



September 5, 2007

News Release

USCIS PUBLISHES NEW RULE FOR NONIMMIGRANT VICTIMS OF CRIMINAL ACTIVITY

U-visas will provide temporary immigration benefits to victims who help law enforcement

WASHINGTON—The U.S. Citizenship and Immigration Services today announced it would publish an interim rule that grants temporary immigration benefits to certain victims of crimes who assist government officials in investigating or prosecuting the criminal activity. USCIS invites public comments on the rule that has been submitted to the *Federal Register* for publication and currently is available for public review at www.uscis.gov.

The [interim final rule](#) establishes procedures for applicants seeking U nonimmigrant status and will take effect 30 days after publication in the *Federal Register*. The “U” classification was created by Congress in the *Victims of Trafficking and Violence Protection Act* and offers not only protection and temporary benefits to alien victims but also bolsters law enforcement capabilities to investigate and prosecute criminal activity.

“Many immigrant crime victims fear coming forward to assist law enforcement because they may not have legal status,” explained USCIS Director Emilio Gonzalez. “We’re confident that we have developed a rule that meets the spirit of the Act; to help curtail criminal activity, protect victims, and encourage them to fully participate in proceedings that will aid in bringing perpetrators to justice.”

Eligibility for the U nonimmigrant classification is set aside for victims of criminal activity who: suffered substantial mental or physical abuse because of the activity; has information regarding the activity; and is willing to assist government officials in the investigation of the crime. Additionally, the crime must have violated U.S. law or occurred in the United States (including its territories and possessions).

Individuals granted U nonimmigrant status may remain in the United States for up to four years, and may be accompanied by eligible family members (spouse, children, unmarried siblings under 18, and parents). Not only do eligible petitioners obtain legal status to remain in the country, but will also be provided referrals to nongovernmental organizations for assistance and additional resources, and automatic employment authorization. A total of 10,000 U-visas will be available each fiscal year; however, the congressionally mandated cap does not apply to eligible family members.

New forms have been developed for petitioners requesting status under this new classification, including Petition for U Nonimmigrant Status (Form I-918) and Petition for Qualifying Family Member of U-1 Recipient (Form I-918, Supplement A).

The interim final rule will be available for public comment at www.regulations.gov until 60 days after publication in the *Federal Register*. More information on the new classification, plus instructions on submitting comments, is available in an accompanying [Fact Sheets](#).