

SUPPORTING STATEMENT FOR
Application for T Nonimmigrant Status
OMB Control No.: 1615-0099
COLLECTION INSTRUMENT(S): I-914, Supplement A, and Supplement B

A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

This application permits victims of severe forms of trafficking in persons and their family members to demonstrate that they qualify for temporary nonimmigrant status pursuant to the Victims of Trafficking and Violence Protection Act of 2000 (VTVPA). *See* Victims of Trafficking and Violence Protection Act of 2000, div. A, TVPA, Public Law 106-386, 114 Stat. 1464 (Oct. 28, 2000). This nonimmigrant category was established to provide eligible victims with T nonimmigrant status while strengthening the ability of law enforcement agencies to investigate and prosecute human trafficking. Congress has since amended the TVPA, including the T nonimmigrant status provisions, several times: Trafficking Victims Protection Reauthorization Act (TVPRA) of 2003, Public Law 108-193, 117 Stat. 2875 (Dec. 19, 2003); Violence Against Women Act (VAWA) 2005, Public Law 109-162, 119 Stat. 2960 (Jan. 5, 2006); Technical Corrections to VAWA 2005, Public Law 109-271, 120 Stat. 750 (Aug. 12, 2006); TVPRA 2008, Public Law 110-457, 122 Stat. 5044 (Dec. 23, 2008); VAWA 2013, Public Law 113-4, titles viii, xii, 127 Stat. 54 (Mar. 7, 2013); Justice for Victims of Trafficking Act, Public Law 114-22, 129 Stat. 227 (May 29, 2015). The TVPA may be found in 22 U.S.C. 7101–7110; 22 U.S.C. 2151n, 2152d.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The application is divided into three parts. The Form I-914, I-914 Supplement A and I-914 Supplement B. The Principal Applicant will complete the Form I-914 to apply for temporary immigration status. The Principal Applicant may complete Form I-914 Supplement A, to petition for derivative status for an eligible family member. A Federal, State or local Law Enforcement Officer may complete the Form I-914 Supplement B, at the applicant's request, to attest to the applicant's claim of being a victim of a severe form of trafficking in persons. The information on all three parts of the form will be used to determine whether applicants meet the eligibility requirements for benefits. This application incorporates information pertinent to eligibility under the VTVPA and a request for an employment authorization document for principal applicants.

Applicants are also required to submit biometrics for DHS to use to conduct the required background and security checks.

3. **Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

Form I-914 and Supplement A and B provide the most efficient means for collecting and processing the required data. Currently, USCIS does not have the automated capability in place to accept electronic submission of these forms. Form I-914 and Supplements A and B are electronically fillable, but cannot be filed electronically.

Forms I-914, I-914A, and I-914B and instructions are all available at www.uscis.gov, keyword search "Form I-914," and have partial Government Paperwork Elimination Act (GPEA) compliance as they can be accessed, completed and saved electronically, but cannot be submitted electronically.

USCIS is in the process of converting forms to be electronically accessed, completed and submitted by the respondent. At this time, there is no finalized timeframe for the form being submitted to be converted to the electronic environment but USCIS will provide an update when the information becomes available.

4. **Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

This collection of information is unique to USCIS and is not conducted elsewhere. Any information that is shared with other agencies, or any information collected by other agencies that is used by USCIS to adjudicate the benefit sought in this collection, is notated in Question 2 above.

5. **If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

This collection of information does not have an impact on small businesses or other small entities.

6. **Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If the information noted above is not collected by the form and supplements, USCIS may not be able to comply with the requirements of the program as mandated by Public Law 106-386, and provide the immigration benefit sought.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On November 17, 2020 USCIS published a 60-day notice in the Federal Register at 85 FR 73290. USCIS received five comments after publishing that notice. These comments are responded in Appendix A.

On March 11, 2021, USCIS published a 30-day notice in the Federal Register at 86 FR 13910. USCIS did not receive comments.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

USCIS does not provide any payment for benefit sought.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation or agency policy.

Information about individuals who submit a Form I-914 is protected by the statutory confidentiality protections at 8 U.S.C. § 1367, which generally prohibit the disclosure or use of any information about applicants for, and beneficiaries of, certain victim-based immigration benefits, including T nonimmigrant status, U nonimmigrant status, or relief under the Violence Against Women Act (VAWA). Prior to making information disclosures, USCIS employees are required to consult the individual's A-file or run a query in the Central Index System (CIS), or through the CIS function in the Person Centric Query System. CIS and PCQS include an alert message to indicate that an individual is protected by 8 U.S.C. § 1367. The message reads: 8 USC 1367 Protected Information–Disclosure and Use Restrictions Apply. Any record in CIS and PCQS that displays this banner must be handled in accordance with the protections of 8 USC 1367.

All USCIS employees who come in contact with 8 USC 1367 protected information are required to complete the *VAWA: Confidentiality and Immigration Relief* training on an annual basis.

This collection is covered under the following Privacy Impact Assessment:

- DHS/USCIS/PIA-016 Computer Linked Application Information Management System (CLAIMS 3) and Associated Systems and subsequent updates

The collection is covered under the following System of Records Notices:

- DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, September 18, 2017, 82 FR 43556,
- DHS/USCIS-007 Benefits Information System, October 10, 2019 84 FR 54622, and
- DHS/USCIS-018 Immigration Biometric and Background Check (IBBC) System of Records, July 31, 2018, 83 FR 36950.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are questions of a sensitive nature. However, these questions are necessary in order for USCIS to make a determination on whether the applicant meets the eligibility requirements to receive benefits under the VTVPA. USCIS will take every step to safeguard this information appropriately.

Form I-914 collects sensitive data regarding applicants for T nonimmigrant status. Such data includes, but is not limited to, personally identifiable information as well as details about personal victimization resulting from severe forms of trafficking in persons. USCIS takes every step to safeguard this information, including the steps outlined in the Privacy Documents associated with the collection.

Additionally, USCIS stringently follows the confidentiality provisions on the disclosure of information relating to T nonimmigrants found in 8 USC 1367.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**

- If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.
- Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Total No. of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate (in dollars)	Total Annual Respondent Cost (in dollars)
Individuals or Households	Application for T Nonimmigrant Status/ I-914	1,310	1	1,310	2.63	3,445	37.55	9,375 ¹²
Individuals or Households	Application for Family Member of T-1 Recipient/ I-914A	1,120	1	1,120	1.083	1,213	37.55	5,562 ⁴
State, local or Tribal Government	Declaration of Law Enforcement Officer for Victim of trafficking in Persons (Law Enforcement Officer completion activity)/ I-914B	459	1	459	3.58	1,645	44.05	2,451 ⁷
Individuals or Households	Declaration of Law Enforcement Officer for Victim of trafficking in Persons (Contact by Respondent to Law Enforcement/ I-914B)	459	1	459	0.25	115	37.55	4,309

Individuals or Households	Biometric processing	2,430	1	2,4 30	1.17	2,843	37.55	10 6,762
Total				5,77 8		9,261		358, 459

* The above Average Hourly Wage Rate is the [May 2019 Bureau of Labor Statistics](#) average wage for All Occupations of \$25.72 times the wage rate benefit multiplier of 1.46 (to account for benefits provided) equaling \$37.55. The selection of “All Occupations” was chosen because respondents to this collection could be expected from any occupation.

*** The above Average Hourly Wage Rate is the [May 2019 Bureau of Labor Statistics](#) average wage for Law Enforcement Workers of \$30.17 times the wage rate benefit multiplier of 1.46 (to account for benefits provided) equaling \$44.05. The selection of “All Occupations” was chosen as the expected respondents for this collection could be expected to be from any occupation.

For form I-914B, the burden is separated by the time that the respondent takes to contact the law enforcement agency that investigated them as a result of a trafficking incident to obtain a report, and by the time that the law enforcement requires to gather all evidence collected during the investigation and then completing the form.

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
- If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

- Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995; (2) to achieve regulatory compliance with requirements not associated with the information collection; (3) for reasons other than to provide information or keep records for the government; or, (4) as part of customary and usual business or private practices.

There is no capital, start-up, printing, operational or maintenance cost associated with this collection of information. There is no fee for Form I-914, Form I-914 Supplement A, and Supplement B. Biometric services may be required at no cost to the applicant.

Respondents will incur costs associated with this collection of information. These costs include legal services, translators or preparers, and document search and generation.

IC	Respondents	Cost	Percent of Respondents	Total, in dollars
I-914	1,310	\$1,350	100	1,768,500
I-914A	1,120	\$600	100	672,000
I-914B	459	\$100	100	45,900
I-914B Declaration	459	\$100	100	45,900
Biometric processing	2,430	\$0	100	-
Total Est. Cost				2,532,300
Est. Cost per Respondent				438.27

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

IC	Cost Description	Respondents	Adjudication Hours	Avg. Hourly Rate, in dollars (Vermont GS-12, Step-1; Weight 1.46)	Total, in dollars
I-914	USCIS hours	1,310	4.35	54.11	308,332
I-914A	USCIS hours	1,120	0.96	54.11	58,176
Biometric Services	USCIS hours	2,430	2.00	54.11	262,963
Total Est. Cost					629,472

15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.

Data collection	Program Change (hours)	Program Change (New,	Difference (in hours)	Adjustment (hours)	Adjustment (New, in	Difference (in hours)
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Activity/ Instrument	currently on OMB Inventory, in hours)			currently on OMB Inventory, in hours)		
I-914	2,283	3,445	1,162			0
I-914A	1,024	1,213	189			0
I-914B	919	1,760	841			0
Biometric Services				2,058	2,843	785
Total(s)	6,284	6,418	2,192	2,058	2,843	785

There is an increase in the estimated annual hour burden due to an increase in the number of respondents across all collection instruments due to the increase in the estimated number of respondents provided by USCIS' Service Center Operations Directorate (SCOPS) combined with an increase in estimated time burden of three of the four I-914 instruments: I-914 increases 0.3 hour per response, I-914A increased 0.083 hour per response, and I-914B increase 0.083 hour per response. This time burden increase is the result of adding clarifying information regarding trafficking, travel and other instructional clarifying language. Biometric Services hour burden increase is strictly due to the SCOPS estimate increase and is not associated with program change.

Data collection Activity/ Instrument	Program Change (cost currently on OMB Inventory, in dollars)	Program Change (New, in dollars)	Difference (in dollars)	Adjustment (cost currently on OMB Inventory, in dollars)	Adjustment (New, in dollars)	Difference (in dollars)
I-914				1,323,000	1,768,500	445,500
I-914A				614,400	672,000	57,600
I-914B				49,000	45,900	(3,100)
Total(s)	0	0	0	1,986,400	2,486,400	500,000

There is an increase in the estimated annual out-of-pocket cost burden due to the increase in the number of respondents. This change did not occur as a result of the program changes provided by USCIS' Service Center Operations Directorate (SCOPS).

- 16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

This information collection will not be published for statistical purposes.

- 17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

USCIS will display the expiration date for OMB approval of this information collection.

18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submission,” of OMB 83-I.

USCIS does not request an exception to the certification of this information collection.

B. Collections of Information Employing Statistical Methods.

There is no statistical methodology involved with this collection.

Appendix A: 60-day FRN Comment Summary and Response

On November 17, 2020 USCIS published a 60-day notice in the Federal Register at 85 FR 73290. USCIS received five comments after publishing that notice. USCIS responds to these comments below.

Miscellaneous

One commenter requested that victims be deported upon closure of the case. This comment misunderstands the function of the T visa program and is beyond the scope of the Form I-914 Revisions. No changes will be made in response to this comment.

General/Cross Form Comments

Multiple commenters requested that USCIS withdraw the rejection criteria and associated language across the Form I-914, Supplement A and instructions, which would have resulted in rejected filings when forms were deemed incomplete. Commenters indicated that the criteria that would have resulted in a rejected filing were ambiguous, inconsistent, created unnecessary barriers and drained resources for applicants, advocates and the agency. USCIS appreciates these comments and agrees with this suggestion. USCIS has removed the language that it believes that commenters are referencing that stated that a form would be rejected if all spaces were not completed from the Form I-914, instructions and supplements. USCIS notes that the referenced rejection criteria was never implemented in the T program. As such, USCIS is not changing its current Form I-914 rejection policy.

Multiple commenters requested that USCIS incorporate more gender-inclusive options under the gender field across the Form I-914, supplements, and instructions, because many survivors do not identify as male or female. USCIS collects gender information for purposes of identity management and verification. In response to the comments, USCIS has revised the gender field across the Form I-914, instructions and supplements to reflect this feedback by changing the field to “Gender or Sex” and adding an “other” option to keep track of applicants as they move through the immigration benefit life cycle. We welcome additional public comment on this issue.

Multiple commenters requested that USCIS update the criminality questions at Part 4 to clarify that vacated convictions do not need to be reported to USCIS, as vacatur indicates that the arrest or conviction should never have occurred in the first place. USCIS appreciates these comments but declines to further revise the forms at this time. Under immigration law, applicants must disclose all arrests and charges, even if the conviction was later vacated. USCIS encourages applicants to submit their full criminal history and explicitly note vacatures to facilitate the adjudication process.

One commenter requested signature fields on the proposed addendums to the Form I-914 and Form I-914 Supplement A. USCIS has moved the addendum sections up so that they now appear above the signature section.

Multiple commenters suggested language to clarify that an investigation or prosecution is not required for a trafficking survivor to be eligible for T nonimmigrant status. USCIS agrees that this is an important point to emphasize to applicants and law enforcement agencies and has added clarifying language across the Form I-914, instructions and supplements.

One commenter proposed modifications to allow for photocopied, scanned, faxed, or similarly reproduced signature options on the Form I-914 and Form I-914 Supplements. USCIS declines any revisions to the signature language. While USCIS permits photocopies, scans, or faxes of original signatures for the majority of its forms, for the I-914 we have decided that the original ink signatures are critical to ensure integrity and prevent fraud. In the T-nonimmigrant program, USCIS has experienced several instances of fraudulent signatures on Form I-914 and cases where the applicant has disavowed their signature and the information on the application when challenged. To preclude this from happening again, USCIS requires the original signature because it is easier to verify and more difficult to disavow.

Form I-914

One commenter requested that USCIS add “if any” to the USCIS Online Account question at Part 2. USCIS agrees with the suggestion and has made this edit.

Multiple commenters requested that USCIS add “if any” Passport and Travel Document and Arrival/Departure questions at Part 2 in the Form I-914 and Supplement A in recognition of the fact that that such documentation is not required to establish eligibility for T Nonimmigrant Status, and is often confiscated during the course of the trafficking. USCIS recognizes that such documentation may not always be available to trafficking victims and has adopted this suggestion on the Form I-914, Appendix A and instructions.

Multiple commenters observed that the instruction at Part 3 “Additional Information About Your Application” only stressed descriptions of the applicant’s victimization and requested revisions. USCIS agrees with these suggestions and has updated the instruction to remind applicants to address all eligibility requirements in their personal statements. USCIS also updated Part 3 One commenter requested that USCIS eliminate question 2 at Part 3 of the Form I-914, as the Form I-914B is not mandatory. USCIS agrees with this suggestion and has added a new question to more accurately reflect the “cooperation with reasonable requests for assistance” eligibility requirement.

Commenters suggested further specificity to questions 5 and 7 at Part 3 to ask whether the trafficking survivor has complied with “reasonable” requests from law enforcement. USCIS agrees and has made the suggested edits relating to reporting the trafficking and the reasonableness of requests for assistance.

USCIS also added “if any” to the Interpreter questions at Part 7 to accommodate requests from commentors.

Form I-914 Supplement A

One commenter noted that the proposed Supplement A PDF did not contain page numbers. USCIS appreciates this commenter's note and has added page numbers.

One commenter noted that it is not clear that Part 1 of the Supplement A should be left blank if the applicant is completing Part 2. USCIS agrees with this comment and has revised the form and instructions for clarity.

One commenter requested that USCIS add parentheticals to identify the family members that fall under each derivative classification. USCIS agrees with this suggestion and has added further specificity.

One commenter requested that Question 10.D relating to “How the Marriage Ended” under Part 4 be converted to checkboxes. USCIS agrees and has added checkboxes to the response.

One commenter indicated that there was confusion between Part 4, Question 11 and the questions that follow, refer to the derivative, as opposed to the prior spouse. USCIS declines to make any additional edits to these organization of these questions, as the form distinguishes between questions relating to the derivative versus sub-questions relating to the prior spouse.

One commenter suggested revisions to Part 4, Questions 23-24 relating to immigration court proceedings. USCIS agrees with these suggestions and has revised the questions accordingly.

Form I-914 Instructions

One commenter requested that the Form I-914 Instructions be revised to explain the process for seeking a Bona Fide Determination (BFD). USCIS declines to revise the Form I-914 instructions further at this time. USCIS does not routinely conduct T BFD reviews because the process as defined in regulation would take almost as long as complete Form I-914 adjudication. USCIS approved a record number of T applications in FY20. USCIS will continue to focus on full Form I-914 adjudications rather than T BFD reviews.

Under Item 1, Part C of “Who May File Form I-914”, one commenter requested clarification of the expanded definition of law enforcement. USCIS agrees and has updated the language. Under Item 2, one commenter requested that USCIS include additional language to convey the age-out protections for derivatives. USCIS agrees with this suggestion and has provided language to clarify the issue. USCIS made similar clarifications under the “Evidence to Establish Derivative T Nonimmigrant Status” portion of the instructions.

Under the Full Name instruction of the Form I-914 and Form I-914 Supplement A, one commenter requested that USCIS remove the references to birth certificates and legal name change documents. USCIS appreciates the commenter’s concern but declines to fully remove the language at this time. This language is intended to provide examples for applicants to reference but is not intended to require or convey expectation regarding access to such documents.

One commenter requested USCIS include an instruction that the applicant or derivative include their actual zip code to ensure that biometrics appointments are scheduled within geographic proximity to the applicant. USCIS appreciates this suggestion but declines this edit, as it is ultimately the applicant's decision to provide either a safe mailing address, a physical address, or both.

One commenter noted that in certain areas of Part 4, the instructions directed the applicant to provide information about themselves rather than about their derivative relative. USCIS appreciates these comments and has updated the forms to refer to the derivative.

Under Applicant's Statement, Contact Information, Declaration, Certification and Signature of the Form I-914 and Supplement A, USCIS has accepted one commenter's suggestion to include the following language "Your safe daytime phone number may be the number of your attorney or a community-based agency that is helping you." USCIS also accepted the commenter's suggested revision clarifying the agency's signature requirements for derivative relatives who are in the United States and abroad by clarifying that if the derivative family member is overseas, only the principal applicant is required to sign and date the form.

One commenter suggested additional clarifying language in the Completing Form I-914, Supplement B section of the Form I-914 Instructions. For example, the commenter recommended that USCIS incorporate the expanded definition of Law Enforcement Agency and clarify the evidentiary weight of the Supplement B. USCIS has made a number of revisions in response to this comment.

One commenter requested that the Form Instructions be updated to indicate that a grant of Continued Presence constitutes evidence of the trafficking survivor's cooperation with reasonable requests from law enforcement. USCIS agrees that the grant of Continue Presence constitutes a form of acceptable evidence of compliance with reasonable requests, as listed in the regulations at 8 CFR 214.11, and declines this edit at this time.

One commenter requested that USCIS remove the proposed section which distinguishes between the practices of human smuggling and human trafficking. USCIS declines to remove this language as it provides important clarification, but has provided additional proposed revisions for public consideration.

One commenter requested additional elements be added to the list of questions posed under the Personal Statement description. USCIS declines to make revisions in response to this comment, as the list is intended to provide examples of what applicants may choose to cover, rather than serve as an exhaustive list of issues that could potentially be addressed by the personal statement.

Under the Personal Statement heading, one commenter requested that USCIS strike recommendation 2 "The purpose for which you were brought to or entered the United States" as it contributes to the misconception that an applicant must have been brought to the U.S. for the purpose of trafficking. The commenter also requested that USCIS strike recommendation 9 "Why you were unable to leave the United States after you were separated from the traffickers"

as it reintroduces the presumption that the applicant had a chance to depart requirement that was removed by the 2016 Interim Final Rule. USCIS appreciates this feedback and agrees to remove both items from the list.

One commenter requested expanded discussion under the Waivers of Ground(s) of Inadmissibility. USCIS agrees that these revisions are helpful to stakeholders and has incorporated them into the instructions.

Multiple commenters requested clarification within the Form I-914 instructions regarding ancillary forms that may require fees or a fee waiver. USCIS appreciates these comments but declines to make additional edits to the Form I-914 instructions at this time. Applicants are encouraged to check the USCIS Form I-912, Request for Fee Waiver, instructions and webpage for information regarding fee waivers.

One commenter suggested that USCIS explicitly address the exceptions to 8 U.S.C. 1367 in the Confidentiality Section. USCIS has updated the form to reflect these suggestions. This commenter also requested that USCIS incorporate 8 U.S.C. 1367 into the section of the Privacy Notice Instruction. USCIS will retain the current Routine Uses language, with the addition of the citation to 8 U.S.C. 1367, in order to track with other forms. The enhanced privacy requirements of 8 U.S.C. 1367 are made clear in the Confidentiality paragraph that is above.

Form I-914 Supplement B

One commenter noted that the proposed Supplement B PDF did not contain page numbers. USCIS appreciates this commenter's note and has added page numbers.

One commenter noted that the proposed Supplement B PDF did not contain an "Item 2" despite referencing it within the Supplement B. USCIS appreciates this commenter's note and has added Item 2.

One commenter requested that the fields in Part 3, Question 4 be expanded to allow for a range of dates to be expanded. USCIS declines this edit at this time, and but notes that certifying agencies are always welcome to provide additional information as needed.

One commenter requested that the "not applicable" option be removed under Part 3. Statement of Claim. USCIS agrees and believes that the "other" option provides sufficient opportunity for law enforcement to communicate additional information to USCIS. USCIS made corresponding edits in the Supplement B and Instructions.

Form I-914 Supplement B Instructions

One commenter requested language that the Supplement B does not lead to an automatic approval of the T visa application. USCIS agrees that this it is important for certifying agencies to understand the distinction between the distinct roles of law enforcement and the federal

government in the Form I-914 process and has updated the instructions to include this disclaimer.

One commenter requested further instruction that the Supplement B provides valuable evidence of the victim's cooperation with law enforcement. USCIS appreciates this feedback and has revised the instructions to accommodate the requested update.

One commenter requested USCIS include language to reinforce the evidentiary requirements and alert law enforcement agencies that victims who are unable to continue to cooperate with law enforcement due to trauma must demonstrate this to obtain T nonimmigrant status. USCIS appreciates this feedback and has updated the instructions to reflect this point.

Based on public comment, USCIS has updated the Form I-914B instructions to include a Confidentiality section referencing 8 U.S.C. 1367. Multiple commenters also requested that USCIS include reference to under the Routine Uses section of the Privacy Notice. USCIS has added a reference to 8 U.S.C. 1367 but declines further edits at this time, as the Confidentiality Section language provides sufficient clarification.