

Administrative Appeals Office

DATE: MAR 4, 2020

OFFICE: Motion on Administrative Appeals Office Decision

Reporter

2020 Immig. Rptr. LEXIS 5913 *

In Re: 05371816

Core Terms

nonimmigrant, reconsideration motion, classification, immediate family member, ineligible, section

[*1] AAO Designation: D12

Form I-914 – Supplement A, Application for Qualifying Family Member of a T-1 Nonimmigrant

Opinion

The Applicant, who seeks T-1 nonimmigrant classification for herself, also seeks T nonimmigrant classification of the Derivative as an immediate family member of a person granted T-1 status under Immigration and Nationality Act (the Act) section 101(a)(15)(T)(ii), [8 U.S.C. § 1101\(a\)\(15\)\(T\)\(ii\)](#). The Director of the Vermont Service Center denied the Form I-914 – Supplement A, Application for Qualifying Family Member of a T-1 Nonimmigrant (T derivative application), concluding that because the Applicant's Form I-914, Application for T Nonimmigrant Status (T application), had been denied, the Derivative was ineligible as the immediate family member of a T-1 nonimmigrant. We dismissed the Applicant's appeal, and the matter is now before us on a motion to reconsider. Upon review, we will dismiss the motion to reconsider.

Approval of the T derivative application is contingent upon the approval of the principal T application. See [8 C.F.R. § 214.11\(o\)\(9\)](#), [\(s\)\(5\)](#). The Director denied the Applicant's T application. We dismissed the appeal of that denial, and denied the subsequent motion [*2] to reconsider. As the Applicant's T application remains denied, the Derivative is ineligible for nonimmigrant classification as the immediate relative of a T nonimmigrant pursuant to section 101(a)(15)(T)(ii) of the Act.

ORDER: The motion to reconsider is dismissed.

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