



Office of Communications

U.S. Citizenship
and Immigration
Services

USCIS Update

April 10, 2008

USCIS ANNOUNCES UPDATE FOR PROCESSING PETITIONS FOR NONIMMIGRANT VICTIMS OF CRIMINAL ACTIVITY

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

WASHINGTON—U.S. Citizenship and Immigration Services (USCIS) announced today that, until further notice, it will not terminate interim relief for aliens who have not yet filed for U nonimmigrant status, except in those cases where USCIS is aware of adverse factors. USCIS will continue to accept petitions for U nonimmigrant status at any time.

USCIS [announced](#) on Sept. 5, 2007 the publication of an interim final rule granting immigrant benefits to certain victims of crimes who assist government officials in investigating or prosecuting the criminal activity. That [rule](#) was effective Oct. 17, 2007 and established procedures for applicants seeking U nonimmigrant status, one of which encouraged aliens who had been granted interim relief to petition for U nonimmigrant status prior to Apr. 13, 2008 (180 days from the effective date of the rule). The rule states that USCIS will terminate interim relief for aliens who fail to petition for the “U” classification within the 180-day time period.

Today’s announcement supersedes that information and also clarifies that there is no deadline for filing the Petition for U Nonimmigrant Status (Form I-918). Until further notice, the agency will not reevaluate previous grants of deferred action, parole, and stays of removal. Aliens who originally received interim relief and who have filed the I-918 will see their interim relief status extended until their petition is adjudicated and USCIS will continue to consider the evidence previously submitted with the request for interim relief as part of the I-918 petition package. There is no fee for filing the I-918.

Applicants requesting U nonimmigrant status must be admissible to the United States; those who are inadmissible may apply for a waiver by filing an Application for Advance Permission to Enter as a Nonimmigrant (Form I-192). There is a filing fee of \$545 for Form I-192. While there is no fee waiver currently available for I-192, USCIS intends to publish a regulation in the future that will allow waivers of the I-192 fee for applicants filing for both U nonimmigrant status as well as T nonimmigrant status (victims of human trafficking). Meanwhile, applications for U nonimmigrant status filed with Form I-192 without the proper fee will be rejected. Applications filed with the Form I-192 and the proper fee, and those not requiring the Form I-192, will be accepted, processed, and adjudicated.

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). Eligible petitioners obtain legal status to remain in the country, and are also 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.

For more information on U nonimmigrant status, visit USCIS’ Website at www.uscis.gov, or call the National Customer Service Center at (800) 375-5283.

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