

**NATIONAL
IMMIGRANT
JUSTICE CENTER**
A HEARTLAND ALLIANCE PROGRAM

Dear Sir or Madam:

In October 2000, Congress passed the Victims of Trafficking and Violence Protection Act (the Act). As part of this Act, Congress sought to strengthen the ability of law enforcement agencies to detect, investigate and prosecute crimes against immigrants. In order to do this, Congress recognized that victim cooperation and assistance is often the key to effective detection, investigation, and prosecution of crimes. And, where the victims are immigrants, their immigration status in the United States can directly affect their ability to cooperate and assist in these efforts.

Thus, Congress created the U visa to provide a specific avenue for certain immigrant crime victims to obtain lawful immigration status. To qualify for a U visa, an applicant must demonstrate that she meets the requirements set forth at INA §101(a)(15)(U); 8 U.S.C. §1101(a)(15)(U). This provision requires, among other things, that the U visa applicant includes with her/his application a certification from a Federal, State or local qualifying official (such as, but not limited to a law enforcement officer, prosecutor or judge). The Department of Homeland Security (DHS) created a form that must be used to certify cooperation from the victim. See Form I-918, Supplement B. This certification affirms that the immigrant victim, “has been helpful, is being helpful, or is likely to be helpful” in the investigation of certain criminal activity set forth in the statute. Certain individuals may stand in for children under 16 to meet several prongs of the certification. The completed certification form will be submitted to U.S. Citizenship and Immigration Services (USCIS), a part of DHS, by the immigrant victim as part of her application for a U visa.

Immigration law requires that victims submit a completed Supplement B form to qualify for a U visa that is signed by a person with supervisory responsibilities that has been designated to sign these forms by the head of the agency. It is important to note that certifying that the victim has cooperated in an investigation or prosecution of a crime **does not** in any way grant or recommend that the victim be granted any immigration benefit. A completed Supplement B form indicating collaboration with law enforcement is one of the many requirements necessary to obtain a U visa. USCIS will carefully screen and consider each application to determine if the applicant is eligible and merits a U visa.

Attached please find Form I-918, Supplement B, and all relevant instructions. You can also find the form and more information about the U visa online at www.uscis.gov. Please do not hesitate to contact us at (312) 660-1370 should you have any questions or concerns.

Thank you for your collaboration in assisting in the prevention and prosecution of crimes committed against this vulnerable population.

Sincerely,

National Immigrant Justice Center