



ASISTA Federal Policy Update¹ December 2024

ASISTA maintains a robust engagement in policy advocacy to advance the needs of immigrant survivors of domestic and sexual violence. In addition to providing training and technical assistance support to immigration law practitioners and advocates working with immigrant survivors around the United States, ASISTA regularly engages in coalition work and advocates for legislation and improvements to administrative policy benefitting immigrant survivors.

Following is an update of ASISTA's federal policy activities from July 1 to December 31, 2024, including:

- [Legislative Advocacy](#)
- [Coalition Advocacy](#)
- [Stakeholder Meetings](#)
- [Advocacy Letters](#)
- [Calls for Examples](#)
- [Final Regulations](#)
- [Comments Submitted](#)
- [Practice Advisories](#)

And... how we are [looking ahead](#) to the next administration. We will continue to update our membership community about activities, deadlines, and ways to get involved in advocating for immigrant survivors.

As always, we welcome your feedback and engagement.

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Legislative Advocacy

WISE Act Advocacy and Meetings on the Hill

ASISTA continued to actively advocate for the [WISE Act](#) on Capitol Hill. Among other critical improvements, the WISE Act eliminates the U visa cap and promotes access to public benefits and expedited work authorization for immigrant survivors.

To find out more about the WISE Act and get involved in advocacy, please get in touch with cristina@asistahelp.org. We are happy to join and/or provide support for meetings with your members of Congress.

Opposition to HR 7909 Violence Against Women by Illegal Aliens Act

In September 2024, ASISTA and our co-chairs in the Alliance for Immigrant Survivors (AIS) prepared [a letter](#) opposing HR 7909 for submission by the National Task Force to End Sexual & Domestic Violence. HR 7909 would have created additional grounds of inadmissibility based on admissions or convictions for domestic violence, and did not contain waivers for immigrant survivors of domestic violence who might have been arrested along with, or instead of, their abusers. Within a very short turnaround time, *more than 180 organizations* joined the letter opposing the bill, which was submitted into the Congressional record by Representative Jerrold Nadler (NY-12). The bill passed in the House but has not advanced in the Senate. We will continue to monitor this bill, which was initially introduced by Rep. Nancy Mace (SC-1), and similar bills that would further criminalize immigrant survivors under the guise of protecting victims of gender-based violence.

Federal Child Marriage Prevention Act (CMPA)

ASISTA joined our co-chairs of the Alliance for Immigrant Survivors (AIS) in endorsing the [Child Marriage Prevention Act](#), which makes historic investments to incentivize states to take action to end child marriage and updates immigration law to close loopholes in the marriage-based visa program that allow for the exploitation of children under the guise of marriage. We will continue to monitor and support this bill as it is reintroduced in the next Congress.

Family Reunification Task Force Bill

On December 12, 2024, ASISTA endorsed the bicameral [Family Reunification Task Force Bill](#), which authorizes the Family Reunification Task Force, which is currently set up by an [Executive Order](#) to reunify families separated under Trump's zero tolerance policy and which Trump is likely to disband despite more than 1,300 children still needing to be reunited with family. As of March 20, 2024, the Family Reunification Task Force has coordinated with non-governmental

organizations and attorneys representing separated families to facilitate the reunification of 795 children with their parents. There are 71 children in the process of being reunified and 1,360 children without confirmed reunifications.

Bill to Prohibit New Blank Spaces Policy

ASISTA is supporting the introduction of a new bill by Representative Delia Ramirez (IL-03) that would prohibit DHS from rejecting properly filed applications for omitting information in a field that is not required by the regulations.

Coalition Work with Alliance for Immigrant Survivors (AIS)

Urging DHS to Finalize U Visa and VAWA Regulations

ASISTA and co-chairs of AIS issued a **Call to Action** [demanding that the Department of Homeland Security \(DHS\) finalize long awaited U visa regulations](#) and finally enshrine critically needed protections for immigrant survivors of gender-based violence. The Call to Action was launched at the end of June 2024. Subsequently, ASISTA and our partners in AIS also met privately with high-ranking members of the USCIS and the Biden administration to urge release of the proposed U visa and VAWA regulations for public comment and final publication before the new administration takes office which, unfortunately, did not happen.

Key Recommendations to the Outgoing Biden Administration

On November 14, 2024, ASISTA and co-chairs of AIS submitted a letter to DHS Secretary Alejandro Mayorkas and Attorney General Merrick Garland urging them to take actions to address the needs of immigrant survivors of domestic violence and sexual assault before they leave office. They included exercising discretion to release survivors of gender based violence from ICE detention facilities per the ICE Victim-Centered Approach, expedite adjudication of pending petitions for survivor-based immigration relief including asylum, and processing of EADs, and additional guidance related to 1367 protections.

VAWA Self-Petitioner Interview Opposition and Advocacy Letter

In late November 2024 ASISTA worked with members of the AIS network to draft a [letter to USCIS](#) urging rescission of the newly announced policy to interview some VAWA Self-Petitioners with pending adjustment of status applications at local USCIS Field Offices, and offer recommendations to ensure the safety and dignity of VAWA Self-Petitioners. The letter was submitted to USCIS on December 3, 2024, and was joined by 28 national, state, and local organizations including AIS co-chairs and 18 national and state coalitions to end domestic violence.

AIS Network Webinar: Building a Stronger Alliance

On December 17, 2024, ASISTA and our AIS co-chairs hosted an [information session](#) where we highlighted our mission and values, our past work and impact, and looked ahead to the ways we can all work together through policy, administrative, legislative, and communications initiatives. For more information about getting involved with AIS, please visit our website and the link above.

Statement Opposing Mass Deportation Policies

On December 19, 2024, ASISTA joined our AIS co-chairs in a [statement opposing mass deportation policies](#) that was submitted into the record of the U.S. Senate Judiciary Committee hearing entitled “How Mass Deportations Will Separate American Families, Harm Our Armed Forces, and Devastate Our Economy.” The letter details our deep concerns about the devastating impact of mass deportation policies on immigrant survivors of abuse and gender-based violence.

Stakeholder Engagements, Advocacy Letters, and Calls for Examples

USCIS National Engagement: T Visa Final Rule

On August 15, 2024, ASISTA participated in the USCIS National Engagement on the Final T Visa Rule that subsequently became effective on August 28, 2024. [These](#) are ASISTA's notes from that engagement.

USCIS Stakeholder Briefing: VAWA Self-Petitioner Interviews

On November 12, 2024, ASISTA participated in a small USCIS Stakeholder briefing to announce the commencement of USCIS Field Office interviews of some VAWA Self-Petitioners with pending applications for adjustment of status concerning the content of both applications. [These](#) are ASISTA's notes from that meeting.

VAWA Self-Petitioner Interview Survey

ASISTA has prepared a [survey for practitioners to complete](#) if they have accompanied a client to a USCIS Field Office interview where their client was asked about their VAWA I-360 petition, In order to understand the implementation of this policy change.

Letter to USCIS Re: Discrepancies in Filing Location Instructions and Rejected I-290B Filings

On November 12, 2024, ASISTA and AILA submitted a [letter to USCIS](#) with collected examples demonstrating a trend of rejected I-290B Filings due to inconsistent filing instructions on the USCIS website, USCIS decision notices, and DHS regulations.

USCIS Stakeholder Engagement with AILA VAWA/U/T Committee

On November 14, 2024, ASISTA participated in the USCIS Stakeholder Engagement with the AILA VAWA/U/T Committee. [These](#) are ASISTA's notes from that engagement.

Letter to USCIS Re: Missing Submissions and Correspondence

On October 28, 2024, ASISTA and AILA submitted a [letter to USCIS](#) with collected examples demonstrating a trend of missing submissions to USCIS and missing correspondence from USCIS in VAWA, U, and T cases. With the examples, we also provided recommendations to address these issues.

Letter to USCIS Re: Grace Period for New Form I-914

On August 29, 2024, ASISTA, AILA, CAST, and Freedom Network USA submitted a [letter to USCIS](#) requesting a grace period for the Form I-914 that was released on August 28, 2024, without a grace period. The following day, USCIS updated its website to include a one-month grace period.

Additional Administrative Advocacy on Survivor-Based Issues

In addition to the above, ASISTA made multiple informal submissions by email to our contacts at DHS to advise them of concerning trends and patterns of adjudication informed by our Technical Assistance and Calls for Examples. We communicated with DHS regarding inconsistencies in age-out interpretations across different form adjudicators, proper interpretation of public charge and affidavit of support requirements for U visa beneficiaries, and coordination between USCIS and other DHS components regarding requests to expedite survivor-based applications while the survivor is in removal.

Calls for Examples

Together with the AILA VAWA/U/T Committee, ASISTA circulated multiple calls for examples to share with USCIS in advocacy efforts for immigrant survivors. Thanks to the many ASISTA members and their clients who responded with examples, ASISTA and partners were able to send informal inquiries to our USCIS contacts, citing exact instances of the issues that USCIS could use to track down the problem points and take corrective action.

Our open calls for examples may be viewed on our website, [here](#).

Final Regulations

New Regulations Regarding Administrative Closure and Termination in Removal Proceedings Became Effective

On July 29, 2024, new regulations became effective that confirm the ability of adjudicators within the Executive Office for Immigration Review (EOIR) to

administratively close and terminate removal proceedings when certain standards are met. The preamble to the new regulations discusses U, T, and VAWA petitions, and provides some insight into how the regulations will be implemented in reference to those forms of relief. On August 19, 2024, ASISTA issued a [Practice Alert](#) reviewing the new regulations and the potential impact of the regulations on immigrant survivors and their derivative beneficiaries who are seeking administrative closure or the termination of removal proceedings to pursue petitions for U, T, and VAWA based relief before USCIS.

Regulatory Comments Submitted

Comment on Proposed Changes to Form I-360

ASISTA contributed to the public comment on proposed changes to Form I-360 submitted by CLINIC on October 15, 2024. The [proposed changes](#) are largely benign and may even help pro-se applicants navigate the form correctly, but ASISTA and CLINIC believe there is still room for improvement. Read our comment [here](#).

Looking Ahead to the Next Administration

Post-Election ASISTA Roundtable

On December 6, 2024, ASISTA held a member roundtable to collectively discuss our expectations and strategies going into the new administration. ASISTA will hold additional membership meetings as changes affecting immigrant survivors progress in the coming months and years.

Narrative Change in Support of Justice for Immigrant Survivors

ASISTA has determined a need to develop positive narratives of immigrants seeking survivor-based benefits for the purpose of advocacy. In the context of U visas, this means countering negative misperceptions about fraudulent use of the U visa program and use of the U visa program by immigrants who are not survivors of domestic violence (and why the U visa program is valuable to all undocumented immigrant victims of crime and violence, whether or not they are survivors of domestic violence). To aid this initiative, ASISTA has prepared a [U visa Program Info Collection \(Survey\)](#) for practitioners to share their feedback on the U visa program. The survey is an effort to collect impressions of the U visa program and backlog, and of the U Visa program's success and frustrations. We also ask if you have clients who you think would be willing to share their experiences. More information is on the first page of the survey. Thank you to all who have responded thus far. The survey will remain open indefinitely.

Practice Advisories

ICYMI, ASISTA released the following [Practice Alerts, Pointers, and Advisories](#) in 2024:

[International Travel and U Nonimmigrant Status](#) (November 2024)

[VAWA-Based Adjustment of Status: Inadmissibility Waivers & Exceptions](#)
(November 2024)

[Opposing Defendants' Requests for U and T Filings in Criminal Proceedings](#)
(with National Crime Victim Law Institute) (October 2024)

[Top Ten Things DV/SA Advocates Should Know About Immigrant Survivors](#)
(Updated September 2024)

[Age-Out Protections in U Nonimmigrant Status](#) (August 2024)

[New DOJ Rule: Administrative Closure and Termination in Removal Proceedings for Immigrants Seeking Survivor-Based Relief](#) (August 2024)

[Addressing Late-Breaking Inadmissibility Grounds for U Visa Beneficiaries](#)
(August 2024)

[Parole in Place and Streamlined Employment-Based Visas: What We Know and What We Want to See for Immigrant Survivors](#) (July 2024)

[Reinstatement of Removal and Immigrant Survivors](#) (June 2024)

[Establishing Employment Authorization for T and U Nonimmigrants Without an EAD Card](#) (Updated June 2024)

[Correctly Identifying the Expiration Date of U Nonimmigrant Status](#) (Updated February 2024)

[BFD Notices - Recent Trend Survey](#) (February 2024)

[Hot Tips for Using Service Center Hotlines and Supplementing Pending Petitions](#)
(Updated January 2024)
