March 7, 2024

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

Dear Secretary Mayorkas,

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

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

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

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

**National Organizations:**
ASISTA Immigration Assistance
Esperanza United
Freedom Network USA
Futures Without Violence
HEAL Trafficking
Humanity United
National Immigrant Justice Center
National Survivor Network
NIWAP, Inc.
Polaris
Tahirih Justice Center
The Human Trafficking Legal Center
U.S. Committee for Refugees and Immigrants (USCRI)

**State-based and Local Organizations:**
Advocating Opportunity
Coalition to Abolish Slavery and Trafficking
Florida Legal Services, Inc.
Her Justice
International Institute of Minnesota
Justice At Last, Inc.
JusticeMatters, Inc.
Law Office of Alicia R. Kinsman PLLC
Legal Aid Society of Metropolitan Family Services
Mosaic Family Services
Rocky Mountain Immigrant Advocacy Network
Safe Horizon
Swan Counseling Services
Volunteer Lawyers for Justice

Cc: Neera Tanden, Director, Domestic Policy Council
March 19, 2024

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

Dear ASISTA Immigration Assistance:

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

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

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

Sincerely,

Ur M. Jaddou
Director