



Cast



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION



August 29, 2024

Ur M. Jaddou, Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue, NW
Washington, D.C. 20529

Re: Request for USCIS to Accept Prior Edition of I-914 Forms Through At
Least October 28, 2024

Dear Director Jaddou:

The American Immigration Lawyers Association (AILA), the Coalition to Abolish Slavery and Trafficking (CAST), Freedom Network USA, and ASISTA write to you regarding yesterday's issuance of a new version of Form I-914 and related forms that are effective yesterday, August 28, 2024, with no notice and no grace period.¹ Given that many I-914 applications were likely mailed prior to yesterday's form edition change in anticipation of the new T bona fide determination process effective for applications received on or after August 28, 2024, we respectfully request that USCIS retroactively reinstate the 04/01/24 edition of Form I-914 and related forms and provide a grace period during which both the 04/01/24 and 08/28/24 editions can be submitted.

On June 26, 2024, USCIS announced an extension of the prior form edition grace period and indicated that the 04/01/24 edition of Form I-914 and related forms would be required beginning August 28, 2024. Similarly, as of August 27, 2024, USCIS's English I-914 webpage indicated that starting August 28, 2024, only the 04/01/24 edition of the I-914 and related forms would be accepted. Yesterday, an 08/28/24 edition was announced as required beginning that same day; the 08/28/24 edition was unavailable prior to yesterday. Given that other unrelated forms updated yesterday included a grace period of at least 60 days (e.g. Forms I-485, I-539), and given that the Spanish I-914 webpage continues to indicate that the 04/01/24 edition is the accepted I-914 form edition, we understand that yesterday's same-day I-914 edition change may have been inadvertent.

Form edition changes with advance notice would reduce barriers for trafficking survivors while

¹ USCIS, *Forms Updates*, available at <https://www.uscis.gov/forms/forms-updates> (noting yesterday's I-914 update effective yesterday, 8/28/2024). USCIS's email notification of form changes sent yesterday afternoon indicates that the I-914 was updated at 8:26am EDT on 8/28/2024.

still meeting agency needs. It regularly takes several meetings—often over the course of a few months—to prepare T visa applications for survivors and their eligible family members. Trafficking survivors are often indigent and represented by pro bono counsel, who in turn often have high caseloads to meet the need for affordable legal representation. Survivors who cannot obtain free or low-cost representation are left to represent themselves or pay attorney’s fees which can be significant and which are often increased when counsel must redo forms. Form changes without notice or with extremely short grace periods further burdens survivors—who often already struggle to obtain counsel and prepare their applications while meeting other basic needs and recovering from trafficking-related trauma—and causes undue stress and labor for both survivors and those working with them, including law enforcement I-914B signatories. Additionally, a same-day form change without a grace period inevitably leads to the submission of outdated forms, resulting in extra work for USCIS to reject and return the forms to individuals who will eventually resubmit those applications.

Aside from reducing barriers for trafficking survivors and minimizing additional burden on USCIS due to form rejections, a grace period of at least two months is pragmatic given that the 04/01/24 and 08/28/24 versions of the forms themselves are substantially similar and collect virtually the same information. In implementing a grace period for the I-914 and related forms, USCIS would still be assured it receives full and complete information necessary to thoroughly review applicant eligibility while minimizing the potentially substantial number of forms it would have to reject due to the same-day edition change.

We therefore respectfully request that USCIS update its website indicating it will accept either the 04/01/24 or 08/28/24 edition of forms I-914, I-914B, and I-914A through at least October 28, 2024 to avoid creating unnecessary hardship for trafficking survivors, their families, and those who assist them. We also respectfully request that the initial received date of any I-914-related applications rejected as of 08/28/24 due to the same-day edition change be honored when a rejected filing is resubmitted to USCIS, or when the same individual submits an updated form version.

Thank you for your attention to this critical matter, and for your work to support trafficking survivors and their families. Should you have any questions or require additional information, please contact Carson Osberg (AILA VAWA/U/T Committee Chair) at carson@castla.org or Amy Grenier (AILA Policy & Practice Counsel) at agrenier@aila.org.

Sincerely,

American Immigration Lawyers Association (AILA)
Coalition to Abolish Slavery and Trafficking (CAST)
Freedom Network USA
ASISTA Immigration Assistance (ASISTA)

cc: Avidah Moussavian, Chief, Office of Policy and Strategy, USCIS

Rená Cutlip-Mason, Chief, Humanitarian Division, Office of Policy and Strategy,
USCIS

Sarah Krieger, Policy Analyst, Office of Policy and Strategy, USCIS

Cecelia Levin, Policy Analyst, Office of Policy and Strategy, USCIS

Elizabeth Bokan, Adjudication Officer (Policy), Service Center Operations
Directorate, USCIS

Nathan Stiefel, Acting CIS Ombudsman

Elissa McGovern, Chief of Policy, Office of the Citizenship and Immigration
Services Ombudsman



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

October 10, 2024

Amy Grenier
AILA Policy & Practice Counsel
agrenier@aila.org

Dear Ms. Grenier:

Thank you for your August 29, 2024 letter on behalf of American Immigration Lawyers Association, Coalition to Abolish Slavery and Trafficking, Freedom Network USA, and ASISTA Immigration Assistance requesting U.S. Citizenship and Immigration Services (USCIS) retroactively reinstate the 04/01/24 edition of the Form I-914, Application for T Nonimmigrant Status, and provide a grace period during which both the 04/01/24 and 08/28/24 editions can be submitted. Your request emphasized that such a grace period would reduce barriers for victims of trafficking and minimize burdens on USCIS due to form rejections.

USCIS shares your concerns regarding challenges that may arise due to shifting form edition dates and agree that any undue hardships should be mitigated whenever possible. More generally, the concerns you raise are also shared by the Biden administration, as President Biden has directed federal agencies, including the Department of Homeland Security, to eliminate unnecessary burdens in recent Executive Orders.

After receipt of your letter, USCIS updated its website to reflect a 30-day grace period for the acceptance of the 04/01/24 form edition. The Form I-914 landing page indicates that we will continue to accept the 04/01/24 edition (as well as the 08/28/24 edition) of the Form I-914 until September 30, 2024. After that time, USCIS will accept only the 08/28/24 edition. USCIS is unable to extend the grace period for the older edition of the Form I-914 any further, given logistical challenges it would cause for the agency. Additionally, the 08/28/24 edition includes the "Another Gender Identity" field, so applicants who wish to select that field must use the 08/28/24 edition of the form.

Amy Grenier
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Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", followed by a long horizontal flourish.

Ur M. Jaddou
Director