



Homeland
Security
Blue Campaign



U.S. Citizenship
and Immigration
Services

INFORMATION FOR LAW ENFORCEMENT OFFICIALS

Immigration Relief for Victims of Human Trafficking and Other Crimes

In addition to upholding U.S. immigration law, the Department of Homeland Security (DHS) administers immigration benefits to victims of human trafficking and other serious crimes. U.S. Citizenship and Immigration Services (USCIS) adjudicates T and U visas, which help protect immigrant victims of human trafficking and other crimes.

1. What is a T visa?

- The T nonimmigrant status visa (also known as the T visa) provides immigration protection to victims of severe forms of human trafficking who assist law enforcement in the investigation or prosecution of human trafficking cases.
- A law enforcement declaration is evidence of a victim's cooperation; it **may** be submitted in support of a T-visa application.

2. What is a U visa?

- The U nonimmigrant status visa (also known as the U visa) provides immigration protection for victims of qualifying crimes who are helpful to law enforcement in the detection, investigation or prosecution of the criminal activity.
- A law enforcement certification is required evidence of a victim's cooperation; it **must** be submitted in support of a U-visa application. Without a law enforcement certification, the U-visa application will be denied.

3. Why would a victim ask me for a law enforcement declaration or certification?

- An applicant for a T visa or a U visa must demonstrate assistance to law enforcement. The applicant will submit a law enforcement declaration or certification along with the T- or U-visa application. This document serves to inform USCIS about assistance the applicant provided toward an investigation or prosecution of the crime. The law enforcement declaration or certification must be signed by a certifying official, as described below in Questions 8-11.

4. How do T and U visas help law enforcement with criminal investigations?

- T and U visas can greatly benefit law enforcement, as they encourage immigrant victims to work with law enforcement, prosecutors and courts to investigate and prosecute human trafficking and other serious crimes.
- A victim applying for a T visa or a U visa can help law enforcement by providing information about a crime and assisting in an investigation or prosecution of serious criminals, making the entire community safer.

5. Does a signed declaration or certification automatically grant an immigration benefit?

- No. A signed law enforcement declaration or certification is just one piece of evidence submitted as part of a T- or U-visa application. Only USCIS has the authority to approve T- and U-visa applications and grant immigration benefits.
- USCIS also requires additional evidence from the applicant, and will conduct a full background investigation that includes an FBI fingerprint and name/date-of-birth check and a full review of the applicant's immigration history.

6. May I certify the victim's helpfulness if no prosecution, arrest or conviction has been made, or if the case has been closed?

- Yes. A certifying official may sign a declaration or certification if the case is closed, or if a prosecution, arrest or conviction was not made. Neither formal charges nor the launch of a formal investigation are required.
- There is no requirement that the victim's assistance lead to a prosecution, arrest or conviction, as criminals/victimizers may flee the jurisdiction once a crime is reported or may have already been deported from the U.S.
- There is no statute of limitations on a victim's helpfulness to law enforcement. A declaration or certification may be provided for cases that are closed or for investigations for crimes that occurred months or years ago, as long as the victim was helpful to law enforcement.

7. If I sign a declaration or certification form, will I be liable for the applicant's future actions?

- No. A law enforcement agency will not be liable for any future criminal activity a victim engages in.
- A declaration or certification only provides USCIS with information available about the victim, the crime and the victim's assistance to law enforcement in an investigation or prosecution at the time it is signed.

8. What is the law enforcement certification process for a U visa?

- If certifying, the law enforcement agency must use USCIS [Form I-918, Supplement B](#) (part of Form I-918, Petition for U Nonimmigrant Status) and provide it to the victim upon completion.
- The victim will submit the certification to USCIS with the application for a U visa.
- The signed law enforcement certification states that the victim has been a victim of a qualifying crime; possesses information about the crime; and has been, is being, or is likely to be helpful to an investigation or prosecution of the qualifying crime.
- A U-visa application that is not submitted with a law enforcement certification will not be considered complete. Without a certification, the U visa will be denied.

9. Who may sign a law enforcement certification for a U visa?

- Certifying agencies include:
 - Federal, state or local law enforcement agencies, including prosecutors and judges, and;
 - Other agencies that have criminal investigative jurisdiction in their respective areas of expertise, such as child protective services, the Equal Employment Opportunity Commission and the Department of Labor.
- Certifying officials include any person in a supervisory role in a certifying agency who is designated by the head of that agency to issue U nonimmigrant certifications. They also include federal, state and local judges.

10. What is the law enforcement declaration process for a T visa?

- If signing a declaration, the law enforcement agency must use USCIS [Form I-914, Supplement B](#) (part of Form I-914, Application for T Nonimmigrant Status) and return it to the victim upon completion.
- The victim will submit the declaration to USCIS with the application for a T visa.
- The signed law enforcement declaration states that the victim was or is a victim of a severe form of human trafficking, and has complied with any reasonable requests for assistance in a trafficking investigation or prosecution.
- A law enforcement declaration is optional evidence that an applicant may submit in support of a T-visa application.

11. Who may sign a law enforcement declaration for a T visa?

- Agencies that may sign a declaration include any federal, state, or local law enforcement agency that has the authority for the investigation or prosecution of human trafficking, including but not limited to the Department of Justice, the FBI, DHS, the U.S. Marshals Service, and the Department of State's Diplomatic Security Service.
- The declaration must be signed by a supervising official responsible for the investigation or prosecution of the trafficking offense.

12. Am I legally required to sign this declaration or certification?

- No. A law enforcement agency is under no legal obligation to complete a declaration or certification. Signing is at the discretion of each law enforcement agency, in accordance with that agency's policy.
- **Note:**
 - Without a certification, a U-visa application will be denied.
 - The declaration is not required for a T visa, but it is an important piece of evidence submitted by the applicant.

13. Is the victim required to offer continued support in the investigation and prosecution of the criminal who committed the crime against him or her? What if the victim stops cooperating with law enforcement?

- Yes, the victim is required to offer continued support in the investigation and prosecution.
- A law enforcement agency may withdraw its declaration or certification after the document is submitted to USCIS.
- If at any time the petitioner unreasonably refuses to assist law enforcement, or if the agency wishes to withdraw its declaration or certification for any other reason, the law enforcement agency should notify USCIS in writing.
- The law enforcement agency should send the petitioner's name, date of birth, and A-file number if available, along with the reason for the certification's withdrawal, to:

U.S. Citizenship and Immigration Services/Vermont Service Center
ATTN: T/U-Visa Unit
75 Lower Welden St.
St. Albans, VT 05479-0001

Resources for More Information:

- Law enforcement should email their inquiries to LawEnforcement_UTVAWA.vsc@uscis.dhs.gov.
- Additional information is available at www.uscis.gov/humantrafficking and www.dhs.gov/humantrafficking.