

Congress of the United States

Washington, DC 20515

July 9, 2025

The Honorable Kristi Noem
Secretary
U.S. Department of Homeland Security
3801 Nebraska Ave NW
Washington, D.C. 20528

The Honorable Todd M. Lyons
Acting Director
U.S. Immigration and Customs Enforcement
500 12th Street SW
Washington, D.C. 20536

Dear Secretary Noem and Acting Director Lyons,

We write to express our deep concern that the Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE) officers are arresting victims of crime who have already applied or are eligible for immigration relief including T and U visas. We urge DHS to reinstate *ICE Directive 11005.3, Using a Victim-Centered Approach with Noncitizen Crime Victims* to protect T and U visa applicants. We also ask that T and U visa applicants currently in ICE detention be released, consistent with this policy, within 60 days of this letter. Failure to do so is dangerous to both the community as well as law enforcement who rely on their testimony to prosecute dangerous individuals perpetrating human trafficking and gender-based violence, such as domestic violence and sexual abuse.

Established by the Violence Against Women Act and the Victims of Trafficking and Violence Protection Act of 2000, with overwhelming bipartisan support, T and U visas were designed to strengthen the relationship and build trust between victims of crime and law enforcement. Prosecutors rely on critical eyewitness testimony of immigrant survivors and T and U visa holders to successfully investigate, prosecute, and lock up dangerous perpetrators of crimes that harm all U.S. communities including human trafficking, sexual assault, stalking, domestic violence, and female genital mutilation. These visa programs make everyone in our communities safer; without them, undocumented victims and witnesses might be too scared to come forward to report crimes to the detriment of all.

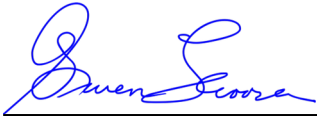
The *Interim Guidance on Civil Immigration Enforcement Actions Involving Current or Potential Beneficiaries of Victim-Based Immigration Benefits* from ICE Acting Director Caleb Vitello still requires ICE to follow special protocols regarding victims who have applied or petitioned for U and T visas.¹ However, the guidance is overly vague and ineffective in practice for protecting victims of crime from enforcement actions. That is why we urge the Department to immediately reinstate *ICE Directive 11005.3, Using a Victim-Centered Approach with Noncitizen Crime Victims*, which clarified that “ICE will refrain from taking enforcement actions against the applicant or petitioner” for a T or U visa in direct service of the program’s purpose.² This will ensure immigrant victims cooperating in the investigation of crime in our communities are not subject to enforcement actions that violate their rights, hinder the prosecution of crime, and make all of us less safe.

We thank you for your attention to this important matter and we look forward to your response.

¹ <https://www.ice.gov/doclib/foia/policy/11005.4.pdf>

² <https://www.ice.gov/factsheets/using-victim-centered-approach-with-victims>

Sincerely,



Gwen S. Moore
Member of Congress



Eleanor Holmes Norton
Member of Congress



Becca Balint
Member of Congress



Ilhan Omar
Member of Congress



Rashida Tlaib
Member of Congress



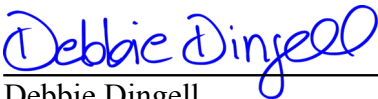
Pramila Jayapal
Member of Congress



Shri Thanedar
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



Debbie Dingell
Member of Congress



Betty McCollum
Member of Congress



André Carson
Member of Congress



Kelly Morrison
Member of Congress