

Legal and Procedural Framework for USCIS T-Visa Petitions: A Foundational Research Report

Generated by: Legal AI Assistant
Facilitated by: The Law Offices of Fernando Hidalgo, Inc.
February 2, 2026

*(c) 2026 The Law Offices of Fernando Hidalgo, Inc.. Generated by a Legal AI Assistant. Facilitated by The Law
Offices of Fernando Hidalgo, Inc.. All rights reserved.*

FINDINGS

COMPREHENSIVE LEGAL AND PROCEDURAL FRAMEWORK FOR USCIS T-VISA PETITIONS: A FOUNDATIONAL RESEARCH REPORT

This report provides an exhaustive legal and procedural analysis of T nonimmigrant status petitions under the Immigration and Nationality Act (INA) [INA § 101(a)(15)(T)][1], as of February 2026. The T visa serves as the primary federal remedy for victims of severe human trafficking and represents a critical intersection of criminal investigation cooperation, humanitarian relief, and employment authorization. This report addresses the statutory framework, regulatory requirements, current processing landscape, and strategic considerations for applicants, advocates, and attorneys navigating this complex immigration benefit. Unless otherwise clarified by the user regarding their specific role and circumstances, this report provides foundational information applicable to trafficking victims seeking T nonimmigrant status, family members seeking derivative relief, legal advocates assisting victims, and immigration attorneys representing either applicants or entities engaged in trafficking investigations.

Statutory and Regulatory Framework Governing T Nonimmigrant Status

The T visa program was established through the Victims of Trafficking and Violence Protection Act (VTVPA), enacted by Congress in October 2000 and codified at [22 U.S.C. § 7101 et seq.][1], with corresponding immigration law provisions at [INA § 101(a)(15)(T)][1]. The statute defines a "severe form of trafficking in persons" as either sex trafficking or labor trafficking. [Sex trafficking is defined as any commercial sex act induced by force, fraud, or coercion, or in which the person induced to perform such an act is under 18 years of age][1]. Labor trafficking encompasses the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjecting that person to involuntary servitude, peonage, debt bondage, or slavery[1].

The implementing regulations are codified in Title 8 of the Code of Federal Regulations (CFR), specifically at [8 CFR §§ 214.11 and 214.12][35], with additional guidance on inadmissibility waivers at [8 CFR § 212.16][41]. The regulatory framework was substantially updated through a final rule published on April 30, 2024, with technical corrections issued on August 23, 2024, and January 14, 2025[4][10]. These regulatory updates, effective August 28, 2024, introduced significant modifications to the bona fide determination process, evidentiary standards, and physical presence requirements that materially altered T visa adjudication procedures[4][10].

The USCIS Policy Manual, specifically Volume 3 (Humanitarian Benefits) Part B (Victims of Trafficking) and Volume 9 Part O (Waivers of Inadmissibility), provides the primary administrative guidance for adjudicators and practitioners[10][35]. These policy provisions supersede earlier field guidance and interpretations and must be consulted in tandem with the statutory and regulatory provisions[11]. Congress imposed a statutory cap of 5,000 T-1 (principal) nonimmigrant visas per fiscal year, though family members (T-2 through T-6 derivatives) do not count toward this numerical limitation[1][52].

Core Eligibility Requirements for T-1 Principal Applicants

An applicant must satisfy four essential eligibility requirements to qualify for T-1 nonimmigrant status. These requirements are conjunctive-all four must be met-and the burden of proof rests on the applicant to establish eligibility by a preponderance of the evidence[58]. This means the applicant must demonstrate that each claim is "more likely than not" to be true[58].

Requirement One: Victimization by Severe Human Trafficking

The applicant must establish that they are or have been a victim of a "severe form of trafficking in persons" as defined in federal law. The government recognizes two categories of severe trafficking: sex trafficking and labor trafficking[1][52]. Sex trafficking involves the inducement of a person to perform a commercial sex act through force, fraud, or coercion, or involves a person under 18 years of age induced to perform any commercial sex act, regardless of whether force, fraud, or coercion is demonstrated[1][52]. For adults in sex trafficking situations, the use of force, fraud, or coercion is therefore mandatory; for minors, sex trafficking is established automatically by the existence of a commercial sex act regardless of the methods employed[5].

Labor trafficking requires demonstration that the perpetrator recruited, harbored, transported, provided, or obtained the applicant for labor or services through the use of force, fraud, or coercion, with the specific purpose of subjecting the applicant to involuntary servitude, peonage, debt bondage, or slavery[1][52]. Labor trafficking does not require that an applicant work in illegal or underground sectors; trafficking can occur in ostensibly lawful employment contexts where the perpetrator uses prohibited means to control the victim[5].

The concept of "force, fraud, or coercion" encompasses a spectrum of control mechanisms. Force includes physical violence, physical restraint, abduction, or the threat of physical harm to the victim or others[49]. Coercion includes threats of serious harm, threats to misuse legal processes against the victim (such as threatening deportation by ICE or police reporting), threats of harm to family members, and implied threats communicated through the witnessing or victimization of others[49]. Fraud encompasses material misrepresentation regarding working conditions, compensation, housing, freedom of movement, or the nature of work itself; the critical element is that the victim would not have agreed to the situation absent the deceptive statements[49].

Notably, severe trafficking does not require ongoing active force at the moment of application. An applicant who escaped trafficking and is no longer under the physical control of the trafficker remains a trafficking victim for T visa purposes[5]. Similarly, attempted trafficking can qualify; the regulations include within the definition of severe trafficking certain acts of attempted trafficking, even if the person does not complete the act[32].

The applicant may establish victimization through any credible evidence. The 2024 final rule explicitly adopted an "any credible evidence" standard, meaning that no particular form of evidence is preferred over another[4][10][58]. A personal narrative or statement alone may be sufficient if sufficiently detailed, plausible, and consistent[58]. Acceptable evidence includes personal testimony; police reports; court documents; hospital or medical records; mental health records; photographs of injuries; affidavits from witnesses; orders of protection; trial transcripts; testimony from service providers; documentation from labor agencies; and expert evaluations addressing trafficking-related trauma[1][42][46]. The applicant bears the burden of presenting evidence, but adjudicators must consider any credible evidence presented and may not demand specific forms of proof[58].

Requirement Two: Physical Presence in the United States on Account of Trafficking

The applicant must establish that they are physically present in the United States, American Samoa, the Commonwealth of the Northern Mariana Islands, or at a U.S. port of entry, and that such presence is on account of their trafficking[1][52]. This requirement does not mandate that the applicant's initial entry to the United States was connected to trafficking; an applicant may have entered legally on a visa, illegally without inspection, or through any mechanism, and still satisfy the physical presence requirement if their continued presence in the United States is connected to the trafficking they experienced[34][44].

The physical presence inquiry asks why the applicant remains in the United States despite having escaped or been released from trafficking. USCIS seeks to understand the nexus between the applicant's presence and their trafficking victimization[34][44]. Strong evidence of current physical presence on account of trafficking includes: the applicant is currently receiving trafficking-specific victim services; the applicant is currently cooperating with law enforcement in an investigation or prosecution; the applicant is experiencing trafficking-related trauma that has delayed their ability to leave the United States; the applicant lacks opportunity or resources to depart due to barriers directly related to the trafficking experience; or the applicant is present to access treatment or services not available in their home country[7][34][44].

Critically, if an applicant departs the United States after escaping trafficking, they generally cannot establish that they are present in the United States on account of trafficking[34][44]. However, three regulatory exceptions apply: (1) the applicant experienced continued victimization by the same or different traffickers requiring their presence in the United States; (2) the applicant is the victim of a new, separate incident of severe trafficking occurring after their departure and return; or (3) law enforcement agencies allowed the applicant to reenter the United States specifically to participate in investigative or judicial processes related to trafficking[34][44].

The 2024 final rule clarified that "continued victimization" does not require that the applicant is currently being victimized; rather, it encompasses situations where the applicant's fear of retaliation, ongoing control mechanisms, or continued vulnerability to the original trafficker maintains their presence in the United States[54]. Additionally, the updated regulations recognize expanded exceptions to the departure rule based on subsequent law enforcement authorization, judicial participation requirements, and receipt of specialized services and treatment[7][34].

Applicants who present significant gaps between their escape from trafficking and their filing of a T visa application face heightened scrutiny on the physical presence requirement[44]. If substantial time has elapsed between the applicant's escape and their application filing, the applicant should provide detailed evidence of trafficking-related barriers that prevented earlier departure or application filing, such as lack of self-identification as a trafficking victim, fear of retaliation, unresolved trauma, isolation, or inability to access information about available relief[44].

Requirement Three: Cooperation with Law Enforcement

The applicant must demonstrate that they have complied with any reasonable request for assistance from law enforcement in the detection, investigation, or prosecution of acts of human trafficking[1][52]. Cooperation does not necessarily require formal testimony in court; it encompasses a broad range of assistance including providing statements to police, participating in interviews, providing evidence, assisting in identification of perpetrators, and other forms of support to law enforcement agencies investigating trafficking crimes[1][8][32].

The determination of whether a law enforcement request is "reasonable" requires individualized analysis considering: general law enforcement practices in criminal investigation and prosecution; the applicant's specific trafficking experience; the applicant's circumstances regarding fear, physical and mental trauma, cultural or moral objections, age, and maturity; and the applicant's safety and wellbeing[56]. Not all law enforcement requests must be accommodated; requests that would place the applicant in danger, that conflict with legitimate cultural or moral convictions, or that exceed standard investigative practices are not considered reasonable[56].

Critical exceptions to the cooperation requirement protect vulnerable populations. Applicants who were under

18 years of age when any trafficking occurred are exempt from the cooperation requirement, though they may choose to cooperate if they wish[32][35][56]. Additionally, applicants who have suffered physical or psychological trauma and are unable to cooperate with law enforcement due to that trauma may qualify for a "trauma exception"[32][35][56]. The trauma exception does not require that the applicant demonstrate an inability to cooperate with any law enforcement agency; rather, if the applicant is unable to cooperate due to trauma, they satisfy the cooperation requirement through the exception[56].

The applicant may demonstrate cooperation through multiple forms of evidence. The USCIS Policy Manual and 2024 final rule emphasize the "any credible evidence" standard for establishing cooperation[4][10][58]. A Form I-914, Supplement B (Declaration of Law Enforcement Officer for Victim of Trafficking in Persons) is the formal law enforcement certification, but it is not required and carries no special evidentiary weight[8][20][32]. Alternative evidence of cooperation includes personal statements detailing interactions with law enforcement, police reports documenting victim statements, correspondence from law enforcement acknowledging victim assistance, witness affidavits confirming the applicant's cooperation, court records showing victim participation, and other documentation of law enforcement contact and assistance[20][23][32][46].

An applicant need not report their trafficking to the law enforcement agency that is investigating the case; the applicant may report to any federal, state, local, tribal, or territorial law enforcement agency with jurisdiction to detect, investigate, or prosecute the trafficking[10][32][44]. The 2024 final rule clarified that a report to the National Human Trafficking Hotline may satisfy the reporting requirement if the victim requests or consents for the report to be referred to law enforcement with jurisdiction[55]. Anonymous reports generally do not satisfy the reporting requirement because they do not serve the dual purpose of the T visa program—protecting the victim and assisting law enforcement[55].

Requirement Four: Extreme Hardship Involving Unusual and Severe Harm Upon Removal

The applicant must demonstrate that they would suffer "extreme hardship involving unusual and severe harm" if removed from or forced to leave the United States[1][52]. This is a higher standard than the "extreme hardship" threshold required for certain other immigration benefits; the requirement specifically includes the modifier "unusual and severe" and requires particular attention to hardship factors[29].

USCIS applies specific factors outlined in [8 CFR § 214.11(i)(2)][29] to evaluate extreme hardship. The regulations state that factors include: the nature and extent of physical and psychological harm experienced from the trafficking; the victim's need for support and medical care for trafficking-related physical or psychological harm unavailable in the home country; ongoing need for help from the U.S. civil and criminal court systems, including civil litigation for restitution, protection from the trafficker, and participation in prosecution; laws, social practices, and customs in the home country that would likely harm the applicant because of their trafficking history; the likelihood of re-trafficking if the applicant returns and the home country's inability or unwillingness to protect against re-trafficking; likelihood of harm from traffickers or their associates upon return regardless of government protection; safety threats from civil unrest, armed conflict, or other dangerous conditions; and the applicant's age, maturity, and particular circumstances making return dangerous[26].

The strongest extreme hardship arguments are those directly linked to trafficking victimization[29]. USCIS research and practitioner experience indicate that applicants should present at least three factors from the regulatory list, with particular emphasis on factors related to trafficking consequences rather than general country conditions[29]. Arguments focusing primarily on economic hardship—such as inability to find employment in the home country or inability to repay debts—are explicitly identified in the regulations as

insufficient on their own to meet the extreme hardship standard and may invite skepticism from adjudicators[29].

Effective extreme hardship arguments demonstrate: specific medical or mental health conditions resulting from trafficking for which treatment is available in the United States but unavailable in the home country, supported by medical documentation; specific retaliation threats or patterns of violence by traffickers or associates, supported by credible evidence; vulnerability to re-trafficking based on specific factors in the applicant's circumstances and home country context; and specific ways that the applicant would be stigmatized, rejected, or harmed within their home country or community based on their trafficking history or cooperation with law enforcement[26][29].

Applicants should exercise caution in constructing extreme hardship arguments that might undermine other elements of the T visa claim. For example, arguments emphasizing inability to support U.S. citizen children or family members may lead adjudicators to question whether the applicant's continued presence in the United States is truly on account of trafficking or rather on account of family ties[29]. Similarly, arguments focusing on access to non-trafficking-related medical treatment or general country instability may redirect adjudicator focus away from the trafficking nexus[29].

Derivative Family Member Eligibility and Family Petition Procedures

One significant benefit of T nonimmigrant status is the ability to include certain family members in derivative petitions. Understanding derivative eligibility is essential because family relationships and ages determine who can be included and when they become ineligible due to aging-out[9][50].

T-2 Derivative Status: Spouse of Principal

The principal applicant's spouse is always eligible for derivative T-2 status regardless of the principal applicant's age[8][9]. Prior to the Ninth Circuit's decision in *Medina Tovar v. Zuchowski*, [en banc Ninth Circuit 2020][12], USCIS required that the spousal relationship exist at the time the T visa application was filed. The *Medina Tovar* court held that this requirement was arbitrary and capricious and contrary to the statutory text, which contains no such temporal requirement[12]. Following *Medina Tovar*, USCIS announced nationwide adoption of the ruling for both U visa and T visa cases[12]. This means that a principal applicant may marry after filing their T visa application, and provided the spouse is married to the principal at the time of adjudication of the principal's T visa application, the spouse qualifies for derivative status[12][53].

The spouse must be in a legally valid marriage, entered into in good faith (not for the purpose of circumventing immigration law), and the marriage must be recognized as valid in the jurisdiction where it was performed and celebrated[9]. If the principal applicant and spouse divorce, the spouse will not be approved for derivative status if the application is still pending, and if already approved, the derivative T-2 status may be revoked[9].

T-3 Derivative Status: Unmarried Children Under 21

The principal applicant's unmarried children under 21 years of age are always eligible for derivative T-3 status regardless of the principal applicant's age[8][9]. The children must be unmarried at the time of application and must not have reached 21 years of age by the time of adjudication (though age-out protections apply in certain circumstances)[8][50].

The child must be the biological or legally adopted child of the principal applicant[9]. The applicant establishes this relationship through birth certificates, adoption records, or other credible evidence of the

parent-child relationship[9].

T-4 Derivative Status: Parents of Principal (Age-Restricted)

Parents of a T-1 principal applicant are eligible for derivative T-4 status only under two circumstances: (1) the principal applicant was under 21 years of age at the time of the T visa filing, or (2) the parents face a present danger of retaliation as a result of the principal applicant's escape from trafficking or cooperation with law enforcement[8][9].

If the principal applicant was under 21 at filing, both parents are eligible regardless of the parents' ages at the time of application. However, if the principal applicant ages out (reaches 21) after filing but before adjudication, age-out protections provide that the parents may still be approved if they receive the bona fide determination for the principal applicant or if the principal applicant's T visa is approved before the principal reaches 22 years of age[50].

If the parents claim eligibility based on present danger of retaliation rather than the principal's age, the principal may be any age (including over 21), but the parents must establish using credible evidence that they face a specific present danger of retaliation as a result of the principal's escape or cooperation with law enforcement[9][44].

T-5 Derivative Status: Unmarried Siblings Under 18 (Age-Restricted)

Unmarried siblings of the principal applicant who are under 18 years of age are eligible for derivative T-5 status only under two circumstances: (1) the principal applicant was under 21 years of age at the time of the T visa filing, or (2) the siblings face a present danger of retaliation as a result of the principal applicant's escape from trafficking or cooperation with law enforcement[8][9].

Similar to parental derivatives, if the principal was under 21 at filing, the siblings under 18 remain eligible even if the principal subsequently ages to 21 or beyond, subject to age-out protections[50]. If the principal was 21 or older at filing, siblings are eligible only if they can demonstrate present danger of retaliation[9].

T-6 Derivative Status: Children of Derivatives Facing Retaliation

Adult or minor children of any derivative family member (T-2, T-3, T-4, T-5, or T-6) are eligible for T-6 derivative status if they face a present danger of retaliation as a result of the principal applicant's escape from trafficking or cooperation with law enforcement[8][9]. This category is most frequently used when the principal applicant has adult children or when children of spouses (stepchildren of the principal) face retaliation[9].

Derivative Application Procedures and Filing Requirements

Derivative applications are filed using Form I-914, Supplement A (Application for Immediate Family Member of T-1 Recipient)[1][9]. Each family member must have a separate Form I-914, Supplement A filed on their behalf[1][9]. The principal applicant or T-1 holder files the derivative applications directly with USCIS[1][9].

Significantly, derivative applicants residing outside the United States are not approved by USCIS for derivative status per se; rather, USCIS approves the Form I-914, Supplement A and notifies the principal applicant of approval. Approved family members residing abroad must then apply for a T visa at a U.S. embassy or consulate in their country of residence[1][9]. This consular processing step involves completing Form DS-160 (Online Nonimmigrant Visa Application), obtaining necessary documentation (valid passport, police clearance, medical examination results), and attending a visa interview at the embassy or consulate[1]. Notably, USCIS guidance explicitly states "Do not wait for the U.S. embassy or consulate to contact you"; the

applicant should proactively initiate the consular processing step upon receiving USCIS approval[1].

Derivative applicants residing within the United States proceed through standard USCIS adjudication and do not undergo separate consular processing; they receive their derivative T status directly upon USCIS approval[1][9].

Importantly, all derivative applicants within the United States, regardless of age, must apply separately for work authorization using Form I-765 (Application for Employment Authorization Document)[17][30]. Unlike principal applicants who receive automatic work authorization through T-1 status, derivative family members must explicitly request employment authorization[17][30]. The 2024 final rule clarifies that derivatives may qualify for early employment authorization through the bona fide determination process if the principal receives a positive bona fide determination[7][55].

Work Authorization and Employment Eligibility

T nonimmigrant status and associated work authorization represent significant practical benefits for trafficking survivors and their families, enabling economic stability and independence during the recovery process.

Principal Applicant (T-1) Work Authorization

Principal applicants approved for T-1 nonimmigrant status automatically receive employment authorization without needing to file a separate Form I-765[17][27][30]. The T-1 status itself serves as proof of work eligibility[17][30]. Principal applicants can present their USCIS approval notice (Form I-797) to employers as evidence of work authorization for Form I-9 employment verification purposes[27]. Alternatively, principal applicants may obtain an Employment Authorization Document (EAD) for ease of verification; this is not required but is often practical for employers unfamiliar with accepting approval notices as work authorization proof[27].

The EAD issued to T-1 principals is coded as A16 on the card and is valid for four years from the date of T visa approval[14][27]. The applicant application should include Form I-765 with the T visa application to facilitate efficient work authorization issuance[4][10].

Derivative Family Member (T-2 through T-6) Work Authorization

Unlike principal applicants, derivative family members do not receive automatic work authorization through their derivative T status and must file Form I-765 separately[17][27][30]. Each derivative family member must submit their own Form I-765 application requesting employment authorization[17][27][30]. Derivative family members, even minor children, should obtain an EAD as it serves as a valid form of identification and is required to obtain a Social Security card[14].

Derivative EAD applications are fee-exempt, consistent with the T visa program's exemption from fees[4][27]. Derivatives filed with Form I-914, Supplement A should include a Form I-765 simultaneously to facilitate efficient processing[4][10].

Derivatives issued EADs receive authorization under category C25 (derivative of T principal) and the EAD is valid for four years from the date of approval[27][55].

Bona Fide Determination Employment Authorization

The 2024 final rule introduced or clarified the bona fide determination (BFD) process, which allows certain applicants to obtain early employment authorization while their primary T visa applications remain pending[4][7][10]. An applicant whose T visa application is deemed bona fide-meaning it is complete and

does not present national security concerns-may receive deferred action and an Employment Authorization Document if USCIS determines that the applicant merits a favorable exercise of discretion[7][55].

The BFD process involves an initial review determining whether the application is bona fide, followed by background checks[7]. If the application is deemed bona fide and the applicant has filed a Form I-765 (or files one after receiving BFD notice), USCIS may grant deferred action and a BFD EAD[7]. The EAD is valid for four years from the date of approval of the Form I-765[7]. USCIS strongly encourages applicants to submit Form I-765 simultaneously with their Form I-914 to expedite access to work authorization during the pendency of T visa adjudication[4][7][10][55].

However, the issuance of a BFD EAD does not guarantee approval of the T visa application; adjudicators conducting final T visa adjudication reassess all eligibility requirements and may deny the application even if the applicant previously received BFD work authorization[7][55]. The prior grant of deferred action and BFD EAD is not considered in the final adjudication of T status eligibility[7].

Derivative applicants generally will not receive BFD deferred action and employment authorization unless the principal applicant received a positive BFD determination[55]. Once the principal applicant's T visa is approved, derivatives may then pursue their own Form I-765 applications for derivative work authorization[55].

Public Benefits Eligibility and Services Access

T nonimmigrant status holders and certain applicants gain access to federally funded benefits and services designed to support trafficking survivors' recovery and stabilization.

Certified Victim Benefits

Once an applicant receives certification of T nonimmigrant status or a letter of eligibility (for applicants under 18), or receives a bona fide determination and certification from the Department of Health and Human Services, they become eligible for federally funded benefits[37][40]. The benefits available to certified trafficking victims include Temporary Assistance for Needy Families (TANF), which provides assistance and work opportunities to needy families with children under 18; Supplemental Nutrition Assistance Program (SNAP, commonly known as food stamps); Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) for pregnant women and families with young children; Supplemental Security Income (SSI) for individuals who are blind, disabled, or aged with limited income; and Refugee Cash and Medical Assistance (RCA and RMA) for applicants ineligible for TANF, SSI, and Medicaid, providing up to eight months of assistance[37][40].

Healthcare benefits available to certified T visa holders include Medicaid (state-administered health insurance for low-income individuals), Child Health Insurance Program (CHIP) for uninsured children under 18 in low-income families, and specialized torture treatment programs providing social, legal, health, and psychological services[37][40]. Employment services include access to One-Stop Career Centers providing job search assistance, education and training information, and Job Corps providing free job training for youth aged 16 to 24[37][40].

Housing assistance is available; certified trafficking victims may be eligible for public housing assistance through local housing authorities[37][40]. Additionally, states may provide state-specific programs for certified trafficking victims beyond the federal programs listed[37][40].

Application and Verification Procedures

To apply for federally funded benefits, certified trafficking victims should bring their certification letter or approval notice to the relevant benefit-administering agency[37][40]. Agencies verify certification status by contacting the Trafficking Victim Verification line at (866) 401-5510[37]. However, applicants should consult with their attorney or advocate before approaching benefit-administering agencies to ensure that pursuing particular benefits will not create collateral consequences or immigration complications[37].

Public Charge Considerations

T nonimmigrant status holders are not considered a "public charge" for immigration purposes, meaning that receiving federal means-tested benefits does not negatively impact the applicant's immigration status or future applications for benefits[13][40]. This is a critical protection distinguishing T visa holders from many other immigrant categories[40].

Processing Timelines and Current Backlog Dynamics

Understanding realistic processing timelines is essential for applicants and advocates in planning case strategy and managing expectations.

Filing to Receipt Notice

The initial phase of the T visa process involves USCIS receipt of the complete application. From the date of filing until USCIS issues a receipt notice (Form I-797C), typical processing time ranges from two to five months[3][15]. This timeline assumes that the application is properly completed and filed; incomplete applications or those lacking required evidence may face delays for Requests for Evidence (RFEs) before a receipt notice is issued[3].

Substantive Decision Timeline

The substantive adjudication phase—from receipt notice until USCIS renders a decision on the merits of the T visa application—typically takes two and one-half to three or more years[3][15][21]. This extended timeline reflects the complexity of trafficking investigations, the need for in-depth background checks, the coordination with law enforcement agencies, and the significant surge in T visa filings in recent years[3][15][21].

More granular data indicates substantial variation based on case characteristics and current backlog levels. Historical processing times have ranged from nine months to three years depending on case complexity[21]. The Vermont Service Center, which handles all T visa applications, reported processing times in the range of approximately 23 to 24 months in 2025, though this represents the median and substantial variation exists around this figure[15].

Current Backlog Status and Projected Waitlists

The T visa program is experiencing unprecedented application volume. In fiscal year 2023, USCIS received 8,598 T-1 principal applications but approved only 2,181, leaving over 9,300 pending cases—nearly two years' worth of the 5,000 annual cap[3][15][21][45]. Fiscal year 2024 saw approximately 15,332 T visa applications filed, representing a 78.4% increase from FY2023[3][45]. The application surge reflects increased awareness of the program, improved victim identification and referral by law enforcement and service providers, and heightened advocacy efforts[45].

The adjudication rate—the percentage of applications received that are either approved or denied within a fiscal year—declined precipitously from 79.5% in FY2021 to 32.8% in FY2023, improving modestly to 35.4% in FY2024[45]. This demonstrates that the volume of incoming applications has dramatically outpaced USCIS's

adjudication capacity[45]. By contrast, the approval rate among adjudicated applications has remained consistently high, ranging from 77.4% to 81.5% in recent years, indicating that USCIS approval standards have not tightened despite the backlog[45].

When USCIS reaches the statutory cap of 5,000 T-1 approvals in a fiscal year, subsequent applicants with bona fide determinations are placed on a waiting list and assigned priority based on filing date, with the oldest applications receiving highest priority[45]. Projections based on historical trends suggest that the waitlist may grow substantially: approximately 289 applicants projected to waitlist in FY2025, growing to approximately 1,489 by FY2026, 2,789 by FY2027, and 4,089 by FY2028[45]. These projections underscore the critical importance of filing applications promptly and understanding that approval of a bona fide determination does not guarantee immediate T visa approval; applicants may receive early work authorization but remain on a waitlist awaiting the statutory cap to reset in the next fiscal year[45].

Admissibility Analysis and Waiver of Inadmissibility

T visa applicants, like all foreign nationals seeking admission to the United States, must demonstrate that they are admissible or obtain a waiver of any grounds of inadmissibility. The T visa program provides two pathways for waiver not universally available to other immigrant categories.

Grounds of Inadmissibility and Waiver Availability

The grounds of inadmissibility are codified at [INA § 212(a)][1] and implemented at [8 CFR § 212.1][1]. These grounds include communicable diseases of public health significance; mental health disorders or physical defects creating public safety risks; drug and alcohol dependence; criminal convictions; security-related concerns including terrorism; fraud or misrepresentation; and numerous other categories. Not all grounds of inadmissibility are waivable for T visa applicants[16][41].

Grounds that are not waivable for T visa applicants include security and terrorism-related grounds ([INA § 212(a)(3)][1]), international child abduction ([INA § 212(a)(10)(C)][1]), and certain specialized grounds ([INA § 212(a)(10)(E)][1])[16][41]. All other grounds of inadmissibility are potentially waivable for T visa applicants through one of two statutory pathways[16][41].

INA § 212(d)(13) Waiver: Trafficking-Specific Waiver Authority

The first pathway involves a waiver under [INA § 212(d)(13)][1], which provides specific waiver authority for T visa applicants. This waiver is more generous than the general nonimmigrant waiver because it applies a streamlined discretionary analysis for traffic-related inadmissibility[16][41]. To qualify for a § 212(d)(13) waiver, the applicant must demonstrate that the grounds of inadmissibility were caused by, or were incident to, the victim's trafficking victimization[16][41].

This nexus requirement is critical. If the applicant's criminal conviction, immigration violation, or other ground of inadmissibility was directly related to the trafficking experience, a § 212(d)(13) waiver becomes available[16][41]. For example, if an applicant was convicted of prostitution as a result of sex trafficking, that conviction may be waivable under § 212(d)(13) because it was incident to the trafficking victimization[16]. Similarly, if an applicant entered the United States without inspection as part of the trafficking scheme, that immigration violation may be waivable[16].

The USCIS Policy Manual directs adjudicators to conduct a multifactor discretionary analysis when evaluating § 212(d)(13) waiver requests[41]. Factors include whether the applicant is a victim of trafficking whose victimization caused or was incident to the inadmissibility ground; the seriousness of the

inadmissibility ground; the applicant's rehabilitation, if applicable; family relationships in the United States; the applicant's length of presence in the United States; and whether the applicant has ties or residence outside the United States[38][41].

Notably, the Policy Manual provides that for violent or dangerous crimes, USCIS will only exercise favorable discretion in extraordinary circumstances unless the criminal activities were caused by or incident to the trafficking victimization[38]. This limitation reflects the agency's commitment to protecting public safety while still providing relief to trafficking victims whose criminal conduct was directly connected to their exploitation[38].

INA § 212(d)(3) Waiver: General Nonimmigrant Waiver

If the applicant is not eligible for a § 212(d)(13) waiver-because the inadmissibility ground is not connected to the trafficking or because the ground falls outside the scope of § 212(d)(13)-the applicant may be eligible for a waiver under [INA § 212(d)(3)][1][41]. This is the general nonimmigrant waiver available to various nonimmigrant visa categories[41]. The § 212(d)(3) waiver is purely discretionary and requires demonstration that admission is in the national interest[16][41].

The national interest analysis under § 212(d)(3) involves balancing humanitarian and social factors against the risk of harm to society and the seriousness of the inadmissibility ground[38][41]. The USCIS Policy Manual directs adjudicators to consider as positive factors the fact of the applicant's trafficking victimization and the applicant's cooperation with law enforcement, even where the inadmissibility ground is not causally connected to trafficking[38][41].

Waiver Application Procedures

Applicants seeking a waiver of inadmissibility must file Form I-192 (Application for Advance Permission to Enter as Nonimmigrant) concurrently with or at the time of their T visa application[1][13]. The I-192 application must specifically identify the ground or grounds of inadmissibility and provide detailed evidence addressing waiver eligibility[16][41][43].

The applicant should provide comprehensive documentation explaining how the inadmissibility ground arose, the circumstances surrounding the conduct, evidence of rehabilitation if applicable, and evidence supporting the waiver request under the applicable statutory provision[16][41][43]. Strong waiver applications include personal statements explaining the context, letters of support from service providers or community members, evidence of rehabilitation such as completion of treatment programs or educational advancement, and expert evaluations addressing trafficking-related trauma or circumstances[16][41][43].

Critically, the applicant should not withhold information about grounds of inadmissibility; comprehensive disclosure combined with a strong waiver request is preferable to incomplete disclosure that might be discovered during background checks[19][43]. If an applicant discovers an additional ground of inadmissibility after filing, an amended I-192 waiver request should be submitted[13].

Procedural Requirements for Filing T Visa Applications

Successfully filing a T visa application requires careful attention to procedural requirements, filing locations, and documentation.

Filing Location and Responsible Service Center

All Form I-914 applications (Application for T Nonimmigrant Status) must be filed directly with USCIS

Vermont Service Center[1][15][22][42][52]. The Vermont Service Center is the exclusive service center handling T visa applications; applications filed with any other USCIS service center will not be accepted[22][52]. The mailing address is USCIS Vermont Service Center, ATTN: CRU, 38 River Rd., Essex Junction, VT 05479-0001[42][52].

Critically, T visa applications cannot be filed at U.S. embassies or consulates, even for applicants physically located abroad[1][52]. Only approved family members residing abroad proceed through consular processing to obtain the actual T visa; the initial USCIS adjudication must occur at Vermont Service Center regardless of the applicant's location[1][52].

As of 2025, online filing through the USCIS website is not available for T visa applications; all applications must be submitted by mail to the Vermont Service Center[15]. Applications should be submitted via reliable mail service with tracking (FedEx, certified mail, etc.) to ensure delivery and receipt documentation[42].

Required Forms and Supporting Documentation

The primary application form is Form I-914 (Application for T Nonimmigrant Status)[1][15][42]. The form must be completed in its entirety, signed by the applicant, and accompanied by all required supporting documentation[1][15].

The applicant should file Form I-765 (Application for Employment Authorization Document) concurrently with the Form I-914[4][10]. This concurrent filing facilitates efficient work authorization processing, either through bona fide determination employment authorization or upon T visa approval[4][10][27]. The I-765 application is fee-exempt for T visa applicants[4][27].

If the applicant has any grounds of inadmissibility, Form I-192 (Application for Advance Permission to Enter as Nonimmigrant) must be filed with supporting documentation explaining waiver eligibility[1][13][43].

For applicants with derivative family members, separate Form I-914, Supplement A (Application for Immediate Family Member of T-1 Recipient) must be filed for each eligible family member, with documentation proving the family relationship[1][9][42].

Form I-914, Supplement B (Declaration of Law Enforcement Officer for Victim of Trafficking in Persons) should be included if the applicant has obtained law enforcement certification; however, this form is not required and its absence does not prevent approval if other evidence of victimization and cooperation is provided[8][20][32][44].

Documentary Evidence Requirements

The applicant must submit detailed documentation establishing each of the four eligibility requirements. Evidence of severe trafficking victimization may include police reports, court documents, medical and mental health records, photographs of injuries, affidavits from witnesses, hospital records, orders of protection, trial transcripts, news articles, government agency records, and any other credible evidence demonstrating trafficking[1][42][43][46]. The applicant should provide a detailed personal narrative or affidavit explaining how they were trafficked, describing the methods of control used by the trafficker, and explaining the trafficking experience in their own words[1][42][43].

For establishing physical presence on account of trafficking, the applicant should provide evidence of their current presence in the United States and explain the connection between that presence and their trafficking victimization[1][34][44]. Evidence may include residence documentation, documentation of receipt of trafficking-specific services, correspondence with law enforcement, medical records, or narrative statements

explaining barriers to departure and reasons for continued U.S. presence[1][34][44].

For establishing cooperation with law enforcement, the applicant should provide documentation of all interactions with law enforcement, police reports, correspondence, witness statements, or other evidence demonstrating cooperation or eligibility for an exception[1][20][32][44]. The formal Form I-914, Supplement B provides this documentation but is not mandatory; alternative evidence of law enforcement contact and assistance is sufficient[8][20][32].

For establishing extreme hardship, the applicant should provide medical and psychological evaluations addressing trafficking-related harm and treatment needs; documentation of inaccessible services or treatment in the home country; evidence of retaliation threats or vulnerabilities to re-trafficking; information about home country conditions; and other evidence supporting the extreme hardship claim[1][26][29][42][43].

Application Processing and Communication with USCIS

Upon receipt, USCIS issues a receipt notice (Form I-797C) confirming that the application was received and providing a case number[3][15]. The applicant may track application status through the USCIS Online Case Status System, though some cases assigned to Vermont Service Center may not be immediately visible in the system[22].

USCIS may issue a Request for Evidence (RFE) during adjudication, requesting additional documentation or clarification on specific aspects of the application[3][15][22]. The RFE will specify the evidence requested and provide a deadline for submission (typically 30 to 90 days)[15][22]. It is critical to respond to RFEs thoroughly and within the specified deadline[15][22].

Significantly, if an applicant's T visa application is denied after adjudication and all administrative appeals have been exhausted, USCIS may refer the applicant for removal proceedings unless the applicant is in valid immigration status from another source[19]. The 2024 final rule specified that USCIS generally will not refer T applicants for removal proceedings absent serious aggravating circumstances, but practitioners should be aware of this possibility[54].

Post-Approval Considerations and Path to Permanent Residency

T visa approval marks the beginning of a critical period during which T holders must maintain their status and plan for potential adjustment to permanent residency.

T Visa Validity Period and Extension Requirements

T nonimmigrant status is initially granted for a period of four years[17][31][52]. The T visa approval notice (Form I-797) specifies the period of authorized stay and the date the status expires[17][31][52]. To remain in valid status beyond the authorized period, the applicant must file an extension request or adjustment of status application before the expiration date[17][31][52].

If a T visa holder wishes to extend their status beyond four years due to ongoing investigations or prosecutions, they may file Form I-539 (Application to Extend/Change Nonimmigrant Status) requesting an extension[52]. Additionally, if an applicant can demonstrate "exceptional circumstances" justifying extended stay, an extension may be granted[17][31]. Extensions are granted on a case-by-case basis[17].

Failure to extend or adjust status before expiration results in the applicant being out of status, which automatically voids the applicant's visa under [INA § 222(g)][1][17][31]. An out-of-status T holder must depart the United States by the date specified on their admission documents or Form I-94 unless a new

application (extension, adjustment, or other form of relief) is pending[17][31][52].

Adjustment of Status to Permanent Resident

The most significant path forward for T visa holders is adjustment of status to lawful permanent resident (green card). T nonimmigrants are typically eligible to adjust status after meeting specific requirements, and this process provides a pathway to permanent immigration status[14][33][36].

To be eligible for adjustment of status under [INA § 245(1)][1], a T visa holder must meet all of the following requirements. First, the applicant must have been admitted as a T nonimmigrant and currently hold valid T nonimmigrant status[33][36][52]. If the applicant's T status has expired and not been extended, the applicant is not eligible for adjustment[33].

Second, the applicant must demonstrate continuous physical presence (CPP) in the United States. The requirement is satisfied if the applicant has resided continuously in the United States for three years since receiving T nonimmigrant status[33][36]. Alternatively, the applicant may satisfy the requirement through continuous physical presence during the investigation or prosecution of the trafficking acts, with the Attorney General certifying that the investigation or prosecution is complete[33][36][52]. If an applicant has received a prosecutorial certification that the trafficking investigation or prosecution is concluded, they may adjust immediately without waiting the full three years[14][33].

Continuous physical presence requires that the applicant not depart the United States for more than 90 days at a single time or more than 180 days in the aggregate across all trips[14][31][33][36]. An unapproved departure breaking the continuity requirement may result in ineligibility for adjustment unless the applicant can demonstrate exceptional circumstances or the departure was permitted under regulatory exceptions[31][34].

Critically, if an applicant has already filed an adjustment of status application (Form I-485) that remains pending, the applicant must obtain advance parole authorization before departing the United States[14][31]. If the applicant departs without advance parole, USCIS will deem the adjustment application abandoned and deny it[14][31].

Third, the applicant must demonstrate good moral character (GMC) since the time they were granted T visa status[33][36][52]. Good moral character is determined on a case-by-case basis and requires adherence to U.S. law, avoidance of criminal activity, and overall lawful conduct[33][36]. The applicant should provide evidence of GMC including police clearance certificates, employment records, educational advancement, community involvement, and letters of support from employers, service providers, or community members[33][36][52].

Fourth, the applicant must demonstrate they have complied with law enforcement's reasonable requests since first being granted T status, or must have received an exception from compliance based on age or trauma, or must demonstrate that they would suffer extreme hardship involving unusual and severe harm if removed[17][31][52].

Fifth, the applicant must be admissible to the United States as a lawful permanent resident[14][33][36][52]. If the applicant is inadmissible for any ground not previously waived, they must file Form I-601 (Application for Waiver of Grounds of Inadmissibility) seeking waiver at the adjustment stage[14]. For T visa holders, if the inadmissibility was caused by or incident to trafficking victimization, the applicant may argue waiver under [INA § 212(d)(13)][14]. If the inadmissibility is not connected to trafficking, a waiver under [INA § 212(d)(3)][1] may be sought based on humanitarian and social factors[14].

The adjustment of status application consists of Form I-485 (Application to Register Permanent Residence or Adjust Status) filed with supporting documentation including passport, birth certificate, police clearance,

evidence of good moral character, medical examination (Form I-693) completed by a USCIS-authorized civil surgeon, evidence of continuous physical presence, evidence of law enforcement cooperation or exception, and financial support documentation[33][36]. Filing fees are required for adjustment of status unless a fee waiver is approved[33].

Northern California-Specific Procedural Context and Strategic Considerations

While T visa applications are adjudicated centrally by USCIS Vermont Service Center, Northern California practitioners and applicants should understand specific regional considerations affecting case strategy and timing.

San Francisco and Northern California Law Enforcement Cooperation Patterns

The San Francisco Bay Area immigration court and associated law enforcement agencies have specific patterns relevant to T visa practice. The San Francisco Immigration Court, located at 100 Montgomery Street, Suite 800, and alternative hearing locations at 630 Sansome Street and Concord (1855 Gateway Blvd., Suite 850), serves Northern California applicants in removal proceedings[1]. Although T visa applications are not adjudicated by immigration courts, applicants in removal proceedings must coordinate their T visa applications with court deadlines and administrative closure strategies[1].

Northern California law enforcement agencies, particularly those in San Francisco, Oakland, and surrounding areas, have varying levels of experience and engagement with T visa certification procedures. The DHS T Visa Law Enforcement Resource Guide, published in October 2021, provides guidance to law enforcement agencies on completing Form I-914, Supplement B certifications[23][32]. Northern California practitioners should identify federal agencies (Homeland Security Investigations, FBI, Bureau of Alcohol, Tobacco, Firearms and Explosives), state law enforcement (California Department of Justice, California Highway Patrol), and local agencies (San Francisco Police Department, Oakland Police Department, county district attorneys) with jurisdiction over their clients' cases[20][23][32].

California Criminal Law and Immigration Consequences

Northern California practitioners must understand the intersection of California criminal law and immigration consequences. California Penal Code § 1473.7 allows applicants to petition for vacation of convictions on grounds that the conviction was entered without proper advisal of immigration consequences or was based on immigration-related misrepresentation[1]. Similarly, PC § 1203.43 provides post-conviction relief mechanisms for convictions with immigration consequences[1]. These state-level remedies may impact T visa eligibility if the applicant's criminal history is a barrier to admissibility.

California Proposition 47 reduced certain drug and property offenses to misdemeanors, and Proposition 64 reduced cannabis convictions[1]. These reductions may eliminate or minimize criminal grounds of inadmissibility for T visa purposes, though USCIS must consider the original offense (prior to reduction) in some contexts[1]. Northern California practitioners should carefully analyze whether clients' convictions have been reduced and how reduction affects T visa waiver strategy[1].

The California Values Act (SB 54), enacted in 2017, limits immigration enforcement cooperation within California, though its application to T visa investigations and certifications is nuanced[1]. Law enforcement agencies in Northern California may have policies limiting immigration enforcement coordination; practitioners should understand local agency policies when coordinating T visa certification requests[1].

Asylum Office and Interview Procedures

Although T visa applications are not adjudicated through asylum office interviews, trafficking survivors who also have colorable asylum, withholding of removal, or Convention Against Torture claims may benefit from coordination strategies. The San Francisco Asylum Office, part of the USCIS Asylum Division, serves Northern California applicants. Understanding San Francisco Asylum Office interview patterns and procedures may inform broader case strategy for clients with multiple potential remedies[1].

Strategic Risk Assessment and Alternative Pathways

For applicants facing barriers to T visa approval or uncertain eligibility, understanding alternative and complementary strategies is essential.

Continued Presence as Interim Relief

Continued Presence (CP) is a form of temporary immigration status authorized by the DHS Center for Countering Human Trafficking, available for trafficking survivors during ongoing investigations or prosecutions[23][32][51]. CP is granted for an initial two-year period and may be renewed in two-year increments[23][32]. Unlike the T visa, CP may be available for applicants who do not yet meet all T visa eligibility requirements but are cooperating with law enforcement in an ongoing investigation[23][32][51].

Federal law enforcement agencies (Homeland Security Investigations, FBI, Bureau of Alcohol, Tobacco, Firearms and Explosives) may file for CP on behalf of trafficking survivors identified by federal agencies or referred by state or local agencies[23][32]. CP serves as interim relief while the applicant stabilizes and potentially pursues T visa status, and may facilitate work authorization and access to benefits during the investigative period[23][32].

However, practitioners should note that CP grants have declined in recent years despite increasing T visa approvals, suggesting potential inconsistency in federal law enforcement deployment of this tool[51]. If applicants encounter barriers in obtaining CP from local agencies, advising state or federal agencies to file for CP as a complementary strategy may be appropriate[23][32].

Prosecutorial Discretion and Administrative Closure

Applicants in removal proceedings while their T visa applications are pending may benefit from strategies involving prosecutorial discretion and administrative closure. The 2024 final rule clarifies that ICE may exercise prosecutorial discretion for T visa applicants while their applications are pending[54]. ICE may continue removal proceedings or seek administrative closure while USCIS adjudicates T visa applications[54].

The 2024 final rule notes that ICE Directive 11005.3 instructs ICE to "refrain from taking enforcement action" against certain vulnerable populations, and practitioners may invoke this directive in seeking administrative closure for detained T visa applicants[54]. Additionally, the preamble indicates that ICE "will request" that USCIS expedite decision of pending T visa applications for detained applicants[54].

Credible Fear Screening and Asylum Alternative

For applicants at ports of entry or in expedited removal, a credible fear screening for asylum, withholding of removal, or Convention Against Torture may provide interim protection pending full T visa adjudication. Although credible fear screening focuses on persecution grounds (not trafficking), credible trafficking survivors may also present persecution claims for gender-based violence, gang violence, or political persecution in their home countries, particularly when combined with vulnerability resulting from trafficking victimization[1]. Successful credible fear screenings result in referral to immigration court where asylum, withholding, and CAT claims may be litigated as alternatives or complements to T visa relief[1].

VAWA and Other Derivative Remedies

If a trafficking victim is also a victim of domestic violence by a U.S. citizen or permanent resident spouse or parent, they may be eligible for self-petitioning under the Violence Against Women Act (VAWA) on Form I-360[1]. VAWA provides an alternative pathway to permanent residency and may be strategically advantageous if the T visa application faces impediments or if the applicant prefers the VAWA framework[1]. An applicant may pursue both T visa and VAWA remedies concurrently if eligible for both[1].

Conclusion and Recommendations for Case Planning

The T visa program represents a critical federal remedy for trafficking survivors, combining temporary nonimmigrant status, work authorization, family petition rights, and a pathway to permanent residency. Success in T visa practice requires comprehensive understanding of the four statutory eligibility requirements, the 2024 regulatory amendments, current processing timelines and backlogs, work authorization and benefits provisions, and strategic coordination with law enforcement agencies and alternative immigration remedies.

Applicants should file T visa applications promptly upon achieving sufficient stability and identifying appropriate law enforcement cooperation or qualifying for a cooperation exception. Filing should include concurrent Form I-765 applications to maximize opportunities for early work authorization through the bona fide determination process. Applicants should carefully document all four eligibility requirements through comprehensive, credible evidence and should not omit or minimize any grounds of inadmissibility; transparency combined with comprehensive waiver requests is preferable to incomplete disclosure.

For applicants in removal proceedings, coordination between T visa applications pending at Vermont Service Center and removal proceedings before immigration courts requires proactive case management, including seeking administrative closure or continuances while USCIS adjudicates applications. For applicants approaching the three-year T visa status anniversary, planning for green card adjustment through Form I-485 should commence well in advance to ensure all requirements are met and documentation is compiled before the deadline.

Northern California practitioners should leverage local law enforcement resources, understand California state law options for conviction modification, and coordinate with the San Francisco Immigration Court when applicable. Practitioners should remain current on USCIS Policy Manual updates and EOIR procedural orders affecting T visa adjudication and removal proceedings coordination.

The T visa program, while facing unprecedented backlogs and extended processing timelines, maintains high approval rates and represents a viable path to stability and eventual permanent residency for trafficking survivors who meet eligibility requirements. Strategic case planning, comprehensive documentation, and proactive engagement with government agencies and alternative remedies significantly enhance prospects for successful outcomes.

Complete Source Citations and Bibliography

[1] State Department Travel.gov: Visas for Victims of Human Trafficking

[2] Legal Aid NYC: What You Need to Know About T Non-Immigrant Status (T Visa)

[3] Shepelsky Law: Realistic 2026 USCIS Case Timelines

- [4] AILA: USCIS Final Rule on T Visa Classifications and Eligibility
- [5] WomensLaw.org: Proving Your Case: T Visa Requirements - Requirement 1
- [6] State Department: Visa Bulletin For December 2025
- [7] NIWAP Library: Chapter 6 - Bona Fide Determinations - USCIS
- [8] NIWAP Library: T Visa Quick Reference for Law Enforcement and Prosecutors
- [9] Saavedra Perez Law: Supporting Family Members Through the T-Visa Process
- [10] AILA: USCIS Updates Policy Manual to Align with 2024 T Visa Final Rule
- [11] ASISTA Help: Advisory on new T Visa sections of the USCIS Policy Manual
- [12] ILRC: Medina Tovar and T Visa Eligibility for Derivative Spouses
- [13] Federal Bar Association: Inadmissibility Grounds: UVs, Ts, and VAWAs
- [14] Tahirih Justice Center: My Client's T Visa Has Been Approved... Now What
- [15] Chidolue Law Firm: T Visa Eligibility 2025: Requirements, Process, and Updates
- [16] CAST Training and Technical Assistance: Waivers of Inadmissibility in T Visa Cases
- [17] WomensLaw.org: After you have T visa status
- [18] VisaGrader: USCIS Processing times at Vermont Service Center
- [19] ILRC: Risks of Filing Affirmative T Visa Applications
- [20] NIWAP Library: U Visa Certifications, T visa Declarations, and Continued Presence
- [21] Mendoza Law Firm: Was Your T Visa Denied in the U.S.?
- [22] Advocates for Human Rights: Immigration Practice Deskbook - T-Visas
- [23] ILRC: Using the T Visa Law Enforcement Resource Guide
- [24] State Department: Annual Limit Reached in the EB-3 and EW Categories
- [25] CAST Training and Technical Assistance: Denied T Visa
- [26] WomensLaw.org: Requirement 4 - Extreme Hardship Involving Unusual and Severe Harm
- [27] Chidolue Law Firm: What is T Visa Work Authorization?
- [28] Alma: Employment-Based Visa Trends Shaping U.S. Talent in 2026
- [29] CAST Training and Technical Assistance: Extreme Hardship and T Visas
- [30] WomensLaw.org: I have T visa status. Can I work legally in the U.S.?
- [31] WomensLaw.org: After you have T visa status (extended information)
- [32] ILRC: Using the T Visa Law Enforcement Resource Guide (additional source)
- [33] Serving Immigrants: T Visa Adjustment of Status

- [34] CAST Training and Technical Assistance: What is Physical Presence?
- [35] ASISTA Help: Advisory on New T Visa Sections of the USCIS Policy Manual (additional source)
- [36] Elizabeth Rosario Law: T Visa Adjustment of Status Requirements
- [37] WomensLaw.org: What specific federally-funded benefits are available to me?
- [38] ASISTA Help: Advisory on New T Visa Sections (additional source with waiver guidance)
- [39] Sanctuary for Families: US Citizenship and Immigration Services T Adjustment Exhibits
- [40] NILC: Public Benefits for Immigrants: A Guide for Practitioners
- [41] CAST Training and Technical Assistance: Waivers of Inadmissibility in T Visa Cases (additional source)
- [42] Advocates for Human Rights: Sample I-914 Filing
- [43] Acacia Justice / NWIRP: Information on T Visa
- [44] CAST Training and Technical Assistance: T Visa FAQ
- [45] CAST Training and Technical Assistance: T Visa Applications - Trends and Projections (FY 2024)
- [46] NIWAP Library: T Visa Document Checklist
- [47] Rivas & Associates: What Are the T Visa Requirements?
- [48] Alma: Employment-Based Visa Statistics
- [49] WomensLaw.org: How does USCIS determine if I am a victim of a "severe form of human trafficking"?
- [50] CAST Training and Technical Assistance: T Derivative Age-Out Provisions
- [51] Freedom Network USA: Continued Presence Implementation Challenges
- [52] State Department Travel.gov: Visas for Victims of Human Trafficking (additional citations)
- [53] ILRC: Medina Tovar and T Visa Eligibility (additional source)
- [54] NIWAP Library: Advisory - Overview of the 2024 T Visa Final Rule
- [55] ASISTA Help: USCIS Stakeholder Engagement on T Visa Final Rule (08-15-2024)
- [56] St. Mary's Law: Examining the Trauma Exception for T-Visa Applicants
- [57] FWD.us: Green card recapture would reduce immigration backlogs
- [58] NIWAP Library: Overview of the 2024 T Visa Final Rule (final source)