

“U” VISA FOR VICTIMS OF CRIME

FACT SHEET

Political Asylum Project of Austin
1715 East 6th Street, Suite 200
Austin, TX 78702

***WHAT IS THE “U” VISA?**

- The “U” Visa is part of a law passed by the United States Congress in the year 2000 in an effort to protect immigrants who are victims of any of the following criminal activity/activities, which occurred in the United States:

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|----------------------|-----------------------------|--------------------------|-----------------------|
| ◆ domestic violence | ◆ trafficking | ◆ being held hostage | ◆ manslaughter |
| ◆ sexual assault | ◆ incest | ◆ involuntary servitude | ◆ murder |
| ◆ criminal assault | ◆ abusive sexual contact | ◆ kidnapping | ◆ perjury |
| ◆ rape | ◆ prostitution | ◆ abduction | ◆ witness tampering |
| ◆ torture | ◆ female genital mutilation | ◆ obstruction of justice | ◆ sexual exploitation |
| ◆ false imprisonment | ◆ blackmail | ◆ extortion | ◆ slave trade |

***WHO MIGHT BE ELIGIBLE FOR THE “U” VISA?**

- The “U” Visa is for victims who are being helpful, have been helpful, or are likely to be helpful in the investigation and/or prosecution of the person who committed one of the above-mentioned crimes.
- Requirements:
 - You have suffered substantial physical or mental abuse as a result of being a victim of one of the above-mentioned crimes;
 - You possess information concerning the criminal activity;
 - You have filed a criminal report with the law enforcement officials;
 - The criminal activity occurred in the United States;
 - You and/or your children would suffer extreme hardship if you were removed from the United States.

***WHAT IF I DON’T KNOW THE PERSON WHO COMMITTED THE CRIME AGAINST ME...?**

- It is not necessary that you know the person who committed the crime against you.
- It is not necessary that the person who committed the crime against you be a citizen or a legal permanent resident of the United States.

***WHAT ARE THE BENEFITS OF THE “U” VISA?**

- A “U” Visa recipient has the right to obtain an employment authorization document (EAD).
- After 3 years, it is possible for a “U” Visa recipient to adjust his/her status to Legal Permanent Resident (LPR).

At this time, INS is not accepting “U” Visa applications. HOWEVER, under certain circumstances, it might be possible to apply for interim relief. At the very least, it is possible to begin the process now in order to be prepared for when INS publishes the regulations necessary to be able to apply.



If you think you might be eligible for the “U” Visa, please call The Political Asylum Project of Austin (PAPA) for an appointment at 512.478.0546, extension 200 or 211.