



This newsletter was developed under grant SJI 22-T-0037 from State Justice Institute. The points of view expressed are those of the authors and do not necessarily represent the official position or policies of the State Justice Institute.

Significant Reforms at USCIS will Enhance Protections of VAWA Self-Petitioners and U Visa Applicants

March 30, 2023

Today the U.S. Citizenship and Immigration Services (USCIS) announced the creation of a new HART Service Center, which will be responsible for adjudicating Humanitarian forms of immigration relief. HART (Humanitarian, Adjustment, Removing Conditions, and Travel Documents) will have a dedicated team of specially trained adjudicators responsible for adjudications, including VAWA self-petitions (I-360), issuing U visa bona fide determinations (I-918), and reunification of refugees and asylees with their family members (I-730). At USCIS's new HART Service Center, a trained group of adjudicators will work in a unit that is dedicated to the adjudication of humanitarian and crime victim-based case types with supervisors and Service Center managers with expertise and training on gender-based violence and crime and abuse victim-based immigration cases.

The launch of this new Service Center is another step forward, reflecting USCIS, the Department of Homeland Security, and the Biden Administration's commitment to fully implementing Violence Against Women Act (VAWA) immigration protections in a manner that will speed up the protection from deportation and access to employment authorization immigrant survivors of domestic violence, sexual assault, child abuse, human trafficking, and other crime need to escape abuse and rebuild their lives and the lives of their children.

The action USCIS is taking by creating the HART Service Center is an important improvement that fulfills the VAWA's intent and promise. NIWAP's research has shown that once VAWA self-petitioners and U visa victims gain access to protection from deportation through deferred action and gain legal work authorization, there is a 114% increase in trust of police, a 36% in willingness to make police reports, a 74% reduction in victims suffering immigration related abuse, a 60% to 70% increase in family, criminal and civil justice system participation, a 300% increase in victims obtaining jobs that pay at least minimum wage, and 22% of survivors reach out to other victims of gender-based violence in their community to assist them in coming forward and seeking help.

NIWAP thanks USCIS for taking this important step that will make a real difference in the lives of immigrant victims of child abuse. The HART Service Center is currently a hybrid workforce that will become fully remote. It has been staffed up with 150 adjudicators, and USCIS will hire 330 new adjudicators. NIWAP encourages attorneys, victim advocates, and other service providers with expertise serving immigrant victims of domestic violence, sexual assault, stalking, child abuse, elder abuse, and human trafficking to apply to work at the new HART Service Center. More information will follow in this newsletter as jobs are posted. Read below for more information on the HART Service Center.

Leslye E. Orloff,

Director, National Immigrant Women's Advocacy Project

American University Washington College of Law

U.S. Citizenship and Immigration Services sets up new virtual service center for Humanitarian Immigration Relief (Roll Call)

By [Suzanne Monyak](#)

Posted March 30, 2023 at 8:45am

U.S. Citizenship and Immigration Services has started to staff up a new virtual service center dedicated to processing requests for humanitarian immigration relief, including visas for victims of crimes and domestic violence, in an effort to chip away at lengthy backlogs.

In an exclusive interview, USCIS director Ur Jaddou described the additional service center as an "important milestone for us" and part of the agency's effort to reduce wait times for visas and other benefits. It will be the agency's sixth service center and first all-virtual one.

"One of my biggest visions for USCIS is to ensure that this backlog — this unprecedented backlog — is something that, by the time I depart the agency, is well on its way to recovery," Jaddou said. "The backlog has stopped growing and it's starting to peer downward. My goal is to continue that slide downward.

This newest service center, which is currently operating on a hybrid model but will eventually shift to being fully remote, will begin its next round of hiring on Friday, according to USCIS. The agency aims to have the new service center nearly fully staffed by the end of September 2024.

It adds to existing service centers in California, Nebraska, Virginia, Texas and Vermont. The center, while virtual, will accept both paper and electronic applications, according to Jaddou.

The new center will focus on processing four types of requests for humanitarian immigration relief: requests for status for crime victims under the U visa program and for domestic abuse survivors under the Violence Against Women Act, requests for refugees to bring over their relatives from abroad, and requests by certain undocumented immigrants to waive their unlawful presence and become permanent residents.

[...]

Awaiting relief

Immigrant advocates who were consulted by USCIS said the additional service center, with staff dedicated and trained to adjudicate those specific humanitarian request forms, could have sweeping impacts for abuse survivors awaiting immigration relief.

Leslye Orloff, director of the National Immigrant Women's Advocacy Project at American University Washington College of Law, said that faster processing of these petitions will allow abuse survivors to qualify for work authorization sooner.

For many, that could allow them to move out of their abusers' homes.

"I think the formation of this service center will be a huge change. Probably one of the most significant changes for the adjudication of current victims' cases that has happened in a long time," Orloff said. "I think it'll make a huge difference."

[Read the full article here](#)

USCIS Announcement

USCIS Opens the Humanitarian, Adjustment, Removing Conditions and Travel Documents (HART) Service Center

U.S. Citizenship and Immigration Services (USCIS) is announcing the opening of the Humanitarian, Adjustment, Removing Conditions, and Travel Documents (HART) Service Center, the sixth service center within its Service Center Operations (SCOPS) directorate, and the first to focus on humanitarian and other workload cases.

HART will promote cohesive and consistent adjudicative operations, and its dedicated workforce will improve the quality and efficiency of our humanitarian caseload processing. This workforce will continue to receive the robust, specialized training currently provided to employees who are processing these forms. These applications and benefits affect the most vulnerable of noncitizens, and the opening of this service center will make a positive impact in the quality, timeliness, and scale of our humanitarian processing abilities.

After a review of USCIS processing times, we deemed that the greater focus should be provided to these humanitarian-based benefits, which led to the creation of the HART Service Center. With HART, we are taking action to improve our service in partnership with community groups. In fact, the creation of HART is partially the result of the feedback we have received from our partnership with stakeholders and community groups.

HART will initially exist as a hybrid service center, with virtual adjudication capabilities and coordination with existing service centers for certain administrative support. HART will ultimately transition to a 100% virtual service center with no geographic physical location, across multiple time zones. This center will be identified by the specialized work adjudicated by its staff and not by a brick-and-mortar facility or location.

HART will process both digital and paper-based applications and petitions and will partner with existing service centers to support physical onsite necessities such as file exchange and administrative support.

The HART Service Center will initially focus on the following case types:

- Form I-601A, Application for Provisional Unlawful Presence Waiver;
- Bona Fide Determination (BFD) for Form I-918, Petition for U Nonimmigrant Status;
- Form I-730, Refugee/Asylee Relative Petition; and
- VAWA-based Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant.

The establishment of HART is associated with five hiring phases. We completed the first two phases of forming HART on Jan. 29, 2023, with internal reassignments and leadership details of approximately 150 current SCOPS personnel.

The third phase of internal reassignments is currently in process, pending onboarding and training. On Feb. 28, HART was operational with 30% staffing levels and is currently staffed with 150 positions. Through this phased approach, HART will ultimately grow to 480 positions. Phase four is expected to begin in the coming weeks, with the posting of a public USCIS job notice that will seek to attract a pool of applicants from across the country with experience working with the vulnerable populations HART serves. Phase four hiring will focus on bringing staffing levels to 60%-85% of authorized positions by the end of FY 2023. We anticipate by the end of FY 2024, staffing levels will

be at 95%-98% of authorized positions. These benchmarks will determine hiring and training which will ultimately establish HART as fully operational.

Customer Service: Existing customer service channels will continue to be operational during this transition. Customer Service inquiries for HART will be supported by the existing service centers.

Address Changes: Address changes for VAWA-based Form I-360 and Form I-918 BFD will continue to be sent to the Vermont Service Center physical address for processing per the instructions on our website at uscis.gov/addresschange.

Inquiries from Attorney and Accredited Representatives: Attorneys and accredited representatives may send inquiries to the same email boxes they have historically used, as these email addresses are not changing. Unrepresented petitioners and applicants may send signed written inquiries/requests for biometrics appointments, including a new date/time or location, to the physical address found on our [website](#).

Filing Instructions: The transition to HART will not affect current filing instructions. Please continue to follow the filing instructions as indicated in the “where to file” section on each form type’s webpage. Any future changes to filing locations will be posted on webpages for each form and announced via alerts. To register for alerts and updates, please visit: uscis.gov/news/alerts.

Public Engagement: HART leadership and staff will also focus on increased public engagement - including quarterly local and national engagements - with the stakeholder community that supports these applicants and petitioners. The first national webinar overview of the new HART Service Center is on Thursday, April 20, at 1 p.m. Eastern.

U.S. Department of Labor expands OSHA's ability to protect all workers by certifying special visa applications to ensure effective enforcement

WASHINGTON – U.S. Secretary of Labor Marty Walsh joined Assistant Secretary for Occupational Safety and Health Doug Parker today to sign a memorandum that gives the Occupational Safety and Health Administration the authority to issue certifications in support of applications for U Nonimmigrant Status and T Nonimmigrant Status visas.

"U Visas" and "T Visas" allow victims of specific crimes to help law enforcement detect, investigate and prosecute crimes without fear of retaliation based on their immigration status. These visas provide immigration status to non-citizen victims and allow them to remain in the U.S. to assist authorities in combatting human trafficking and other crimes.

For the first time, OSHA will be able to issue these visa certifications – during its workplace safety investigations – when the agency identifies qualifying criminal activities, including manslaughter, trafficking, extortion, felonious assault, forced labor and obstruction of justice.

OSHA's new authority – effective March 30, 2023 – will strengthen its ability to protect all workers, including those whose immigration status or other social and cultural inequities discourage them from sharing information with investigators or reporting workplace safety and health issues. The authority will also provide the agency with a critical tool for protecting immigrant and migrant worker communities regardless of their lack of immigration status or temporary employment authorization.

[Read the full article here](#)

National Immigrant Women's Advocacy Project (NIWAP)

American University Washington College of Law

4300 Nebraska Ave. NW, Washington, DC, 20016

(202) 274-4457

info@niwap.org

library.niwap.org