



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

In Re: 6431583

Date: SEPT. 9, 2020

Appeal of Vermont Service Center Decision

Form I-914, Application for Family Member of T-1 Recipient

The Petitioner seeks nonimmigrant classification of the Derivative as an eligible family member of a T-1 nonimmigrant under Immigration and Nationality Act (the Act) § 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 Family Member of T-1 Recipient (derivative T application) and the matter is now before us on appeal. The appeal will be rejected.

The Director denied the derivative T application filed on the Derivative's behalf because the Applicant's Form I-914, Application for T Nonimmigrant Status, was denied. As a result of that denial, the Applicant was unable to establish that the Derivative was an eligible family member of a T-1 nonimmigrant, as per 8 C.F.R. § 214.11(a).

Although we have appellate jurisdiction over the Form I-914 Supplement A, the derivative of a visa application is not an affected party and may not file an appeal of his or her denied derivative T application. See 8 C.F.R. § 103.3(a)(1)(iii)(B). Only the applicant of a Form I-914 Supplement A may file an appeal of the denial of the derivative T application. See *id.* If the derivative files the Form I-290B, Notice of Appeal or Motion, the appeal must be rejected as improperly filed pursuant to 8 C.F.R. § 103.3(a)(2)(v)(A)(1).

Here, the Form I-290B appealing the Director's decision was signed by the Derivative. As noted, the Derivative is not an affected party to the petition by regulation. Accordingly, the appeal was improperly filed and must be rejected.

ORDER: The appeal is rejected.