



U.S. Citizenship
and Immigration
Services



The Role of Law Enforcement and Other Certifying Officials in the T and U Visa Process

Reminders

- For any media inquiries or on-the-record statements, email media@uscis.dhs.gov.
- For congressional inquiries, email USCISCongressionalInquiries@uscis.dhs.gov.
- We will not respond to case-specific questions, questions related to ongoing litigation, or questions outside the scope of today's engagement.
- Submit written questions through the Q&A box on the right side of your screen.

Overview

- This presentation will provide an overview of victim-based immigration benefits, including T nonimmigrant status (T visa) and U nonimmigrant status (U visa), and additional resources for law enforcement and certifying agencies.

Background

- Traffickers and abusers often use a victim's lack of immigration status or dependent immigration status to maintain power and control.
- Victims may face barriers like language barriers, separation from family and friends, lack of understanding of U.S. laws, fear of deportation, fear of law enforcement, and cultural differences.
- Congress created several forms of immigration relief that are available to noncitizen victims.

Introduction: T and U Visas

- Strengthen law enforcement's ability to detect, investigate, and prosecute trafficking in persons (T visa) and certain qualifying crimes (U visa)
- Encourage victims to report crimes committed against them and participate in the investigation, even if they do not have lawful immigration status
- Offer protections to victims of human trafficking and other qualifying crimes, in keeping with the humanitarian interests of the United States

T and U Visa Commonalities

- Lawful status for four years (can also later apply for a Green Card if they meet certain requirements)
- Work permit
- Lawful status for certain family members
- Subject to an annual cap for “principals”
 - T visas—5,000
 - U visas—10,000
 - No numerical limitations for derivative family members
- Interim Review

Knowledge Check

True or False: The annual cap on status for U nonimmigrant status is 5,000.

Answer: False. The annual cap for U nonimmigrants is 10,000.

True or False: The annual caps pertain just to principal petitioners, not to any eligible family members.

Answer: True. The caps for U and T nonimmigrant status just cover principal benefit requestors, not derivative family members.



T Nonimmigrant Status

T Nonimmigrant Status Criteria

- Victim of severe form of trafficking in persons (SFTIP)
- Physically present in the United States, American Samoa, or the Commonwealth of the Northern Mariana Islands, or at a port of entry, because of trafficking
- Comply with any reasonable request for assistance (unless qualifying for an exception or exemption)
- Suffer extreme hardship involving unusual and severe harm upon removal
- Admissible to the United States or granted a waiver

Knowledge Check

Question: A T visa applicant is exempt from the requirement to comply with reasonable law enforcement requests if they were under what age when at least one of the acts of trafficking occurred?

- 16
- 18
- 21

Answer: 18

T Rule (2024): Overview

- **On April 30, 2024, USCIS published the Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status Final Rule (T Final Rule).**
 - Generally applies to all applications pending on, or filed on or after, Aug. 28, 2024, other than the bona fide determination process.
 - However, no pending applicant who filed before Aug. 28, 2024, who would be eligible for a T visa under the regulations in place before the Final Rule took effect will be made ineligible by the Final Rule taking effect.
- **There are no changes to:**
 - Documents required for submission
 - Rights, benefits, and services that T nonimmigrants receive
 - Duration of the status or eligibility for permanent residence, other than minor changes that reduce barriers and align with the statute

T Rule: Reporting to Law Enforcement

- Single contact to report trafficking may be enough (must provide credible and probative evidence).
- Anonymous reports generally will not satisfy the requirement.
- Reports to the National Human Trafficking Hotline may be enough, if the victim requests or consents for a report to be referred to law enforcement.
- Must report to law enforcement with jurisdiction over the reported crime.



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Form I-914 Supplement B: Declaration for Trafficking Victim

Supplement B, Declaration for Trafficking Victim

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-914
OMB No. 1615-0099
Expires 08/31/2026

START HERE - Type or print in ink. Federal, State, Tribal, or local law enforcement agencies should complete this form for victims under the Victims of Trafficking and Violence Protection Act (VTVPA), Public Law 106-386, as amended.

PART 1. Victim Information			For USCIS Use Only			
1.	Full Legal Name		Returned	Receipt		
	Family Name (Last Name) Given Name (First Name) Middle Name (if any)		Date			
	<input type="text"/>	<input type="text"/>	Date			
			Resubmitted			
			Date			
2.	Other Names Used		Date			
	<small>Provide any other names the victim has used since birth, including aliases, maiden names, and nicknames. If you need extra space to complete this section, use the space provided in Part 7. Additional Information.</small>		Reloc Sent			
	Family Name (Last Name) Given Name (First Name) Middle Name (if any)		Date			
	<input type="text"/>	<input type="text"/>	Date			
			Reloc Rec'd			
3.	Date of Birth (dd/mm/yyyy)		Date			
	<input type="text"/>		Date			
4.	Gender		Remarks			
	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Another Gender Identity					
5.	Alien Registration Number (A-Number) (if any)					
	▶ A- <input type="text"/>					
6.	U.S. Social Security Number (SSN) (if any)					
	▶ <input type="text"/>					
Part 2. Agency Information						
1.	Name of Certifying Agency	<input type="text"/>				
2.	Name of Certifying Official	<input type="text"/>				
3.	Title of Certifying Official	<input type="text"/>				
4.	Division/Office of Certifying Official	<input type="text"/>				
5.	Agency Mailing Address					
	Street Number and Name	Apt. Ste. Flr. Number				
	<input type="text"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="text"/>				
	City or Town	State	ZIP Code			
	<input type="text"/>	<input type="text"/>	<input type="text"/>			

[USPS EPC Code Lookup](#)

- Is completed as part of a victim-centered approach to combat human trafficking
- Provides valuable evidence of the victim's cooperation, but is **not required** to establish eligibility for a T visa
- Confirms law enforcement's view that the applicant is a trafficking victim
- Is law enforcement's opportunity to provide relevant case information to USCIS



U Nonimmigrant Status

U Nonimmigrant Status Criteria

- U visa applicant must be a victim of qualifying criminal activity.
- The crime occurred in the United States or violated U.S. law.
- Victim has specific, credible, and reliable information about qualifying criminal activity.
- Victim was, is being, or is likely to be helpful to law enforcement in detection, investigation, prosecution, conviction, or sentencing of criminal activity (**ongoing requirement**).
- Victim suffered substantial physical or mental abuse as a result of qualifying criminal activity.
- Victim is admissible to the United States or has had all applicable grounds of inadmissibility waived.

Who Is Considered a Victim?

Direct victim:

- Someone who is directly and proximately harmed by a qualifying criminal activity
- Bystanders who suffers unusually direct injury as a result
 - Rare circumstance, case-by-case basis

Indirect victim

- Possesses a qualifying relationship to the direct victim
- Direct victim cannot assist because they are deceased due to murder or manslaughter or are incompetent or incapacitated
- Meets all other eligibility requirements for the U visa

Knowledge Check

- A petitioner's U.S. citizen daughter was sexually assaulted by a neighbor in their apartment building. The petitioner reported the crime to the police and assisted in the investigation against the perpetrator.

Type of Filing: Indirect Victim

- A victim was physically abused by their partner; their called the police, who took pictures of injuries, and are working with the District Attorney's office

Type of Filing: Direct Victim

- A victim was kidnapped from school and found deceased sometime later. As the remains were unidentifiable, the victim's parents submitted DNA evidence to identify the remains. The parent also helped police investigators confirm the last known location of their child and their social network.

Type of Filing: Indirect Victim

List of Statutory Qualifying Criminal Activities

- Abduction
- Abusive Sexual Contact
- Blackmail
- Domestic Violence
- Extortion
- False Imprisonment
- Felonious Assault
- Female Genital Mutilation
- Fraud in Foreign Labor Contracting
- Hostage Taking
- Incest
- Involuntary Servitude
- Kidnapping
- Manslaughter
- Murder
- Obstruction of Justice
- Peonage
- Perjury
- Prostitution
- Rape
- Sexual Assault
- Sexual Exploitation
- Slave Trade
- Stalking
- Torture
- Trafficking
- Unlawful Criminal Restraint
- Witness Tampering

Includes:

- Attempt, conspiracy, or solicitation to commit these crimes
- Substantially similar crimes

Form I-918 Supplement B: U Nonimmigrant Status Certifications

- To terminate, withdraw, or revoke a certification, the certifying official should contact USCIS by emailing LawEnforcement_UTVAWA.VSC@uscis.dhs.gov
- The certifying agency can certify a Form I-918B based on past or present helpfulness, or the likelihood of a victim's future helpfulness.
- Federal U visa regulations do not set a specific statute of limitations for signing the Form I-918B.
- There is no requirement that the certifying agency sign the Form I-918B at a specific stage of the detection, investigation, prosecution or sentencing.



U and T Certifications: Best Practices

Knowledge Check

A Supplemental B is a required piece of evidence to file for a U or T visa?

Answer: A U visa

Best Practices: Filing Tips

- Provide an original ink signature
- Keep records of signed forms
- Update USCIS when certifying officials change
- Provide details in the Form I-914B or Form I-918B
- Attach additional relevant documents—provide a note on Supplement B if doing so
- Verify all information before signing
- While not a requirement, USCIS recommends giving the victim the original Supplement B and any supporting documents in a signed and sealed envelope. Provide a copy of the original Supplement B to the victim for their records

Best Practices: Internal Policies and Procedures

Establish policies and procedures on issuance of Form I-914B and Form I-918B. Topics can include:

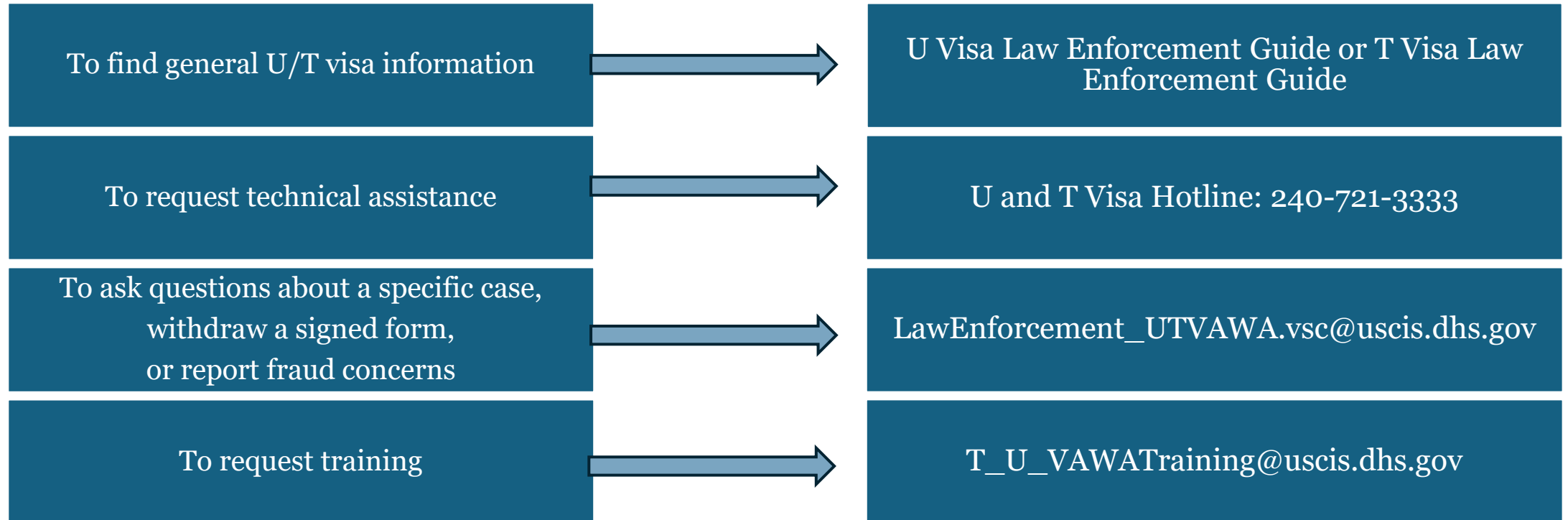
- Expectations regarding attaching relevant police reports and other documentation;
- Procedures regarding the agency's verification of the trafficking or qualifying criminal activity;
- Procedures to safeguard against fraud;
- Procedures for handling future requests for a new or re-signed Form I-918B or I-914B;
- Establishing general expectations around anticipated response time frames; and
- Processes for increasing transparency of the agency's certification policies (if any) to the public.

Best Practices: Recertification

Circumstances that may warrant a new declaration:

- If the Supplement B expired before the victim was able to file an application with USCIS;
- If the original form was incomplete or when significant additional information becomes available; and / or
- If a victim applies for lawful permanent residence (also known as a Green Card).

USCIS Contacts for Law Enforcement / Certifying Agencies



Agency Resources

- **Resource Guides for Law Enforcement:** uscis.gov/tools/information-for-certifying-officials-law-enforcement-judges-and-other-agencies
- **Multilingual Publications about Victim-based Immigration Benefits:** dhs.gov/publication/immigration-options-victims-crime
- **USCIS Humanitarian Page:** uscis.gov/humanitarian/victims-of-human-trafficking-and-other-crimes
- **USCIS Policy Manual:** uscis.gov/policy-manual
- **DHS Council on Combating Gender-Based Violence:** dhs.gov/council-combating-gender-based-violence



Homeland
Security

The DHS Office for State and Local Law Enforcement

OFFICE FOR STATE AND LOCAL LAW ENFORCEMENT

Mission



- The Office ***for*** State and Local Law Enforcement (OSLLE) was created in 2007 through the *Implementing Recommendations of 9/11 Commission Act*.
- OSLLE's mission is to provide DHS with primary coordination, liaison, and advocacy for state, local, tribal, territorial, and campus (SLTTC) law enforcement agencies.
- OSLLE was originally within the Office of Policy, and then later moved to the Office of Partnership and Engagement (OPE). The *Consolidated Appropriations Act of 2023* moved OSLLE to the Immediate Office of the Secretary.
- We accomplish our mission through our partnerships and relationships with SLTTC law enforcement, both through national associations and directly with the 18,000 law enforcement agencies in the United States.



Office for State and Local Law Enforcement (OSLLE) Responsibilities

- 1. Cultivate Partnerships.** Cultivate partnerships with SLTTC law enforcement both directly and through DHS senior leadership engagements
- 2. Advocate and Voice.** Serve as an advocate and voice for SLTTC law enforcement within DHS during policy, program, and initiatives development
- 3. Resources.** Develop and share pertinent and timely information and resources with stakeholders, both proactively and in response to requests, including the development of custom solutions when off the shelf resources do not exist
- 4. Law Enforcement Terrorism Prevention Grants.** Ensure that law enforcement and terrorism focused grants are appropriately focused on terrorism prevention activities
- 5. Internal Collaboration.** Collaborate across DHS to help inform DHS law enforcement policies with SLTTC law enforcement best practices; provide DHS operational support to SLTTC law enforcement; and coordinate external affairs activities with SLTTC law enforcement

OFFICE FOR STATE AND LOCAL LAW ENFORCEMENT

Communications



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On Law Enforcement Appreciation Day, Department of Homeland Security Releases Comprehensive Resource Guide for Law Enforcement

This marks the third year DHS has released this product.

In recognition of Law Enforcement Appreciation Day, today the Department of Homeland Security (DHS) released the [2024 Law Enforcement Resource Guide](#) for state, local, tribal, territorial, and campus law enforcement partners. This resource guide, updated annually, highlights the most up-to-date training and resources DHS provides to support law enforcement across the country. Additionally, new this year, the guide includes information about CISA's [Shared Cybersecurity Services](#) (SCS) funding that provides federal, state, local, tribal, and territorial law enforcement agencies, state fusion centers, and select information sharing and analysis centers with no-cost access to commercial Cyber Threat Intelligence (CTI) and services. "As the largest law enforcement agency in the federal government, the Department of Homeland Security is committed to ensuring that every law enforcement agency across our nation, regardless of location, size, funding, or resources, is supported in their efforts to keep their communities safe and secure," said **Secretary of Homeland Security Alejandro N. Mayorkas**. "The 2024 Law Enforcement Resource Guide provides a comprehensive, easily accessible directory of DHS resources to aid this important work." The guide released today includes available DHS resources to ensure:

- Preparedness and Prevention
- Information and Intelligence Sharing
- Cybersecurity
- Critical Infrastructure Protection
- School Safety and Security
- Prevention of Human Trafficking, Forced Labor, and Sex Trafficking



Homeland
Security

The DHS Center for Countering Human Trafficking

Victim Protection Section

The Victim Protection Section is dedicated to advancing the victim-centered approach, engaging survivors, improving screening and identification by all DHS components, and expanding law enforcement's use of Continued Presence (CP) as well as support for T visas and U visas.

What is CP?

- CP is a temporary immigration designation for noncitizen HT victims that provides employment authorization and other federal benefits. CP may be applied for in support of an ongoing criminal investigation or prosecution or as a result of a civil action filed under 18 U.S.C. § 1595. CP may be granted up to two years and may be renewed in up to two-year increments.

CP Intake and Processing

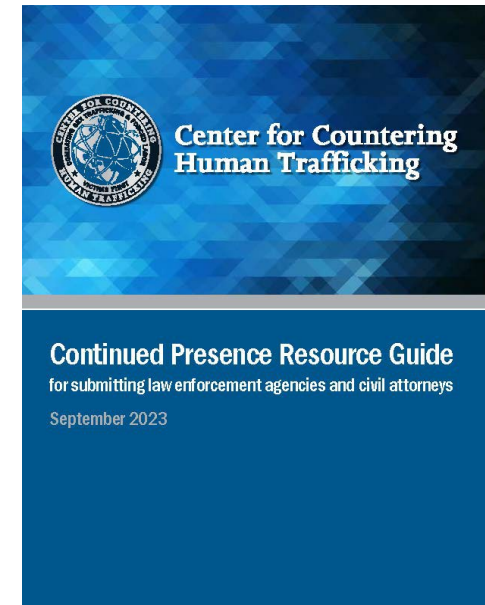
- CP applications are submitted via an online CP portal for HSI.
- CP must be requested by a law enforcement agency or prosecutor's office

CP Training

- The CCHT hosts a series of CP webinars for law enforcement and other partners and regularly speaks on immigration relief and the victim centered-approach at training events throughout the country.

VAP Liaison

- HSI VAP provides a VAPS liaison to CCHT who may be contacted for additional field support





CENTER FOR COUNTERING HUMAN TRAFFICKING

PREVENTION ★ PROTECTION ★ PROSECUTION ★ PARTNERSHIP

Continued Presence Public Webinar

Thursday, January 16, 2025
3:30 p.m. - 4:30 p.m. ET



[REGISTER HERE](#)

Continued Presence (CP) is a temporary immigration designation provided to individuals identified by law enforcement as trafficking victims who may be potential witnesses. CP allows trafficking victims to lawfully remain in the U.S. temporarily and work during the investigation into the human trafficking-related crimes committed against them and during any civil action under 18 U.S.C. § 1595 filed by the victims against their traffickers.

This webinar will focus on:

- What Continued Presence is and who is eligible to make a request
- Who to contact to make a Continued Presence request
- The CCHT Victim-Centered Approach
- Continued Presence applications in support of civil action

Registration for this webinar is required. If you have any questions or difficulty registering, please contact training@ccht.dhs.gov. To learn more about the Continued Presence program, visit the Victim-Centered Approach section at www.dhs.gov/ccht.



CENTER FOR COUNTERING HUMAN TRAFFICKING

PREVENTION ★ PROTECTION ★ PROSECUTION ★ PARTNERSHIP

CENTRO CONTRA LA TRATA DE PERSONAS
PREVENCIÓN * PROTECCIÓN * ENJUICIAMIENTO * COLABORACIÓN

Seminario Web de Presencia Continua

Jueves Enero 30, 2025
3:30 PM - 4:30 PM Hora del Este



[INSCRIBIRSE AQUÍ](#)

Presencia Continua (PC) es una denominación migratoria temporal otorgada a individuos identificados por oficiales de la ley como víctimas de la trata quienes pueden ser posibles testigos. PC le permite a víctimas de la trata permanecer legal y temporalmente en los Estados Unidos y trabajar durante la investigación de los crímenes cometidos contra ellos y durante alguna demanda civil bajo la ley 18 USC § 1595 presentada por la víctima contra sus traficantes.

Este seminario de web se enfocará en:

- ¿Qué es la Presencia Continua y quienes califican para solicitarla?
- ¿Con quién se comunica para solicitar la Presencia Continua?
- El enfoque de aplicación centrada en la víctima por parte del CCHT
- Solicitudes de PC para el apoyo de las demandas civiles

Se requiere inscripción para este seminario web. Si tiene alguna pregunta o se le complica la inscripción, favor comuníquese con training@ccht.dhs.gov. Para aprender más acerca del programa de la Presencia Continua, visite la sección de Enfoque Centrado en la Víctima (Victim-Centered Approach) en www.dhs.gov/ccht.



Questions & Answers

General Fraud Awareness Tips

- For more information on how to avoid immigration scams please visit uscis.gov/avoid-scams.

Closing Remarks

Thank you for joining today's engagement.

We invite anyone to submit additional comments or questions to USCIS at public.engagement@uscis.dhs.gov.



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About this Presentation

- Author: USCIS Office of Policy & Strategy
- Date of last revision: Jan. 9, 2025.
- This presentation contains no sensitive personally identifiable information (PII).
- Any references in documents or text, with the exception of case law, relate to fictitious individuals.



U.S. Citizenship
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Thank you for joining today's

National Stakeholder Engagement on the Role of Law Enforcement
and Other Certifying Officials in the T and U Visa Process

For more information on our national engagements, visit uscis.gov/outreach.
Follow us on [X \(formerly Twitter\)](#), [Instagram](#), [YouTube](#), [Facebook](#), and [LinkedIn](#)