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# Statutes, Regulations, Legislative Records, Policy Memorandum

## **Statutes, Regulations, 9 FAM, Legislative Records, Policy Memorandum**

VAWA 2000 Legislative History

Wilberforce Amendments

Wilberforce Amendments on Bona Fide Work Authorization.

9 FAM

Field Adjudicator's Manual for Department of State with information on U visas.

# **U and T Visas Adjustment of Status Regulations With Preamble**

## **VAWA 2013 and TVPRA: What Practitioners Need to Know**

The Violence Against Women Act of 2013 (VAWA 2013), combined with the Trafficking Victims Protection Act (TVPRA), was signed into law on March 7, 2013.

## **USCIS Policy Memorandum: Extension of Status for U and T Nonimmigrants (Corrected and Reissued, October 4, 2016)**

This policy memorandum (PM) provides guidance about extension of status for T and U nonimmigrants, including any related I-485, application to adjust status. This PM rescind and replaces PM 602-0032.1. This PM revises chapters 39.1 and 39.2 of the Adjudicator's Field Manual.

## **USCIS Policy Memorandum: U Adjustment and Failure to Voluntary Departure (May 13, 2016)**

This policy memorandum (PM) designates the attached decision of the Administrative Appeals Office (AAO) in *Matter of L-S-M-* as an Adopted Decision.

## **USCIS Policy Memorandum: Changes to U Nonimmigrant Status and Adjustment of Status Provisions (June 15, 2014)**

This Policy Memorandum (PM) provides guidance on new legislation that amends the Immigration and Nationality Act (INA) affecting U nonimmigrant status programs and related adjustment of status applications.

## **Group Comment to USCIS VAWA 2013 Guidance (August 8, 2014)**

This comment was submitted by 32 national, state, and local organizations in responses to USCIS Guidance Implementing U visa provisions of VAWA 2013.

## **Comments on USCIS U Derivative Guidance (January 10, 2013)**

### **USCIS Policy Memorandum: Age-Out Protections for Derivative U Status Holders: Petitions, Initial Approvals and Extension of Status (October 24, 2012)**

This Policy Memorandum (PM) provides guidance relating to certain U-3 derivative nonimmigrant petitions that are being held for final adjudication or have had their prior approvals limited in time due to derivative aging-out. This PM also authorizes the approval of U-3 derivative nonimmigrant petitions for the full eligibility period of four years, allowing the U-3 derivative to remain in U nonimmigrant status past his or her 21st birthday, if necessary. This PM updates the Adjudicator's Field Manual (AFM) by adding Chapters 39.1 (f)(4)(v-viii)- AFM Updated AD11-41.

### **DOJ & INS Memorandum: Unlawful Presence and Authorized Periods of Stay (June 12, 2012)**

This memorandum (PM) provides a list of situation in which a person would qualify for an authorized period of stay, temporary protective status (TPS), or deferred enforcement departure (DED).

### **USCIS Policy Memorandum: Extension of Status for T and U Nonimmigrants (March 8, 2011)**

This policy memorandum (PM) provides guidance about extensions of status for T and U nonimmigrants, including any related applications for adjustment of status.

## USCIS Policy Memorandum: Extension of Status for T and U Nonimmigrants (February 23, 2011)

This Policy Memorandum (PM) provides guidance about extensions of status for T and U nonimmigrants, including any related application for adjustment of status.

## USCIS Policy Memorandum: Extension of U Nonimmigrant Status for Derivative Family Members Using Form I-539 (June 22, 2010)

This policy memorandum (PM) allows extension of status for U derivative family members due to consular processing delays, and for other reasons as well.

## Virtue Memo on Any Credible Evidence Standard (and Extreme Hardship) (Oct. 16, 1998)

This old memo has excellent language near the end on the "any credible evidence" standard -- "Documentary Requirements" -- and why it exists. The discussion of "extreme hardship" is no longer relevant to VAWA self-petitions but may be helpful to those seeking VAWA cancellation, where that requirement still exists. [Here for Virtue Memo on Any Credible Evidence Standard \(and Extreme Hardship\) in Word Version.](#)

## Adjustment of Status

### ASISTA I-485 Comments (Nov. 7, 2023)

On September 8, 2023, USCIS published a revision of Form I-485 Application to Register Permanent Residence or Adjust Status greatly expanding the number and type of questions for applicants to complete. [On November 7, 2023, ASISTA submitted a comment](#) emphasizing the impact of these form changes on beneficiaries of survivor-based relief.

# Advanced Issues in U Visas and U Adjustment of Status

## (Updated August 2023)

This practice advisory addresses a recent case law development regarding derivative eligibility for U visa qualifying family members, the use of discretion in waivers of inadmissibility for U visas, as well as common issues in U-based adjustment of status, such as addressing unwaived grounds of inadmissibility and negative discretionary factors.

## AIC Practice Advisory on Child Status Protection Act

### (November 4, 2009)

The Child Status Protection Act (CSPA), provides relief to children who “age-out” as a result of delays by the U.S. Citizenship and Immigration Services (USCIS) in processing visa petitions and asylum and refugee applications.

## U Visa Adjustment of Status Summary of Regulations

### (January 12, 2009)

## U Visa Adjustment of Status Fact Sheet and

### Guidance (January 12, 2009)

## 9-NIJC U AOS RFE Response Re: Records of

### Conviction

## AOS Processing Cover Sheet for Families with U

### Visas

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