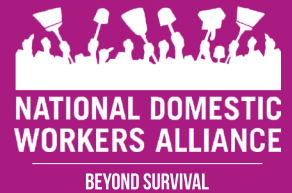


THE “T” VISA



WHAT IS THE T VISA?

A temporary visa that allows victims of human trafficking to live and work in the United States for 4 years to assist with the investigation or prosecution of human trafficking.

WHO IS ELIGIBLE?

- Eligible persons must be a victim of severe human trafficking
 - Must fall under one of these categories to be eligible
 - Sex trafficking
 - Trafficking that leads to debt bondage/peonage
 - Trafficking that leads to involuntary servitude/slavery/forced labor
- Physically present in the United States, American Samoa or a port-of-entry at either of these places because of human trafficking
- At risk of extreme hardship if removed from the United States
- Be admissible to the United States or fill out waiver Form I-192 Application for Advance Permission to Enter as a Non-Immigrant
- Willing to comply with law enforcement to assist in the prosecution or investigation of human trafficking*
 - *If under 18 years of age at the time of victimization or cannot cooperate because of physical or psychological trauma, you can qualify for the T Visa without assisting law enforcement

WHEN WAS IT CREATED AND WHY?

In 2000, Congress passed the Victims of Trafficking and Violence Protection Act (VTVPA) which created two new types of non-immigrant status visas for victims of certain crimes (U Visa) and human trafficking (T Visa). These visas were created in order to combat the trafficking of persons in the United States and to protect women and children from violence with federal programs.

HOW DO YOU APPLY?

- If you are the victim of trafficking you must submit:
 - Form I-914, Application for T Nonimmigrant Status
 - Statement in your own words regarding your victimization
 - Three passport sized photographs
 - Evidence to show you meet eligibility requirements above
- Immediate family members of the victim are eligible for derivative T Visa status.
- To apply you must fill out the Form I-914 Supplement A.
 - If the victim is under 21 years of age, they can apply for spouses, children, parents, and unmarried siblings under 18 years of age.
 - If the victim is over 21 years of age or older, they can apply for spouses and children.
 - There is no fee for filling out Form I-914 and the supplements

WHAT IS THE PROCESS FOR APPROVAL?

To be approved for a T Visa you must fulfill and provide evidence for all of the eligibility requirements as listed above. The government also caps the number of T Visas available nationally at 5000. If you are qualified for the T Visa but denied because of the government limits, you will be placed on the wait list.



THE "T" VISA

WHAT ARE THE BENEFITS AVAILABLE IF YOU'RE APPROVED?

- If you are granted for a T Visa you are automatically granted an employment authorization document (EAD) in order to work legally in the United States. However, family members under the derivative T Visa Status must pay \$380 per person for Form I-765, Employment Authorization Document (EAD).
- If you are an adult victim of human trafficking, you can be certified by the Department of Health and Human Services in order to be eligible for certain federally funded benefits that can be found here: <http://www.acf.hhs.gov/programs/orr/resource/fact-sheet-victim-assistance-english>
 - Certification requirements
 - Have completed a bona fide application for T Visa OR
 - Have received continued presence status from the Department of Homeland Security
- If you are a child victim of human trafficking you are automatically eligible for benefits once the Department of Health and Human Services receives proof of trafficking

ARE YOU ABLE TO APPLY FOR CITIZENSHIP AFTER?

- The T Visa is valid for four years. You may apply for permanent citizenship after 3 years of holding the T Visa. To apply for permanent citizenship you must fill out Form I-485, Application to Register Permanent Residence or Adjust Status.
 - Qualifications for Permanent Residence
 - Been physically present in the United States for at least 3 continuous years
 - Maintained good moral character during time in the United States
 - Complied with law enforcement and all requests to aid the investigation or prosecution of human trafficking (unless under 18 or exempted when granted T Visa).
 - Be admissible to the United States or obtain waiver

FOR MORE INFORMATION AND ASSISTANCE

For more information, to get help, or to meet other domestic workers, contact your local NDWA affiliate:

WHAT ARE SOME RESOURCES TO LEARN MORE ABOUT THE T VISA?

- United States Citizenship and Immigration Services Website
- <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=02ed3e4d77d73210VgnVCM10000082ca60aRCRD&vgnnextchannel=02ed3e4d77d73210VgnVCM10000082ca60aRCRD>
- Information on Derivative T Visa Status
- http://travel.state.gov/visa/temp/types/types_5186.html

SOURCE:

- <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=a53dc7f5ab548210VgnVCM10000082ca60aRCRD&vgnnextchannel=02ed3e4d77d73210VgnVCM10000082ca60aRCRD>
- http://www.womenslaw.org/laws_state_type.php?id=13636&state_code=US#content-13638
- <http://icwclaw.org/services-available/victims-of-trafficking-and-violence-protection-act-t-and-u-visas/>
- <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=a53dc7f5ab548210VgnVCM10000082ca60aRCRD&vgnnextchannel=02ed3e4d77d73210VgnVCM10000082ca60aRCRD>
- http://www.womenslaw.org/laws_state_type.php?id=13636&state_code=US&open_id=13641
- <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=a53dc7f5ab548210VgnVCM10000082ca60aRCRD&vgnnextchannel=02ed3e4d77d73210VgnVCM10000082ca60aRCRD>
- <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=a53dc7f5ab548210VgnVCM10000082ca60aRCRD&vgnnextchannel=02ed3e4d77d73210VgnVCM10000082ca60aRCRD>
- http://www.womenslaw.org/laws_state_type.php?id=13636&state_code=US&open_id=13647
- http://www.womenslaw.org/laws_state_type.php?id=13636&state_code=US&open_id=13782
- http://www.womenslaw.org/laws_state_type.php?id=10271&state_code=US&open_id=all#content-14745
- http://www.womenslaw.org/laws_state_type.php?id=13636&state_code=US&open_id=13647#content-13650
- http://www.womenslaw.org/laws_state_type.php?id=13636&state_code=US&open_id=13747
- http://www.womenslaw.org/laws_state_type.php?id=13636&state_code=US&open_id=13747
- <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=a53dc7f5ab548210VgnVCM10000082ca60aRCRD&vgnnextchannel=02ed3e4d77d73210VgnVCM10000082ca60aRCRD>
- <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=a53dc7f5ab548210VgnVCM10000082ca60aRCRD&vgnnextchannel=02ed3e4d77d73210VgnVCM10000082ca60aRCRD>