



January 27, 2022

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-918 Forms Through  
December 31, 2022

Dear Director Jaddou:

ASISTA is a national organization dedicated to safeguarding and advancing the rights of immigrant survivors of violence. We are nationally recognized experts on survivor-based forms of immigration benefits created through the Violence Against Women Act (VAWA) and its progeny. For over 15 years, ASISTA has worked with attorneys and advocates across the country who are helping survivors access the services and status they need to achieve safety and independence.

The Immigrant Legal Resource Center (ILRC) is a national organization that seeks to improve immigration law and policy and advance immigrant rights. Our mission includes working with and educating immigrants, community organizations, and the legal sector throughout the country to continue to build a democratic society that values the diversity and the rights of all people. We inform the media, elected officials, and the public to shape effective and just immigration policy and law.

The American Immigration Lawyers Association (AILA) is a voluntary bar association of more than 15,000 attorneys and law professors practicing and teaching in the field of immigration and nationality law. Our mission includes the advancement of the law pertaining to immigration and nationality and the facilitation of justice in the field. AILA members regularly advise and represent businesses, U.S. citizens, lawful permanent residents, and foreign nationals regarding the application and interpretation of U.S. immigration laws. Our more than 15,000 members practice and teach immigration law both in the United States as well as overseas.

We write to you regarding the January 11, 2022 announcement that USCIS will be requiring the new version of Form I-918 forms.<sup>1</sup> In this announcement, USCIS indicated that, starting March 12, 2022, the agency will only accept the December 6, 2021 edition. On January 20, USCIS extended the grace period to May 1, 2022. Until then, individuals can use the April 24, 2019 edition.

Despite the extended grace period, this change in forms will create significant hardship for victims of crime seeking U Visa relief. Particularly, in the context of I-918 Supplement B: U Nonimmigrant Status Certifications, law enforcement agencies (LEA) often take several months or longer to process U Visa Certification requests. Further, many LEAs will not certify a second Form I-918, Supplement B, due to workload issues or other internal policies. Requiring LEAs to use a new form without a longer grace period will exacerbate these delays and impact a crime survivor's ability to apply for relief. Thus, without a longer grace period, requiring the new forms will create severe hardship to LEAs, as well as to crime survivors, and to the attorneys and advocates that assist them in the preparation of their U Visa applications.

Further, as the new version of the form contains *no* substantive changes as compared to the prior version, USCIS would still be assured that it is receiving full and complete information that it needs to adequately and thoroughly review applicants' eligibility. Thus, the extension of the grace period should not hinder adjudications. In contrast, extending the grace period through December 31, 2022 would give certifying agencies the time they need to review and approve certifications now filed with them and give practitioners and crime survivors ample time to obtain those certifications.

Extending the transition period would further the dual goals articulated by Congress when it created the U visa: to create a useful tool for law enforcement when working with immigrant populations, and to help noncitizen crime victims safely access our criminal justice system.

USCIS has previously recognized the hardship a short transition period would cause to LEAs and to crime survivors. In May 2019, when USCIS last proposed changes to the Form I-918: Petition for U Nonimmigrant Status, ASISTA and the American Immigration Lawyers Association (AILA) wrote to USCIS to highlight the difficulties that the 60-day grace period would cause.<sup>2</sup> In response, USCIS stated:

*“USCIS understands that a 2-month transition period may provide a limited grace period for the Form I-918 Supplement B, U Nonimmigrant Status Certification, specifically. USCIS will extend the grace period for accepting prior versions of Form I-918, including Supplement B, through December 31, 2019.”<sup>3</sup>*

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<sup>1</sup> USCIS. Form Updates, available at <https://www.uscis.gov/forms-updates>

<sup>2</sup> ASISTA and AILA. Letter to Director Cissna, May 29, 2019, available at <https://asistahelp.org/wp-content/uploads/2019/05/Letter-On-Form-I-918-Grace-Period.pdf>

<sup>3</sup> USCIS. Letter to ASISTA, July 5, 2019, available at [https://www.uscis.gov/sites/default/files/document/foia/New\\_version\\_of\\_Form\\_I-918\\_-\\_Levin.pdf](https://www.uscis.gov/sites/default/files/document/foia/New_version_of_Form_I-918_-_Levin.pdf)

ASISTA Immigration Assistance and the Immigrant Legal Resource Center respectfully request that USCIS extend the grace period and accept the April 24, 2019 edition of Form I-918 and Form I-918 Supplement B, through December 31, 2022 to avoid creating unnecessary hardship for law enforcement agencies, victims of crime, and those who assist them.

Thank you for your attention to this critical matter. Should you have any questions or require additional information, please contact Kirsten Rambo, Ph.D. at [kirsten@asistahelp.org](mailto:kirsten@asistahelp.org).

Sincerely,

American Immigration Lawyers Association  
ASISTA Immigration Assistance  
Immigrant Legal Resource Center

cc: Tracy Renaud, Acting Deputy Director, USCIS  
Amanda Baran, Chief, Office of Policy and Strategy, USCIS  
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