

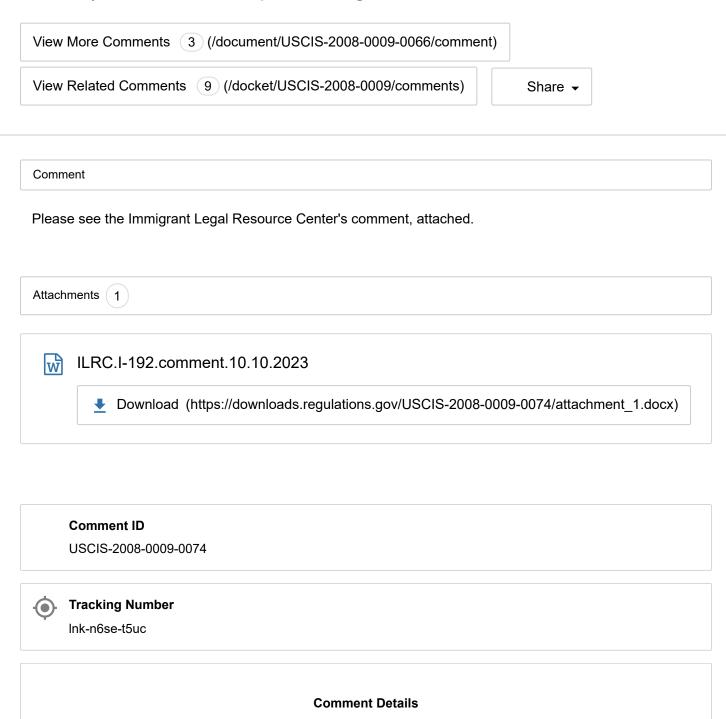
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10/12/23, 8:53 AM

Comment Submitted by Immigrant Legal Resource Center

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October 9, 2023

Samantha Deshommes
Chief, Regulatory Coordinator
Division Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

Re: Comment in Response to the DHS/USCIS Agency Information Collection Activities; Revision of a Currently Approved Collection: Application for Advance Permission to Enter as a Nonimmigrant; Docket No. 2023-19374; OMB Control Number 1615-0017

Dear Chief Deshommes,

On September 8, 2023, USCIS published proposed changes for Form I-192 Application for Advance Permission to Enter as a Nonimmigrant. ILRC commends USCIS for the proposed changes, which will reduce the time and resources needed for waiver applicants, practitioners, and agency adjudicators and thus increase access to relief for immigrant survivors of crime.

The ILRC is a national non-profit organization that provides legal trainings, educational materials, and advocacy to advance immigrant rights. The ILRC's mission is to work with and educate immigrants, community organizations, and the legal sector to continue to build a democratic society that values diversity and the rights of all people. Since its inception in 1979, the ILRC has provided technical assistance on hundreds of thousands of immigration law issues, trained thousands of advocates, and pro bono attorneys annually on immigration law, distributed thousands of practitioner guides, provided expertise to immigrant-led advocacy efforts across the country, and supported hundreds of immigration legal non-profit organizations in building their capacity. The ILRC has produced legal trainings, practice advisories, and other materials pertaining to immigration law and processes. The ILRC is a leader in U and T immigration relief, asylum, and VAWA, coordinating taskforces and producing trusted legal resources including webinars, trainings, and manuals such as U Visa: Obtaining Status for Immigrant Survivors of Crime, Essentials of Asylum, The VAWA Manual: Immigration Relief for Abused Immigrants, and T Visas: A Critical Option for Survivors of Human Trafficking.

Our experience with non-profit legal services providers and applicants for these immigration benefits inform our comments on these changes.

1. ILRC commends the reduction in length of Form I-192.

The current edition of Form I-192 is eleven pages, and the proposed form is nine pages. ILRC commends USCIS for reducing the length of the form, eliminating unnecessary questions (such as regarding an applicant's parents and the applicant's biometrics), and streamlining the information sought. This change will increase access to relief for immigrant survivors of crime as well as benefit practitioners — particularly non-profit providers — by allowing them to reserve resources for more complicated cases in addition to the lower burden of completing a shorter form generally. A shorter form will also be less of an adjudicatory burden for USCIS and help reduce the backlog for U nonimmigrant status.

2. ILRC commends the new instructions for U and T nonimmigrant applicants to skip the section on marital history.

The proposed form instructs those filing Form I-192 concurrently with Form I-914 or Form I-918 or in relation to one previously filed to skip the sections on marital history. ILRC commends USCIS for recognizing that these questions are not relevant to a U and T nonimmigrant's Form I-192 waiver application and appreciates the instructions to those applicants to skip this section. ILRC also encourages USCIS to add clarifying language to the Marital History section on page 3 reiterating that U and T applicants can skip that section.

Thank you for your attention,

Alison Kamhi

Legal Program Director

Immigrant Legal Resource Center