





T Visa Application Flowchart

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IF: The <u>victim</u> is or was a victim of a severe form of trafficking in persons;

The victim has complied with any reasonable requests from law enforcement in an investigation or prosecution of human trafficking **OR** is under 18 year of age OR is unable to cooperate due to physical or psychological trauma

THEN

Victim (or legal representative) seeks I-914B, Government Agency Certification.
(if victim is not working with a service provider,
law enforcement officers can refer victims at this point.)

Victim submits T visa application to the Victims and Trafficking Unit of USCIS showing that the victim meets each of the T visa eligibility requirements.

The application includes*:

- T visa application form Form I-914;
- Government Agency Declaration Form I-914, Supplement B (preferred but optional);
- The applicant's signed statement describing the facts of the victimization, compliance with any reasonable law enforcement requests for assistance (or statement of why the victim is eligible for a compliance exception (e.g. under 18 or due to trauma), and other eligibility requirements
- Any credible evidence supporting any of the eligibility requirements;
- A waiver request ilf an applicant is inadmissible based on a ground that may be waived.
- * Other documentation is also required (e.g. biometrics). More information is available at niwaplibrary.wcl.american.edu/

Government agency may provide victims with:

- I-914 T Visa Declaration signed in blue ink and completed by a judge, the head of the government agency, or a supervising official responsible for the detection, investigation or prosecution of severe forms of trafficking in persons;
- Any supporting documentation such as reports, findings, or photographs.

Within
approximately 6
months, victim
receives bona fide
determination,
work authorization,
& HHS letter
authorizing
benefits access.
The case will be
adjudicated within
approximately 2.5
years after filing.

After 3 years after receipt of T visa, or, if trafficking case is concluded, immediately at receipt of T visa, T visa holders (victims) may apply for lawful permanent residence ("green card")

The application includes:

- Adjustment of Status Application- Form
- Any information related to the victim's continuous presence in the U.S. since obtaining T visa status;
- Any information indicating that the T visa holder has complied with any reasonable request for assistance, or would suffer extreme hardship involving unusual and severe harm if removed;
- Any information indicating that USCIS should exercise its discretion to grant lawful permanent residence.

Eligible family members may also apply for lawful permanent residency.

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This publication was developed under grant number SJI-20-E-005 from the 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.