent to the exercise of
 8 statutory rights. The Administrative Closure Rule is in line with the Trump Administration’s
 9 effort to build a regulatory wall to eliminate paths to safety for immigration survivors; the 30-day
 10 public comment period acted as a mere procedural fig-leaf for an equally pernicious policy
 11 change. In fact, elimination of administrative closure is *contributing* to EOIR’s inefficiency.
 12 Given what the Final Rule will mean for noncitizen survivors and the Final Rule’s failure to
 13 address that harm, the rationale for the final rule appears to more closely align with the former
 14 President’s public statements on immigration than on the proffered reason of “efficiency.”⁸

15 The Trump Administration’s time has come to an end. Domestic violence, sexual
 16 violence, and human trafficking will not. One in three women and one in six men experience
 17 some form of sexual violence in a lifetime⁹ and more than 12 million men and women experience
 18 rape, physical violence, or stalking by an intimate partner each year in the United States.¹⁰
 19 Noncitizen survivors in deportation or removal proceedings face dire consequences if an IJ or

20 ⁷ Two federal courts of appeals that rejected *Castro-Tum*, thus enabling IJs and BIA in those
 21 federal circuits to use administrative closure, issued their decisions on August 29, 2019 and June
 22 26, 2020, so any reinstatement of this important procedure is not reflected in those backlog
 statistics. *See Romero*, 937 F.3d 282; *Meza Morales*, 973 F.3d 656.

23 ⁸ *See* Tahirih Justice Center’s Comment, EOIR Docket No. 19-0022 (Sept. 25, 2020), at 4-5,
 24 <https://beta.regulations.gov/comment/EOIR-2020-0004-0952> (collecting public comments by
 President Donald Trump on immigration matters, including one in which he referred to asylum
 seekers as “infest[ing]” the United States). Because President Trump’s Twitter account was
 deleted, *Amici* is unable to provide direct citations to those tweets.

25 ⁹ Centers for Disease Control and Prevention, *The National Intimate Partner and Sexual Violence*
 26 *Survey (NISVS): 2010-2012 State Report* (2017),
<https://www.cdc.gov/violenceprevention/pdf/NISVS-StateReportBook.pdf>.

27 ¹⁰ Centers for Disease Control and Prevention, *Sexual Violence, Stalking, and Intimate Partner*
 28 *Violence Widespread in the US* (2011),
https://www.cdc.gov/media/releases/2011/p1214_sexual_violence.html.

1 BIA is unable to use administrative closure to allow the survivor's pending visa application to
2 process. The impact on survivors is clearly life-altering and, too often, life threatening.

3 Congress intended communities to have law enforcement that can effectively combat
4 violent crimes. So long as domestic violence, sexual violence, and human trafficking continue,
5 law enforcement will investigate and prosecute the offenders, relying on survivors to come
6 forward and assist those efforts. As Congress well understands, the safety of the public depends
7 on noncitizen survivors knowing they may report crimes without fear of removal or deportation.

8 CONCLUSION

9 The Administrative Closure Rule allows perpetrators of violence to use the immigration
10 system against their victims. The challenged rule is arbitrary and capricious and contrary to the
11 spirit and intent of federal law. *Amici* respectfully ask the Court to stop defendants from turning
12 the immigration system into a game of mousetrap for survivors, and grant Plaintiffs' motion for a
13 preliminary injunction.

14 Respectfully Submitted,

15 DATE: January 29, 2021

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Exhibit A

	A	B	C	D	E	F	G
1	Comments on FR Doc # 2020-18676 (EOIR-2020-0004-0001) (https://beta.regulations.gov/document/EOIR-2020-0004-0001/comment)						
2	Commenter	Date Posted	Date Received by EOIR	Commenter Specifically Oppose Admin Closure? (Y/N)	Commenter Object to Length of Comment Period? (Y/N)	Link to Comment	Additional Notes
3	Northwest Immigrant Rights Project	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0966	
4	Victoria Carmona	9/21/2020	9/21/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0275	
5	Jewish Family and Community Services East Bay	9/17/2020	9/16/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0055	
6	Aaron Lawee	9/8/2020	9/4/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0018	
7	Aaron Reichlin-Melnick	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1212	Affiliated with American Immigration Council
8	Adriel Orozco	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1080	
9	Alix Strunk	9/25/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0661	
10	Alma Chacon	9/22/2020	9/22/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0502	
11	American Gateways	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0960	
12	Amy Myers	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1241	
13	Anne Pilsbury	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1199	
14	Annie Hightower (Idaho Coalition Against Sexual & Domestic Violence)	9/22/2020	9/22/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0506	
15	Anonymous	11/13/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1284	
16	Anonymous	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1181	Affiliated with Massachusetts Law Reform Institute
17	Asian Pacific Institute on Gender-Based Violence	9/25/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0669	
18	Bernadine Karge (Staff Attorney at Chicago Legal Clinic)	10/6/2020	9/23/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1276	
19	Bianca Santos	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1204	
20	Brett C. Hoover, Ph.D., Associate Professor of Theology Loyola Marymount University, Los Angeles	11/12/2020	9/23/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1280	
21	Bridget Crawford	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1231	Affiliated with Immigration Equality

	A	B	C	D	E	F	G
22	Catholic Charities of the Archdiocese of Atlanta, Inc.	9/25/2020	9/24/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0639	
23	Catholic Legal Immigration Network, Inc.	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0950	
24	Cecelia Levin	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1268	Affiliated with ASISTA
25	Christine Smith	9/23/2020	9/22/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0576	
26	Community Legal Services in East Palo Alto	9/25/2020	9/24/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0641	
27	Corrylee Drozda	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1183	Affiliated with the Legal Aid Society of Cleveland
28	David Gottlieb	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1225	
29	Dexter Johnson	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1188	
30	Diego Bonesatti	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1088	Affiliated with Michigan United
31	Division Immigrant and Refugee Services for Catholic Charities Community Services, Archdiocese of New York	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0962	
32	Donna Greco	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1131	Affiliated with PA Coalition Against Rape and National Sexual Violence Resource Center
33	Doug Smith, The Right to Immigration Institute	9/24/2020	9/16/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0595	
34	Eduardo Roman	9/22/2020	9/22/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0482	
35	Elissa Steglich	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1094	Affiliated with the University of Texas-Austin
36	Elizabeth Keyes, Esq. Associate Professor at University of Baltimore School of Law	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0951	
37	Emily Abraham (Social Justice Collaborative)	9/9/2020	9/8/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0023	
38	Emily Leung	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1168	
39	Erica Schommer	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1139	
40	Erika Kreider	9/4/2020	9/3/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0011	

	A	B	C	D	E	F	G
41	Estelle McKee	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1087	Affiliated with Cornell Asylum and Convention Against Torture Appellate Clinic
42	Evangelina Alvarez, Michigan Immigrant Rights Center	9/24/2020	9/24/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0633	
43	Evangelina Chan	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1270	Affiliated with Safe Horizon
44	Florence Immigrant and Refugee Rights Project	9/24/2020	9/24/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0632	
45	Francis Kreimer	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1104	Personal capacity and on behalf of Villanova Law clinic
46	General Counsel at Justice at Work (formerly Friends of Farmworkers, Inc.)	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0955	
47	Grace Chisholm	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1171	
48	Haley Millner	9/8/2020	9/4/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0017	
49	Hannah Vickner Hough	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1172	Affiliated with World Relief
50	Helen Lawrence, Law Office of Helen Lawrence	9/14/2020	9/11/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0031	
51	Human Rights First	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0958	
52	Ian Henderson, Wisconsin Coalition Against Sexual Assault	9/25/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0946	
53	Ilyce Shugall, Round Table of Former Immigration Judges	9/25/2020	9/24/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0650	

	A	B	C	D	E	F	G
54	Immigrant Justice Network (on behalf of 4 of its members: Immigrant Legal Resource Center, Immigrant Defense Project, Just Futures Law, and the National Immigration Project of the National Lawyers Guild)	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0972	
55	Innovation Law Lab	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0959	
56	Jacob Frey	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1240	Mayor of Minneapolis
57	Jay Martin Steinman	9/23/2020	9/22/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0520	
58	Jessica Jenkins	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1101	Affiliated with Bay Area Legal Aid
59	Joanne Sylvester	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1161	
60	John Flanagan	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1227	
61	John Giammatteo	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1252	Affiliated with Lutheran Social Services of New York, Immigration Legal Program
62	Jones Day	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1140	
63	Joseph Moravec	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1182	Affiliated with FIRN, Inc.
64	Julia Brown	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1229	Affiliated with Immigrant Legal Advocacy Project
65	Kaci Bishop	9/25/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0672	
66	Kate Mahoney	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1100	Affiliated with Dolores Street Community Services
67	Lauren McClure	9/15/2020	9/14/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0034	
68	Lauren Reiff, New York Legal Assistance Group	9/24/2020	9/24/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0630	
69	Laurie Ball Cooper, Ayuda	9/25/2020	9/24/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0662	
70	Lindsay Harris	9/18/2020	9/18/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0209	
71	LSU Law Immigration Clinic	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1235	
72	Lynn Marcus	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1269	
73	Mariel Villarreal	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1093	
74	Marios Fellouka	9/8/2020	9/4/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0016	
75	Marta M. Diaz	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1135	
76	Marti Jones	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1264	Affiliated with Stowell, Crayk & Bown

	A	B	C	D	E	F	G
77	Mason & Black LLP	9/10/2020	9/9/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0026	
78	Megan Sprecher	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1141	Affiliated with End Domestic Abuse Wisconsin
79	Melinda Bonacore	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1102	Affiliated with Northeast Justice Center
80	Michelle Carey	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1143	Affiliated with Los Angeles Center for Law and Justice
81	Michigan State University College of Law Immigration Law Clinic	9/25/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0948	
82	Milli Atkinson	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1242	Affiliated with Justice & Diversity Center of the Bar Association of San Francisco
83	Naomi Steinberg, HIAS	9/25/2020	9/24/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0643	
84	Nary Rath	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1178	Affiliated with Southeast Asia Resource Action Center
85	National Alliance to End Sexual Violence	9/22/2020	9/22/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0487	
86	National Coalition Against Domestic Violence	9/24/2020	9/24/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0625	
87	National Immigrant Justice Center	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0971	
88	New Sanctuary Coalition	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0970	
89	Nicole Minnis	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1203	Affiliated with Depaul Asylum and Immigration Law Clinic
90	Nicole Weitnauer	9/4/2020	9/4/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0015	
91	North Suburban Legal Aid Clinic	9/18/2020	9/17/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0101	
92	Pablo Jimenez, The Justice Center at Albany Law School	9/24/2020	9/23/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0585	
93	Pangea Legal Services	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1173	
94	Pilar Ferguson	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1160	
95	Progreso Latino	9/22/2020	9/22/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0492	
96	Rachel Wilson	9/11/2020	9/10/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0028	
97	Rafael Carbajal	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1103	Affiliated with County of Los Angeles Department of Consumer and Business Affairs

	A	B	C	D	E	F	G
98	Rafael Carbajal	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1147	Affiliated with County of Los Angeles Department of Consumer and Business Affairs
99	Ravi Ragbir	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1169	Affiliated with New Sanctuary Coalition
100	Rebecca Rojas	9/17/2020	9/16/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0043	
101	Richard Mancino	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1166	Affiliated with Willkie Farr & Gallagher LLP
102	Robin Goldfaden	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1239	Affiliated with National Immigration Law Center
103	Rosa Beltre	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1175	
104	Rosemarie Hidalgo	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1214	Affiliated with Casa de Esperanza
105	Sarah Deri Oshiro	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1218	Affiliated with the Bronx Defenders
106	Sonia Marquez	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1261	Affiliated with Brooklyn Defender Service
107	Sophia Smith, Tahirih Justice Center	9/24/2020	9/24/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0627	
108	Southern Poverty Law Center	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0968	
109	Stephen O'Connor	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1159	
110	Susan Marks	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1208	
111	Sutton Freedman	9/21/2020	9/21/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0244	
112	Tamara Jezic	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1148	
113	Tania Valdez	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1219	Affiliated with University of Denver Sturm College of Law
114	Tessa Pulaski	9/22/2020	9/23/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0491	
115	The American Immigration Lawyers Association (AILA) and the American Immigration Council (Council), through their joint initiative, the Immigration Justice Campaign (Justice Campaign)	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0969	
116	The Legal Project	9/24/2020	9/24/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0635	
117	The Tahirih Justice Center	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0952	
118	The Young Center for Immigrant Children's Rights	9/26/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0957	

	A	B	C	D	E	F	G
119	Tiano Biszko (Catholic Social Services of Fall River)	9/22/2020	9/22/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0493	
120	Tori Bateman	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1136	Affiliated with American Friends Service Committee
121	Veena Iyer	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1177	Affiliated with Immigrant Law Center of Minnesota
122	Victoria Gass, Senior Policy Advisor Oxfam America	9/25/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0949	
123	Yessica Yi	9/28/2020	9/25/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-1254	
124	Sondra Miller- Wein, Esq.	9/25/2020	9/24/2020	Y	Y	https://beta.regulations.gov/comment/EOIR-2020-0004-0647	
125	Vanessa Milbradt	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0486	
126	Anonymous	9/25/2020	9/24/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0652	
127	Alex Carlson	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0456	
128	American Bar Association	9/26/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0963	
129	Amy E	9/21/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0262	
130	Anne Jaspersen	9/23/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0573	
131	Anne Parker	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0421	
132	Anonymous	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0480	
133	Anonymous	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0404	
134	Anonymous	9/25/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0932	
135	Anonymous	9/23/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0560	
136	Anonymous	9/24/2020	9/24/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0628	
137	Anonymous	9/24/2020	9/23/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0586	
138	Anonymous	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1179	
139	Anonymous	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1176	
140	Anonymous	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1076	
141	Association of Pro Bono Counsel	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1190	
142	Benjamin Nicla	9/23/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0524	
143	Beth Rademacher	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0489	
144	Blanca Sanchez	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0408	
145	Born Andraised	9/25/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0930	
146	Brianda cediell	9/23/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0509	
147	Bruno Huizar	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1262	
148	C Perez	9/24/2020	9/24/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0624	
149	Calleigh McRaith	9/23/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0527	
150	Caroline Moore	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0405	
151	Carrie H. Peltier	9/23/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0528	
152	Carrie Marsh	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0429	

	A	B	C	D	E	F	G
153	Cecelia Erickson	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1126	
154	Celine DinhJanelle	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1213	
155	Chelsea Naylor	9/24/2020	9/24/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0629	
156	Chelsea Norton	9/24/2020	9/23/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0581	
157	Cheryl Behrent	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0432	
158	City of New York	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1186	
159	Claudia Canizares	9/21/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0245	
160	Craig Mousin	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1258	
161	Daniel Brown	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0410	
162	Danielle Korby	9/25/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0667	
163	David Asser	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0449	
164	David Asser	9/24/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0594	
165	David Moore	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0406	
166	Dorene King	9/25/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0931	
167	Gloria Leticia Edin	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1180	Affiliated with Contreras & Metelska, PA
168	Graham Ojala-Barbour	9/23/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0526	
169	Grengs Law Office	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0484	
170	Haddy Rikabi, Esq.	9/16/2020	9/15/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0040	Noted administrative closure useful when U visa applicant assisting law enforcement
171	Harvard Immigration & Refugee Clinical Program and Harvard Law School Immigration Project	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1174	
172	Jacqueline Oliver	9/25/2020	9/24/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0649	
173	Jaime Ballard	9/24/2020	9/24/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0636	
174	Jane Freeman	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0411	
175	Jean Bruggeman	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1202	Affiliated with Freedom Network USA
176	Jean Hartman	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0409	
177	Jean Schroepfer	9/21/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0259	
178	Jnana Hand	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0479	
179	Joe Maccani	9/23/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0515	
180	Jon Tao	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1209	
181	Joy Nelson	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0459	
182	Karin Anderson Ponzer	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1092	Affiliated with Neighbors Link Community Law Practice
183	Kathleen	9/25/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0792	
184	Kathryn Iverson	9/23/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0508	
185	Kenneth Wendinger	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0413	
186	Kids in Need of Defense (KIND)	9/26/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0964	

	A	B	C	D	E	F	G
187	Lauren Anonymous	9/23/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0514	
188	Law Office of Linette Tobin	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0495	
189	Lucas Nevin	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0402	
190	Lydia Sinkus	9/11/2020	9/10/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0027	
191	Lyndsey Kenefick	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0499	
192	Maggie Arias	9/25/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0675	
193	Make the Road New York	9/25/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0795	
194	Marlene Dougherty	9/21/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0241	
195	Mary Faist	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0500	
196	Mary Savage	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1125	Affiliated with Kentucky Coalition Against Domestic Violence
197	Maurice Menzel	9/23/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0507	
198	Mercedes Rodriguez	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1142	Affiliated with Michigan Immigrant Rights Center
199	Migrant Center for Human Rights	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1272	
200	Mike LaFrance	9/21/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0242	
201	Miriam Abaya, First Focus on Children	9/25/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0714	
202	Monica McLaughlin	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1170	
203	Monica Nevin	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0401	
204	monica nevin	9/23/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0519	
205	N/A	9/8/2020	9/7/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0022	
206	Natalie Petrucci (Rocky Mountain Immigrant Advocacy Network)	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0425	
207	National Association of Immigration Judges	9/26/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0953	
208	National Immigration Forum	9/23/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0574	
209	Nicholas Ratkowski	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0395	
210	Noella Poinsette	9/21/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0246	
211	Omeed Firouzi	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1128	
212	Patricia Goodfield	9/25/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0788	
213	Patricia Klucas	9/21/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0251	
214	Patrick Leung	9/23/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0575	
215	Pauline Cragun	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0497	
216	PB Green	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1265	
217	Phyllis Skinner	9/23/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0512	
218	Rachael Freed	9/25/2020	9/24/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0644	

	A	B	C	D	E	F	G
219	Raul Pinto	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1124	Affiliated with North Carolina Justice Center
220	Refugee and Immigrant Center for Education and Legal Services	9/26/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0956	
221	Renee Armstrong	9/21/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0260	
222	Rosey Vogan	9/25/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0790	
223	Sabrina Damast	9/8/2020	9/5/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0021	
224	Sally Nador	9/23/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0521	
225	Sam Fouts	9/23/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0510	
226	Sean McMahon	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1244	
227	Senators: Sheldon Whitehouse, Mazie Hirono, Richard Blumenthal, Richard J. Durbin, Amy Klobuchar, and Cory A. Booker	9/26/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0967	
228	Stephen Allen, The Law Office of Stephen Allen, P.A.	9/16/2020	9/15/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0037	
229	Steve Kraemer	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1237	
230	Sue Halligan	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0478	
231	The Legal Aid Society	9/26/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0965	
232	The Rev. Dianne Loufman	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0485	
233	Tony Ducklow	9/22/2020	9/22/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0481	
234	Vic Rosenthal	9/22/2020	9/21/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0412	
235	Will Sjoblom	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1077	
236	Ximena Valdarrago	9/28/2020	9/25/2020	Y	N	https://beta.regulations.gov/comment/EOIR-2020-0004-1106	
237	Anonymous	9/10/2020	9/9/2020	N	N	https://beta.regulations.gov/comment/EOIR-2020-0004-0025	