

Fact Sheet: U VISA FOR VICTIMS OF CRIME

WHAT IS A U VISA?

The U Visa, created by Congress in 2000 in the Victims of Trafficking and Violence Protection Act (VTVPA), is incorporated into the Immigration and Nationality Act as INA § 101(a)(15)(U). The purpose of the U visa is to enhance the ability of law enforcement officers to obtain cooperation from non-citizens who are victims of certain crimes, and to enhance the safety of those non-citizen crime victims. The crimes listed in the statute are:

domestic violence	trafficking	being held hostage	manslaughter
sexual assault	incest	involuntary servitude	witness tampering
murder	prostitution	female genital mutilation	sexual exploitation
kidnaping	abduction	peonage	abusive sexual contact
perjury	blackmail	extortion	felonious assault
torture	rape	false imprisonment	obstruction of justice
unlawful restraint	or attempt, conspiracy or solicitation of any of the above		
“or any similar criminal activity”			

WHO MAY BE ELIGIBLE FOR A U VISA?

Victims of the listed crimes who:

- ∅ Have suffered “substantial physical or mental abuse” as a result of being a crime victim
- ∅ Have information regarding that criminal activity
- ∅ Have been helpful, are being helpful, or are likely to be helpful to federal, state, or local officials (including police, prosecutors, judges, immigration authorities, or other authorities) in either investigating or prosecuting the criminal activity
- ∅ Are “admissible” under U.S. immigration law or granted a waiver of “inadmissibility”

HOW DO YOU APPLY FOR A U VISA?

Applications for U visas must be filed on Form I-918. There is no filing fee for U visa applications, but there is fee of \$80 for fingerprinting. Applicants who are inadmissible must also file for a waiver on Form I-192, which has a filing fee of \$545. Applicants may include certain family members, each of whom must file Form I-918 Supplement A. All applicants over 13 years of age must be fingerprinted. The \$80 fingerprinting fee and the \$545 filing fee for the I-192 may be waived with evidence of financial need.

U visa applicants must provide CERTIFICATION FROM LAW ENFORCEMENT on Form I-918 Supplement B. Agencies who can provide certification include police and sheriff’s offices, city, county, state and federal prosecutors’ offices and judges, and any other entity with authority to investigate or prosecute any of the listed crimes.

WHAT ARE THE BENEFITS OF GETTING A U VISA?

- ∅ Permission to work in the U.S., valid for 4 years
- ∅ Permission to be in the U.S., valid for 4 years
- ∅ Ability to apply for lawful permanent residence (get a “green card”) after 3 years

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