

U Visa for Nonimmigrants Who are Victims of Crimes

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A “U Visa” gives nonimmigrants temporary legal status and work eligibility for victims of criminal activity that occurred in the United States or a U.S Territory, or that violate U.S. law. The legislation was intended to strengthen the ability of law enforcement agencies to investigate and prosecute cases of domestic violence, sexual assault, trafficking of noncitizens and other crimes. To be eligible for a U Visa, the crime victim must cooperate with law enforcement. If at any point the crime victim stops cooperating with law enforcement, the visa can be withdrawn. The U Visa can be for a period of up to four years; extensions are permitted when the alien’s presence in the United States is required to assist in the investigation or prosecution of a qualifying criminal activity. A person with a U Visa whose has been physically present in the U.S. for a continuous period of at least three years since the date of admission as a U nonimmigrant can apply for permanent resident status, if the individual’s continued presence in the U.S. is justified on humanitarian grounds to ensure continuation of a cohesive family or is otherwise in the best interest of the public.

What qualifies as a “criminal activity?”

[U.S. Citizenship and Immigration Services says:](#)

“Qualifying criminal activity is defined by statute as being an activity involving one or more of a long list of activities that violate Federal, State, or local criminal law – from murder, rape, torture, sexual exploitation, and extortion to witness tampering, obstruction of justice, false imprisonment, etc. This is not an exclusive list – in fact, the list of qualifying crimes represents the myriad types of behavior that can constitute domestic violence, sexual abuse, trafficking, or other crimes which vulnerable immigrants are often targeted.”

How to apply:

To apply for a U Visa, nonimmigrants must file form I-918. For complete instructions on applying, click here. <https://www.uscis.gov/I-918>. Forms may be sent via U.S. mail to the USCIS Nebraska Service Center at Attn: I-918, PO Box 87918, Lincoln, NE 68501-7918

Forms may also be sent to via FedEx, UPS, and DHL to: Attn: I-918, 850 S Street, Lincoln, NE 68508

Consult an immigration lawyer or expert!

Undocumented immigrants should consult an immigration expert to see if they are likely to qualify for a U Visa, before contacting the U.S. Citizenship and Immigration Service because if the application is denied, the applicant could be deported.

Updates:

To learn about updates to the program, visit the [U Nonimmigrant Status Program Updates](#)

For more information go to:

- https://www.womenslaw.org/laws_state_type.php?id=10271&state_code=US5Sep07.pdf

SOURCES: United States Immigration; womenslaw.org

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