Instructions for Supplement B, U Nonimmigrant Status Certification

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-918
OMB No. 1615-0104
Expires 12/31/2027

What Is the Purpose of Form I-918, Supplement B?

U.S. Citizenship and Immigration Services (USCIS) requires Form I-918, Supplement B as evidence that the petitioner submitting Form I-918, Petition for U Nonimmigrant Status, is a victim of a qualifying criminal activity and was, is, or is likely to be helpful in the detection, investigation, prosecution of that activity, or in the conviction or sentencing of the perpetrator. You, as a Federal, state, local, tribal, or territorial certifying agency official, use Form I-918, Supplement B, U Nonimmigrant Status Certification, to provide information to USCIS on these factors. Form I-918, Supplement B is one of several pieces of evidence that USCIS requires a victim to submit when applying for U nonimmigrant status (also known as the "U visa") to demonstrate their eligibility. USCIS will use the information you provide on this form as part of our determination of whether the petitioner meets the eligibility requirements for U nonimmigrant status.

By signing Form I-918, Supplement B, you are not granting an immigration benefit. The decision whether to complete Form I-918, Supplement B is at the discretion of the certifying agency. USCIS will review the entire file, including the Form I-918, Supplement B you signed and any other evidence you provided. USCIS also evaluates the victim's criminal history, but it does not automatically render a victim ineligible. USCIS is the only agency that can approve the petitioner's Form I-918. USCIS may contact you if we have any questions about the information provided in Form I-918, Supplement B. For more information, refer to the U Visa Law Enforcement Resource Guide: **www.dhs.gov/sites/default/files/2022-05/U-Visa-Law-Enforcement-Resource-Guide-2022_1.pdf**.

NOTE: If your certifying agency assigns a specific identifier to each Form I-918, Supplement B for record keeping and tracking purposes, please include this information in the dedicated area at the top of the form and marked "For Certifying Agency Use Only (Certification Tracking Information)."

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Who is Eligible for U Nonimmigrant Status?

To be eligible for U nonimmigrant status, the petitioner must be a victim of qualifying criminal activity. The term "victim" may include direct victims or indirect victims, as defined below.

Direct Victim

The person against whom the qualifying criminal activity was perpetrated and who has suffered direct and proximate harm as a result of the commission of qualifying criminal activity.

Bystanders who suffer an unusually direct injury as a result of a qualifying criminal activity may also qualify.

Indirect Victim

For a family member to be eligible for U nonimmigrant status as an indirect victim, all the following requirements must be met:

1. The individual must have a qualifying family relationship to the direct victim:

- **A.** If the direct victim is 21 years of age or older at the time of the qualifying criminal activity, their spouse and unmarried children under 21 years of age may apply as an indirect victim.
- **B.** If the direct victim is under 21 years of age at the time of the qualifying criminal activity, their spouse, unmarried children under 21 years of age, parents, and unmarried siblings under 18 years of age may apply as an indirect victim.

2. The direct victim is unable to assist the certifying agency because he or she is:

A. Deceased due to murder or manslaughter, or

B. Incompetent or incapacitated, including due to injury, trauma, or age.

3. The indirect victim must meet *all other* eligibility requirements for the U visa.

You may sign Form I-918, Supplement B for an alien family member regardless of whether the direct victim is a U.S. citizen or an alien (such as an alien parent of a U.S. citizen child who is the direct victim).

NOTE: USCIS considers the age of the direct victim at the time the criminal activity occurred when considering whether a qualifying family member may apply for U nonimmigrant status as an indirect victim.

An individual is not eligible for U nonimmigrant status if he or she is culpable for the qualifying criminal activity being investigated or prosecuted. If you decide to complete a Form I-918, Supplement B for a victim, but you suspect the individual is or may be culpable of the activity being investigated or prosecuted, you may note your concerns about culpability on the form in **Part 10. Additional Information**.

NOTE: Victims of domestic violence may be accused of committing domestic violence themselves by their abusers as part of the abuser's attempts to assert power and control over the victim. If available, please submit any relevant evidence that demonstrates the victim's abuser fabricated these allegations or use **Part 10. Additional Information**. USCIS will determine if the victim is eligible for U nonimmigrant status.

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Who Should Complete and Sign the Form I-918, Supplement B?

The Form I-918, Supplement B should be completed by a certifying official and not by the petitioner or their legal representative. If the Form I-918, Supplement B is not included with the petitioner's Form I-918, USCIS will reject or deny the petition.

A certifying agency can include agencies that are a Federal, state, or local, tribal, or territorial law enforcement agency, prosecutor, judge, or other authority, that has responsibility for the investigation or prosecution of the qualifying criminal activity as defined in 8 CFR 214.14(a)(5), which includes the detection, investigation, prosecution, conviction, or sentencing of a qualifying criminal activity, including, but not limited to, the Department of Homeland Security, child protective services, the Equal Employment Opportunity Commission, and the Department of Labor.

A certifying official is:

1. The head of the certifying agency or any person in a supervisory role, who was specifically designated by the head of the certifying agency to issue a Form I-918, Supplement B on behalf of that agency; or

2. A Federal, state, local, tribal, or territorial judge. Federal, state, local, tribal, or territorial judges have direct authority to sign and may not delegate that authority.

Instructions for Certifying Officials

For more information about the U visa and certification requirements refer to the U Visa Law Enforcement Resource Guide: **www.dhs.gov/sites/default/files/2022-05/U-Visa-Law-Enforcement-Resource-Guide-2022_1.pdf**.

When Should I Use Form I-918, Supplement B?

If you, the certifying official, determine that the victim (also referred to as the "petitioner") was, is, or is likely to be helpful in your agency's detection, investigation, or prosecution of the qualifying criminal activity of which the petitioner was a victim, you may complete Form I-918, Supplement B. The petitioner must submit the **properly signed** Form I-918, Supplement B to USCIS with their Form I-918.

NOTE: USCIS verifies proper signing authority by certifying officials and maintains records of the heads of certifying agencies and their designated certifying officials. Certifying agencies should notify USCIS when it adds or removes certifying officials by either attaching or emailing a copy of a signed letter from the head of the agency to **LawEnforcement_UTVAWA.VSC@uscis.dhs.gov**.

General Instructions

How To Complete Form I-918, Supplement B

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within the Form I-918, Supplement B, use the space provided in **Part 10. Additional Information** or attach a separate sheet of paper. Type or print your agency's name, the victim's name, and the Alien Registration Number (A-Number) (if known) at the top of each sheet; indicate the **Page Number**, **Part Number**, **and Item Number** to which your answer refers; and sign and date each sheet.
3. If a question does not apply to you, type or print "N/A" unless otherwise directed. If your answer to a question which requires a numeric response is zero or none, type or print "None" unless otherwise directed.

USCIS must receive Form I-918 and all required initial evidence, including the properly completed Form I-918, Supplement B **within 6 months** of the date that the certifying official signed Form I-918, Supplement B. If USCIS receives the Form I-918 more than six months after the Form I-918, Supplement B was signed, the Form I-918, Supplement B has expired and will not be accepted.

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Best Practices for Preparing Form I-918, Supplement B

USCIS suggests the following best practices for submission of Form I-918, Supplement B, if possible. First, make **two copies** of the **original** completed and signed Form I-918, Supplement B and any supporting documents. Keep one copy for your records. Give the other copy to the petitioner.

Second, if possible, prepare the **original** completed and signed Form I-918, Supplement B for submission to USCIS by the petitioner:

1. Place the Form I-918, Supplement B and any supporting documentation into an envelope;
2. Seal the envelope;
3. On the front, write in capital letters: "DO NOT OPEN. FOR USCIS USE ONLY;"
4. On the back, write your initials across the seal where the flap meets the envelope;
5. Seal the entire flap with clear tape. Make sure the tape covers your initials as well as the flap; and
6. Give the sealed envelope to the petitioner for submission with their Form I-918.

USCIS' fraud detection units investigate cases where there is suspicion of fraud and work with other Federal, state, and local law enforcement agencies where fraud is suspected. If USCIS suspects fraud in a Form I-918 or Form I-918 Supplement B, USCIS may reach out to the certifying agency and request further information. Furthermore, USCIS may contact certifying agencies to confirm the accuracy and source of the information submitted to USCIS on Form I-918 Supplement B.

Specific Instructions

The Form I-918, Supplement B is divided into **Parts 1. - 10.** The following information should help you fill out the Form I-918, Supplement B.

Part 1. General Information About the Victim

Item Number 1. Victim's Full Legal Name. Provide the name of the individual for whom you are certifying this Form I-918, Supplement B. If you are certifying for a bystander or an eligible family member as an indirect victim, include their name and date of birth here, then note the direct victim's name, date of birth, and the indirect victim's relationship to the direct victim (if any), and other information in **Part 10. Additional Information.** Do not provide the victim's nickname here.

Item Number 2. Other Names Used. Provide other names used by the victim, including their maiden name, nicknames, and aliases, if applicable.

Item Number 5. Sex. Indicate whether the victim is male or female as provided on his or her birth certificate issued at the time of birth or issued closest to the time of birth or in secondary evidence he or she provided to USCIS, if applicable and available

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Part 3. Case Information

Item Number 1. Case Status. Select the **one** option that best indicates the current status of the case related to the qualifying criminal activity you selected in **Part 4.**

1. **Active/Ongoing Investigation** refers to a case that your agency has not closed.
2. **Closed Investigation** refers to a case that your agency is no longer actively working on because it no longer requires further review or action.

Part 4. Qualifying Criminal Activity Perpetrated Against the Victim

NOTE: USCIS, and not certifying agencies, determines whether the crime is a qualifying criminal activity for eligibility for U nonimmigrant status. To make this determination, USCIS considers information and other documentation provided by a certifying agency, such as police reports, charging documents, etc. (if available) regarding the qualifying criminal activity that occurred and the statutory violation that the agency detected, investigated, or prosecuted. USCIS determines whether the crime is substantially similar to a qualifying criminal activity based on the totality of the evidence.

Item Number 1. List the statutory citation(s) and date(s) of all qualifying criminal activity being (or that was) detected, investigated, or prosecuted. If the qualifying criminal activity occurred over a period of time, provide a date on which at least one act constituting an element of the qualifying criminal activity occurred, and note the date range in **Part 10. Additional Information**.

Item Number 2. Provide specific details regarding the qualifying criminal activity being detected, investigated, and/or prosecuted, including the events leading up to the qualifying criminal activity, what happened during the qualifying criminal activity, and the perpetrator's actions and motives (if known). When possible, attach copies of all relevant reports and findings.

Item Number 4. There are a wide variety of criminal statutes in which a qualifying criminal activity may be named differently than the categories found on the statutory list of qualifying criminal activities for the U visa, but the nature and elements of those activities must be substantially similar to one or more of those on the statutory list. If the qualifying criminal activity listed at **Part 4.**, **Item Number 1.** is similar to one or more of the above selected categories listed in **Part 4.**, **Item Number 3.** and Immigration and Nationality Act (INA) section 101(a)(15)(U)(iii) (for example, felonious assault), list and provide a detailed explanation of the qualifying criminal activities that are being (or were) detected, investigated, or prosecuted by your agency.

NOTE: To determine whether the crime is substantially similar to a qualifying criminal activity, USCIS considers information and other documentation provided by the certifying agency and the petitioner, such as police reports, charging documents, etc. (if available) regarding the criminal activity detected, investigated, or prosecuted. USCIS determines whether the criminal activity is substantially similar to a qualifying criminal activity based on the totality of the evidence.

Item Numbers 6. - 7. Indicate whether the qualifying criminal activity violated the laws of the United States or occurred within the United States (including in Indian country and military installations) or the territories and possessions of the United States. The petitioner must be a victim of a qualifying criminal activity that violated U.S. law or occurred within the United States to be eligible for U nonimmigrant status. Indicate whether you have attached any related reports or findings to this Form I-918, Supplement B.

1. **United States** means the continental United States, Alaska, Hawaii, Puerto Rico, Guam, the Commonwealth of Northern Mariana Islands (CNMI), and the U.S. Virgin Islands.
2. **Indian country** refers to all land within the limits of any Indian reservation under the jurisdiction of the U.S. Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state; and all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through such allotments.
3. **Military installation** means any facility, base, camp, post, encampment, station, yard, center, port, aircraft, vehicle, or vessel under the jurisdiction of the Department of Defense, including any leased facility, or any other location under military control.
4. **Territories and possessions of the United States** means American Samoa, Swains Island, Bajo Nuevo (the Petrel Islands), Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Atoll, Navassa Island, Palmyra Atoll, Serranilla Bank, and Wake Atoll.

If the qualifying criminal activity did not occur within the United States as discussed above, but was in violation of U.S. law, it must violate a Federal extraterritorial jurisdiction statute. There is no requirement that a prosecution actually occur. Provide the statutory citation for the extraterritorial jurisdiction.

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Part 5. Known or Documented Injury to the Victim

Provide a description of any known or documented injury to the victim. If available, attach copies of all relevant reports and findings due to the qualifying criminal activity listed in **Part 4.**

Part 6. Helpfulness of the Victim

Item Number 1. Indicate whether the victim possesses information about the qualifying criminal activity. A petitioner must possess information about the qualifying criminal activity of which he or she is a victim, unless the victim is under 16 years of age, incapacitated, or incompetent. The parent, guardian, or next friend of the petitioner may provide evidence on behalf of the victim to be helpful in the detection, investigation, or prosecution of the qualifying criminal activity. A petitioner, parent, guardian, or next friend is considered to possess information concerning the qualifying criminal activity if he or she has knowledge that would assist in the investigation or prosecution of the qualifying criminal activity.

Item Number 2. Indicate whether the victim has been, is being, or is likely to be helpful in the detection, investigation, or prosecution of the qualifying criminal activity.

What is helpful depends on the facts of each case, including the:

- Level of assistance that the certifying agency reasonably requests of the victim;
- Victim's responsiveness to reasonable requests from the certifying agency for assistance;
- Victim's individual circumstances (such as age, maturity, trauma, etc.); and
- Type and depth of information provided by the victim.

NOTE: You initially determine whether a victim has been helpful. The victim may also submit additional supporting evidence of their helpfulness to USCIS. USCIS will give a properly executed Form I-918 Supplement B significant weight, but USCIS will not consider it conclusive evidence that the victim has met the eligibility requirements. USCIS will look at the totality of the circumstances surrounding the victim's involvement with your agency and all other information known to USCIS in determining whether the victim is eligible for U nonimmigrant status.

NOTE: A victim seeking U nonimmigrant status must provide ongoing assistance with the investigation or prosecution related to the qualifying criminal activity he or she was a victim of when reasonably requested, including after reporting qualifying criminal activity and after the certifying agency signs the Form I-918, Supplement B. This responsibility continues even if U nonimmigrant status is granted. A victim who unreasonably refuses requests for assistance will not be eligible for lawful permanent residence based on U nonimmigrant status.

Item Number 3. Indicate if the victim has refused or failed to provide assistance reasonably requested since the initiation of cooperation. Initiation of cooperation refers to when the victim first began assisting your agency, or another certifying agency, with the detection, investigation, or prosecution of the qualifying criminal activity.

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Part 7. Victim's Family Members Culpable in the Qualifying Criminal Activity

Item Numbers 1. - 6. If any of the victim's family members are culpable or are believed to be culpable in the qualifying criminal activity listed in **Part 4.**, provide their name, their relationship to the victim, and their involvement in the qualifying criminal activity listed in **Part 4.**

NOTE: USCIS will not grant U nonimmigrant status to a family member who committed a qualifying criminal activity listed in **Part 4.**

Part 8. Supplemental Information

Item Number 1. If you would like to share any additional information you think is relevant to this Form I-918, Supplement B and provide specific details. Attach all relevant documentation and records.

NOTE: You are not required to share any information that may compromise an ongoing investigation.

Information you provide on Form I-918, Supplement B may be disclosed to the victim. Please identify for USCIS if any portion of the information you provide that cannot be disclosed to the victim.

Part 9. Certification

Item Numbers 1. - 5. In the certification, you are attesting to the following:

- The individual is or was a victim of one or more qualifying criminal activities listed in **Part 4.**;
- Your certifying agency is involved in the detection, investigation, prosecution, conviction, or sentencing of the qualifying criminal activity described in the Form I-918, Supplement B;
- The individual has been, is being, or is likely to be helpful in the detection, investigation, prosecution, conviction, or sentencing of the qualifying criminal activity; and
- The information listed on the Form I-918, Supplement B is complete, true, and accurate to the best of your knowledge.

Read the certification block carefully, provide an original signature and date Form I-918, Supplement B. USCIS will consider a photocopied, faxed, or scanned copy of the original handwritten, ink signature valid for filing purposes. The photocopy, fax, or scan must be of the original Form I-918, Supplement B containing the handwritten, ink signature. A stamped or typewritten name in place of a handwritten, ink signature is not considered valid for filing purposes. Provide your daytime telephone number, email address, and a fax number (if any).

You may contact USCIS with additional information regarding this Form I-918, Supplement B at any time. Additionally, at your discretion, you may request to withdraw or disavow a Form I-918, Supplement B. For example, if a victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity, or if you have information that calls into question or contradicts information initially included in the Form I-918, Supplement B. You may submit this request at any time, even after the victim submits this Form I-918, Supplement B by emailing **LawEnforcement_UTVAWA.VSC@uscis.dhs.gov**.

NOTE: Submitting this request does not result in an automatic denial or revocation of a petition for U nonimmigrant status. USCIS will provide the petitioner with notice and an opportunity to respond to derogatory information upon which a denial or revocation may be based. Please identify for USCIS if there is any information in your request to withdraw or disavow a Form I-918, Supplement B, that cannot be disclosed to the petitioner.

Prohibition on Disclosure of Information. Information concerning U nonimmigrant status petitioners and their qualifying family members is protected under 8 U.S.C. 1367 and 8 CFR 214.14(e) from unauthorized disclosure to anyone other than an officer or employee of the Department of Homeland Security (DHS), the Department of Justice (DOJ), or the Department of State (DOS) who has a need to know. The disclosure of any information relating to a protected individual beyond DHS, DOJ, or DOS to anyone other than that individual or their authorized representative is prohibited except in certain limited circumstances as provided by law.

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DHS Privacy Notice

AUTHORITIES: The information requested on this Form I-918, Supplement B, and the associated evidence, is collected under the Immigration and Nationality Act, 8 U.S.C. sections 1101(a)(15)(U), 1184(p), 1182(d)(14), 8 CFR 214.14, and 8 CFR 212.17.

PURPOSE: The primary purpose for providing the requested information on this Form I-918, Supplement B is to determine if the petitioner has established eligibility for the temporary immigration benefit for which he or she is filing. DHS will use the information you provide to grant or deny the immigration benefit the petitioner is seeking.

DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision in the case or result in denial of the petition.

ROUTINE USES: DHS may share the information you provide on this Form I-918, Supplement B with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS/USCIS-007 - Benefits Information System and DHS/USCIS-001 - Alien File, Index, and National File Tracking System of Records] and published privacy impact assessment [DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System and Associated Systems], which you can find at **www.dhs.gov/privacy**. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.

Paperwork Reduction Act

USCIS may not conduct or sponsor an information collection, and you are not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for certifying agencies for this collection of information is estimated at 1.42 hours per response, including the time for reviewing instructions, gathering the required documentation and information, completing the supplement, preparing statements, attaching necessary documentation, and submitting the supplement. Send comments regarding these burden estimates or any other aspect of this collection of information, including suggestions for reducing these burdens, to: U.S. Citizenship and Immigration Services, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0104. **Do not mail your completed Form I-918, Supplement B, to this address.**

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