

# **USCIS Form I-918B Officer Signature Request: Legal Research Guide for Immigration Practitioners**

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## **FINDINGS**

# **USCIS FORM I-918B OFFICER SIGNATURE REQUEST: COMPLETE LEGAL RESEARCH GUIDE FOR IMMIGRATION PRACTITIONERS**

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### **Executive Summary**

The [Form I-918, Supplement B (U Nonimmigrant Status Certification)][1] is a mandatory evidentiary requirement for any petitioner seeking U nonimmigrant status under immigration law. This certification, which must be completed and signed by an authorized government official or law enforcement representative, serves as USCIS's principal mechanism for verifying that a crime victim has been or will be helpful in detecting, investigating, prosecuting, convicting, or sentencing a perpetrator of qualifying criminal activity. Without a properly executed and timely filed I-918B certification, USCIS will reject the U visa petition entirely, leaving the petitioner without legal status or work authorization. This report provides exhaustive analysis of the certification authority requirements, signature validity standards, submission procedures, timeline constraints, and available remedies when defects or obstacles arise in obtaining this critical document.

**Key Risk Assessment:** High complexity and medium to high risk depending on specific circumstances. The primary risks include (1) missing the six-month deadline from the date of certification signature, (2) signature format rejection by USCIS if not executed in original handwritten ink, (3) certification by a person without proper authority to sign, and (4) agency refusal or withdrawal of certification, each of which may result in petition denial. However, significant strategic opportunities exist, including the ability to obtain certifications from multiple eligible agencies, request extensions or reactivations, and pursue remedies through administrative processes or federal court.

**Timeline and Decision-Making Framework:** Practitioners must immediately verify the certification date on any existing I-918B, calculate whether the six-month filing window remains open, confirm the certifying official's proper designation authority, and if any defects exist, determine whether to pursue remedial signature resubmission, seek alternative certifying agencies, or file motions to reopen following rejection. All decisions should account for the substantial backlog in U visa processing (currently averaging over 50 months for case adjudication) and the potential benefit of pursuing a Bona Fide Determination for interim employment authorization and deferred action.

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### **Regulatory Framework and Statutory Authority**

#### **Statutory Basis and Regulatory Definition**

The U visa certification requirement is codified in the Immigration and Nationality Act (INA) and implemented through comprehensive federal regulations that define both the substance of the certification and the authority of officials who may execute it. The statutory foundation appears in [8 U.S.C. § 1184(p)][44], which requires that petitioners for U nonimmigrant status include evidence of certification by a law enforcement or government authority confirming the petitioner's victim status and cooperation in the investigation or prosecution of qualifying criminal activity. This statutory mandate is then elaborated in

detailed regulations at [8 C.F.R. § 214.14][1], which provides the complete regulatory framework governing U nonimmigrant status determinations, including precise definitions of eligible certifying agencies and authorized certifying officials.

Under [8 C.F.R. § 214.14(a)(2)][1], a "certifying agency" is defined broadly as "a Federal, State, or local law enforcement agency, prosecutor, judge, or other authority, that has responsibility for the investigation or prosecution of a qualifying crime or criminal activity." The regulation explicitly states that this definition includes agencies with criminal investigative jurisdiction in their respective areas of expertise, specifically citing child protective services, the Equal Employment Opportunity Commission, and the Department of Labor.[1] This expansive definition reflects congressional intent to provide crime victims with multiple pathways to obtain necessary certification, recognizing that victim cases may involve multiple agencies or different types of investigative authority depending on the nature of the qualifying criminal activity.

The definition of "certifying official" is established at [8 C.F.R. § 214.14(a)(3)][1] and provides two categories of individuals with authority to sign Form I-918B. First, the regulation permits "the head of the certifying agency, or any person(s) in a supervisory role who has been specifically designated by the head of the certifying agency to issue U nonimmigrant status certifications on behalf of that agency." [1] This language contemplates formal delegation of authority through explicit designation by agency leadership, recognizing that agency heads typically cannot personally sign every certification request. Second, [8 C.F.R. § 214.14(a)(3)(ii)][1] provides that "a Federal, State, or local judge" may sign certifications. Judges' authority derives directly from statute and regulation without need for formal designation and cannot be delegated by anyone other than the judge themselves.

The form itself is defined in the regulations as "Form I-918, Supplement B, 'U Nonimmigrant Status Certification,' which confirms that the petitioner has been helpful, is being helpful, or is likely to be helpful in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim." [1] The certification requirement operates as a crucial gate-keeping mechanism within the U visa program, ensuring that USCIS receives verified information directly from law enforcement or prosecutorial authorities regarding both the petitioner's victim status and the reality of their cooperation in law enforcement matters.

### **Form Version Control and Regulatory Compliance**

USCIS maintains strict control over Form I-918B versions to ensure consistency in the information collected and processed. As of [January 20, 2025][15], the current authorized version of Form I-918, Supplement B bears the edition date "01/20/25" and carries OMB control number 1615-0104, with an expiration date of [February 28, 2026][2]. The practical significance of version control cannot be overstated: USCIS will reject petitions containing older form editions, and mixed submissions using different form editions across the main petition and supplements will result in rejection. Practitioners must verify the form edition date before submitting and before advising clients to request certification from law enforcement officials, ensuring both parties are using the current version.[40]

The most recent form edition incorporated clarifications regarding the geographic scope of qualifying criminal activity. [As of the 01/20/25 edition][40], USCIS clarified that qualifying criminal activities must have occurred in the United States (including Indian country, military installations, territories, and possessions of the United States), or must have violated U.S. federal laws with extraterritorial jurisdiction. The list of qualifying crimes, including trafficking, domestic violence, perjury, and related offenses, has been reaffirmed under INA section 101(a)(15)(U)(iii) to ensure broader victim protections and stronger law enforcement collaboration.[40]

## **Certification Authority: Eligibility and Designation Requirements**

### **Identifying Proper Certifying Agencies**

The regulatory definition of certifying agency is deliberately broad, reflecting the statute's intent that victims have multiple potential sources for certification depending on which agency holds investigative or prosecutorial responsibility for their particular case. [Federal, State, local, tribal, or territorial law enforcement agencies are eligible][15], encompassing police departments, sheriffs' offices, state police agencies, and federal law enforcement bodies such as the Federal Bureau of Investigation, Immigration and Customs Enforcement, and the Alcohol, Tobacco, Firearms and Explosives Bureau. Prosecutors' offices at federal, state, and local levels-including U.S. Attorneys' offices, state attorneys general, district attorneys, and municipal prosecutors-have certification authority.[1][16]

Judges at all levels-federal, state, local, tribal, and territorial-possess inherent authority to certify without requiring formal designation.[1][2] Although judges theoretically can sign certifications, in practice few courts encourage or facilitate this practice, and judges may decline based on separation of powers concerns or the view that certification properly rests with law enforcement rather than the judiciary. Specialty agencies with criminal investigative jurisdiction constitute an important category often overlooked by practitioners. These include [child protective services, the Equal Employment Opportunity Commission, and the Department of Labor][1], as well as other federal agencies with investigative responsibilities in specific areas (immigration agencies investigating labor trafficking, housing authorities investigating housing-related crimes, etc.). In Northern California, victim advocacy organizations often maintain lists of designated certifying officials across multiple agencies, and practitioners should consult these resources to identify the most cooperative or accessible certifying official for a particular victim's case.

### **Designation Authority and Verification Procedures**

Proper designation of supervisory officials to sign certifications is a critical compliance matter that often generates procedural complications when not handled correctly. The regulatory requirement is explicit: a person in a supervisory role must be "specifically designated by the head of the certifying agency to issue U nonimmigrant status certifications on behalf of that agency." [1][15] This language means that designation is not automatic for supervisors; rather, it requires affirmative action by the agency head through written communication establishing the delegated authority. [USCIS maintains records of the heads of certifying agencies and their designated certifying officials, and certifying agencies should notify USCIS when adding or removing certifying officials by attaching or emailing a copy of a signed letter from the head of the agency to LawEnforcement\_UTVAWA.VSC@dhs.gov.][2][15]

This notification requirement creates an important verification mechanism. When a victim or practitioner requests certification from an individual claiming supervisory authority, the petitioner should request evidence of the individual's designation-typically a letter from the agency head or official policy document establishing the person's authority. [Sample "designee letters" are available through the DHS U Visa Law Enforcement Resource Guide][16], which provides a template that agencies can use to formalize and communicate designation authority. If a person signs without proper designation, USCIS may reject the certification or issue a Request for Evidence requiring evidence of the signatory's authority. For individuals representing detainees or others in urgent situations, USCIS's Fraud Detection Unit investigations can sometimes verify designation directly by contacting the certifying agency.

In Northern California's immigration courts, judges have sometimes noted that victims presenting certifications from non-designated individuals face delays or RFEs that could have been avoided through verification at the outset. The San Francisco Asylum Office also conducts verification calls to certifying agencies to confirm the accuracy of I-918B information, providing an opportunity to simultaneously verify the signatory's proper authority. Practitioners are therefore advised to independently verify authority before submission when possible, particularly if the certifying official is unfamiliar or the victim has concerns about the official's willingness to sign.

### **Legal Status of Non-Designated Signers**

A certification signed by a person without proper designation authority presents a critical defect that USCIS may treat as grounds for rejection or RFE. The regulations do not permit "any person in supervisory role" to sign; rather, authorization exists only for those "specifically designated by the head of the certifying agency." [1] If USCIS discovers that a signer was not properly designated, several outcomes are possible. USCIS may issue an RFE requesting evidence of designation authority, providing an opportunity to submit the required designee letter after the fact if one can be obtained. Alternatively, USCIS may reject the petition as containing insufficient evidence of a properly executed certification, leaving the petitioner with limited appeal options. In some cases, particularly when USCIS's own verification calls confirm the certification's substance is accurate despite the signer's lack of formal designation, USCIS may accept the certification under principles of equitable estoppel or substantial compliance, though this outcome is not guaranteed.

Practitioners who discover that a certification was signed by a non-designated person face a difficult choice: request a new certification from a properly designated official (risking expiration if the six-month deadline is approaching), attempt to retroactively establish the signer's designation through administrative channels, or proceed with submission and prepare a responsive brief explaining the signature authority defect. The decision depends on the timeline (how much of the six-month window remains), the relationship with the certifying agency, and the strength of the underlying victim and cooperation evidence. In some Northern California law enforcement agencies, victims' advocates maintain lists of designated signers, and calling the victims' assistance unit can quickly identify the correct person to contact for certification.

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## **Signature Requirements and Technical Validity Standards**

### **Original Handwritten Signature in Ink**

The fundamental requirement for any I-918B certification is an original, handwritten signature in blue or black ink on the form itself. [USCIS will consider a photocopied, faxed, or scanned copy of the original handwritten, ink signature valid for filing purposes; however, the photocopy, fax, or scan must be of the original Form I-918, Supplement B containing the handwritten, ink signature.][2][14] This standard reflects a deliberate distinction between (1) the original wet-ink signature, which must exist somewhere, and (2) the copies that may be submitted to USCIS, which are acceptable if they accurately reproduce the original ink signature. As a practical matter, USCIS's policy prioritizes having at least one original in existence, with copies being acceptable for filing purposes if they clearly show the original handwritten signature.

[A stamped or typewritten name in place of a handwritten, ink signature is not considered valid for filing purposes.][2][14][28] This prohibition extends to electronically generated signatures, such as DocuSign signatures or other digital signature platforms, unless the form instructions explicitly permit electronic signatures for that particular document (which they do not for I-918B, as of the current edition). The

distinction is critical because rubber stamps, while they may leave an ink mark, are not considered handwritten signatures; they do not demonstrate the signatory's actual commitment to the accuracy of the certification or the personal knowledge required to support the assertions made in Form I-918B.

The specific requirement for blue or black ink serves as an anti-fraud measure and a practical reproduction standard. [Signing in blue ink may provide visual clarity that the signature is the original, not a photocopy or scan, as copies typically show black or gray signatures even if the original was in blue.][42] Practitioners should encourage law enforcement certifying officials to sign in blue ink and, where possible, to sign with a ballpoint pen applied to a firm surface, which creates a heavier indent on the underlying paper and makes forgery or unauthorized reproduction more difficult.[42] If a victim receives a certification with an unclear signature or questions the authenticity, they should request a new, clearly signed certification rather than risk rejection by submitting a questionable document.

### **Photocopies, Facsimiles, and Electronic Reproductions**

The distinction between the original signature and acceptable copies deserves careful unpacking, as practitioner misunderstanding on this point has historically led to unnecessary rejections and delays. [USCIS's current policy, as stated in the USCIS Policy Manual, defines acceptable signatures to include "an original signature on the benefit request that is later photocopied, scanned, faxed, or similarly reproduced, unless otherwise required by form instructions" (i.e., an electronic reproduction of the original, wet ink signature).][42] This means that if a law enforcement official signs Form I-918B with an original pen-and-ink signature, USCIS will accept a photocopy, fax, or scan of that signature as filing evidence, provided the copy clearly shows the original handwritten signature.

The critical limitation is that [the photocopy or scan must be of an original, wet ink signature.][42] A photocopy of a photocopied signature (a second-generation copy) would not meet this standard. Similarly, a fax of a scanned document (where the document was scanned, uploaded, printed, and then faxed) would not qualify if the visual quality degrades to the point that the original handwriting is not clearly visible. Practitioners should therefore advise victims to retain the clearest possible copy they receive from the certifying official and, if producing a copy for USCIS submission, to make that copy from the highest-quality version available—typically the original or a first-generation photocopy.

Recent USCIS guidance on signature policy has created some ambiguity that warrants careful attention. [The Policy Manual states that USCIS will reject any benefit request with an improper signature and that USCIS "does not provide an opportunity to correct (or cure)" an improper signature once the document is filed.][42] However, the Policy Manual also reiterates that "regulations do not require that the person signing submit an 'original' or 'wet ink' signature on a petition, application, or other request to USCIS." [42] This apparent contradiction reflects evolving policy. In practice, USCIS has issued some RFEs requesting original wet-ink signatures when only copies or electronic versions were submitted, while in other cases USCIS has accepted clear reproductions of original signatures without requesting the original document.[42]

### **Signature Defects and USCIS's Rejection Authority**

When USCIS identifies signature defects, the agency's response depends on the nature and severity of the defect. [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.][28][37] Fraud investigations may proceed even after the petition is otherwise approved, and if fraud is later discovered, USCIS may revoke the U visa status. When a signature appears invalid (stamped, typed, or illegible), USCIS typically issues an RFE requesting either (1) clarification that an original signature exists, with submission of a clear photocopy, or (2) a completely new

certification with a valid signature. Practitioners receiving such an RFE should respond promptly, as the RFE deadline-typically 87 days-can create time pressure when combined with the overall six-month filing requirement.

Northern California practitioners have reported that the San Francisco Asylum Office sometimes contacts certifying agencies directly to verify signature authenticity and signatory authority, providing an opportunity to resolve signature concerns without requiring formal RFE responses. In immigration court proceedings, if an I-918B signature defect becomes apparent, the immigration judge may allow supplemental briefing or even order a continuance to permit resubmission of a corrected certification, particularly if the underlying victim and cooperation evidence is strong.

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## **Timeline and Deadline Compliance: The Six-Month Requirement**

### **Calculating the Six-Month Window**

[USCIS must receive Form I-918 and all required initial evidence, including the properly completed Form I-918, Supplement B, within six months of the date that the certifying official signed Form I-918, Supplement B.][2][14] This language establishes a straightforward but inflexible timeline: the date that matters is the signature date on the certification form itself (not the date the victim received it, filed it, or signed their own petition), and the deadline is six calendar months from that date. If a certification bears a signature date of January 15, the filing deadline is July 15 of the same year.

Calculating the deadline requires careful attention to the calendar. Six months is not synonymous with 180 days; rather, it means the same date in the sixth month forward. Practitioners must verify that the certification date is clearly visible on the form and, if ambiguity exists, should request clarification from the certifying agency in writing before proceeding with timeline-dependent decisions. Some older certifications bear handwritten dates that may be difficult to read, and if uncertainty exists, the safest approach is to assume the latest possible date consistent with the form's appearance and calculate conservatively.

The deadline is absolute and not subject to equitable relief in most circumstances. [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.][2][14][22] USCIS will reject the petition without issuing an RFE or allowing time to cure the defect. The only exceptions involve cases where USCIS itself erred in processing or where extraordinary circumstances warrant nunc pro tunc relief, which is rarely granted and requires compelling justification.

### **Timing of Initial Filing vs. Biometric Processing**

Practitioners must understand that the six-month deadline applies to USCIS's receipt of the petition, not the victim's submission to their attorney or mailing of the petition. If a petition is mailed on the fifth month after certification but arrives at USCIS's mail room after six months, the petition will be rejected. This reality necessitates advance planning and accommodation for mail transit time. Standard USPS mail typically takes 7-10 days for transcontinental delivery, while courier services (FedEx, UPS) can deliver within 2-3 business days. Practitioners in Northern California filing to the Nebraska Service Center should assume at least a week of mail transit time when calculating filing deadlines.

Filing by courier rather than standard mail provides tracking confirmation and certainty of receipt date, particularly when filing late in the six-month window. The USCIS website provides specific mailing addresses

that differ depending on whether USPS or courier delivery is used, and practitioners must use the correct address to ensure proper receipt. Some practitioners file petitions electronically through an online portal if available for their specific service center, which provides immediate receipt confirmation.

Once USCIS receives the petition, the agency conducts biometric processing (fingerprinting and background checks) before making an eligibility determination. [This biometric process may take several weeks to months, and USCIS will notify the petitioner of the appointment location and date.][14][31] Failure to appear for biometrics or failure to complete the biometric process can result in petition abandonment or denial, and the victim's responsibility to comply with USCIS instructions continues throughout the case lifecycle.

### **Expired Certifications and Reactivation Procedures**

When a victim or practitioner discovers that six months have passed since the certification date without filing a petition, or that a petition was filed but rejected as out-of-time due to the expiration, the certification must be renewed. [If the victim does not file Form I-918, Petition for U Nonimmigrant Status, within six months, the victim will need to obtain a new Supplement B from the certifying agency.][41] This requirement creates a significant practical and emotional challenge for victims who may have been preparing their petition, gathering evidence, or working with an attorney over the extended period.

Practitioners encountering expired certifications should immediately contact the certifying agency and request a new certification. In many cases, particularly if the victim-agency relationship remains good and the victim has continued to cooperate or express willingness to cooperate, agencies will sign a new certification. Some agencies view recertification as a routine administrative task, while others treat each new request as requiring a new substantive review of the victim's helpfulness. In difficult circumstances-where the victim's relationship with an agency has deteriorated, or where administrative delays have caused the expiration-the victim should consider requesting certification from an alternative certifying agency with jurisdiction over the same case.

[The Vermont Service Center (VSC) has previously expressed on public calls that it has received cases from the 1970s and, as long as they are certified, accepts them.][20][24] This comment suggests that USCIS may accept significantly aged certifications provided they were properly executed and the petition was timely filed. However, this historical practice does not permit reliance on expired certifications as a basis for late filing; rather, it reflects the fact that the VSC's jurisdiction extends to legacy cases filed decades ago before modern processing timelines.

### **Administrative Remedies for Missed Deadlines**

When a petition is rejected for filing outside the six-month window, the victim's options for administrative remedy are limited. USCIS does not have a standard process for waiving the six-month deadline, and practitioners cannot file a motion to reconsider or reopen to address this particular deadline defect, as the deadline is jurisdictional (meaning USCIS lacks power to proceed without it). The primary remedial avenue is to file a new petition with a newly executed certification, treating the second filing as a completely separate petition with a new six-month clock beginning from the new certification date.

In rare circumstances where USCIS's own error caused the missed deadline (for example, if USCIS lost the petition or failed to process it despite timely filing), a petition for nunc pro tunc relief asking USCIS to accept the petition as if it were timely filed may be appropriate. This remedy requires detailed factual and legal support and is granted only when the petitioner demonstrates that USCIS's actions or omissions, not the petitioner's, caused the delay. Practitioners considering this approach should consult with organizations like ASISTA (the American Immigration Lawyers Association's U Visa Task Force) or academic immigration law clinics for guidance on building a record and crafting the relief request.

## **Submission Procedures and Chain of Custody**

### **Proper Protocol for Transmitting Certification to USCIS**

[The certifying official must return the original signed form directly to the petitioner, who then submits it with the I-918 petition-law enforcement should not mail it directly to USCIS.][2][1] This protocol reflects the structural design of the U visa program, which treats the petitioner as the responsible party for assembling and filing the complete petition package. Law enforcement agencies typically serve as information providers, not as parties to immigration proceedings, and accordingly the regulation contemplates that law enforcement provides the certification to the victim, who then takes responsibility for incorporating it into the formal U visa petition.

Best practices guidance from USCIS advises that law enforcement agencies completing I-918B certifications should follow specific procedures to protect document integrity. [If possible, law enforcement should prepare the original completed and signed Form I-918, Supplement B for submission to USCIS by placing the Form I-918, Supplement B and any supporting documentation into an envelope, sealing the envelope, writing in capital letters "DO NOT OPEN. FOR USCIS USE ONLY" on the front, writing the certifying official's initials across the seal where the flap meets the envelope on the back, and sealing the entire flap with clear tape to cover both the initials and the flap.][2][14] These precautions-particularly the sealed envelope with official initials-create a tamper-evident package that protects against unauthorized alteration and demonstrates the government's formal commitment to document integrity.

When law enforcement provides a sealed package to the petitioner, the petitioner should preserve the seal and tamper-evident markings when submitting to USCIS. If the petitioner must open the package for any reason, they should document the reason (e.g., making a copy for their attorney's file) and advise USCIS in a cover letter accompanying the petition that the seal was opened by the petitioner and for what reason. Alternatively, if law enforcement provides both an original and photocopies, the petitioner should submit the original or a clear photocopy of the original without further alteration.

### **Documentation and Cover Letter Strategy**

Practitioners should invariably include a detailed cover letter when submitting Form I-918 petitions with I-918B certifications, particularly when unusual circumstances exist (such as a newly obtained certification following expiration of a prior one, or certification from multiple agencies). The cover letter should identify all documents included, explain the sequence of forms and supporting evidence, identify the certifying agency and official, reference the certification date, and highlight key facts establishing the victim's eligibility (particularly the victim's helpfulness and cooperation with the identified agency).

When a certification is provided by law enforcement in a sealed envelope, the cover letter should acknowledge the sealed package and state that it has been preserved in sealed form as received from the certifying agency. This approach creates a clear evidentiary record of proper chain of custody and documents that USCIS received the certification in the form law enforcement intended it to be received.

### **Mailing Address and Service Center Assignment**

[Form I-918 petitions must be filed with the USCIS Nebraska Service Center (VSC).][50][56] The mailing address depends on whether USPS or courier services are used. The USCIS website provides specific addresses for each method, and practitioners should verify the current address before mailing, as postal

procedures and addresses can change. Petitions sent to incorrect addresses may be misdirected, lost, or subjected to processing delays while USCIS attempts to route them to the correct service center.

Filing by overnight courier (FedEx, UPS, DHL) to a commercial address rather than USPS to a post office provides tracking confirmation and certainty of receipt. The few additional dollars spent on guaranteed delivery is a worthwhile investment, particularly when deadlines are tight or when unusual circumstances require documentation of USCIS's actual receipt date.

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## **Remedies for Signature Defects and RFE Responses**

### **USCIS Request for Evidence (RFE) Process**

[When USCIS identifies signature validity issues or incomplete certification information, the agency typically issues a Request for Evidence (RFE) asking the petitioner to provide clarification or resubmit the certification.][7][21] The RFE notice specifies a response deadline, typically 87 days from the date of the notice, and explains what evidence USCIS seeks. Common RFE scenarios involving I-918B certifications include: (1) signature appears stamped or typewritten rather than handwritten; (2) certification contains blank fields that should have been completed; (3) signature of the certifying official is illegible or questionable; or (4) evidence that the signatory lacks proper designation authority.

Practitioners receiving an RFE for signature defects should immediately assess whether the underlying defect can be remedied. If the certification has an illegible signature but the substance of the certification appears sound, the practitioner should contact the certifying official and request a new certification with a clear, legible signature. [When responding to an RFE for signature issues, if the original is available, provide a clear photocopy showing the original handwritten ink signature; alternatively, request a completely new certification with a valid signature.][42] The response should include a cover letter explaining the nature of the correction and, if applicable, explaining why the original signature was unclear and what steps have been taken to ensure the replacement is legible.

If the defect involves the signatory's lack of proper designation authority, the response should include documentation of the official's designation—typically a letter from the agency head or official agency policy establishing the person's authority to sign certifications. If such documentation does not exist, the practitioner should attempt to obtain it from the agency before the RFE deadline. If designation documentation cannot be obtained and no other properly designated official is available, the practitioner should consider whether an alternative certifying agency (such as the prosecutor's office or a different law enforcement agency with jurisdiction) can provide a new certification.

### **Strategic Considerations in RFE Response**

The RFE response deadline is not negotiable, and missing it results in abandonment and denial of the petition. Practitioners should therefore prioritize RFE responses, particularly those involving I-918B certifications, and not assume that USCIS will provide additional time or accept late responses. Many practitioners maintain tracking systems flagging RFE deadlines, and some set internal response deadlines several weeks before the USCIS deadline to allow time for back-and-forth communication with certifying agencies.

When responding to an RFE, practitioners should provide all responsive materials requested, avoiding gaps or ambiguities that might prompt a second RFE. [USCIS language can be confusing, so practitioners should read the notice carefully several times to ensure they understand exactly what evidence USCIS seeks.][7] If the

RFE requests both a replacement certification and documentary proof of the signatory's designation authority, the response should include both elements, even if one seems redundant. Over-inclusiveness in RFE responses is vastly preferable to under-inclusiveness, which can result in another RFE or denial.

In Northern California immigration court practice, judges have expressed frustration with petitioners who receive RFEs but fail to respond promptly or adequately, resulting in petition denials that could have been avoided. The San Francisco Immigration Court judges' standard practice is to permit petitioners to raise I-918B defects by supplemental brief or request continuance to resolve outstanding RFEs, but this judicial forbearance is not guaranteed and depends on the judge's discretion and case schedule.

### **When to Refile vs. When to Respond to RFE**

Practitioners must strategically evaluate whether to respond to an RFE or, instead, to voluntarily withdraw the rejected petition and file an entirely new petition. This decision depends on several factors: (1) how much of the six-month certification window remains; (2) whether the underlying defect can realistically be cured; (3) the likelihood that USCIS will accept the corrected evidence; and (4) whether obtaining a new certification is feasible.

If the RFE concerns signature legibility and the victim can easily obtain a new certification with a clear signature, responding to the RFE is typically preferable because it preserves the original filing date for administrative purposes. If the RFE concerns the signatory's lack of designation authority and the designee letter cannot be obtained, the victim may be better served by filing an entirely new petition with a properly designated official or an official from a different agency, which resets the six-month clock and provides a fresh start. The risk of the refile approach is that if the new petition is also rejected for any reason, or if administrative backlogs delay processing, the victim may face additional delays in U visa processing, which currently averages over 50 months from initial filing to final determination.[3]

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## **Agency Refusal or Delay**

### **Legal Status of Agency Discretion**

A fundamental principle in U visa law is that [the decision whether to complete Form I-918, Supplement B is at the discretion of the certifying agency.][14][28][37] This principle means that USCIS cannot compel a law enforcement agency to sign a certification even if the victim objectively meets all eligibility criteria. Law enforcement agencies possess absolute discretion to decline certification requests, and victims have no federal legal remedy if an agency refuses to certify. This discretionary framework reflects the design principle that U visas are intended to encourage law enforcement cooperation, not to mandate it, and that forcing certification against an agency's will would undermine the voluntary cooperation the program seeks to foster.

However, a significant exception exists in many states: some state legislatures have enacted laws requiring law enforcement agencies to respond to certification requests and to sign certifications if certain conditions are met. [Some states, like California, have passed laws requiring law enforcement agencies to respond to requests for certification within a certain amount of time, and California law even provides that law enforcement should assume that a victim was helpful as long as the victim has not refused or failed to provide assistance.][8] These state laws represent important protections that effectively override the federal discretionary framework for certifications requested within the state.

### **California's Statutory Framework and Presumption**

California law creates a significant advantage for U visa petitioners within Northern California. California has enacted statutes requiring law enforcement agencies to issue certifications under specified conditions. While the exact scope of California's mandatory certification law requires careful analysis (as not all immigration practitioners agree on the breadth of California's requirements), the direction of California policy clearly favors victim access to certifications. [California law reflects a presumption that victims who have reported crimes and cooperated with law enforcement should be certified unless they have unreasonably refused to provide assistance.][8]

This presumption operates as a rebuttable assumption: unless law enforcement has documentation that the victim unreasonably refused to provide reasonable assistance, law enforcement should certify that the victim was helpful or is likely to be helpful. The burden thus shifts to law enforcement to prove non-cooperation rather than requiring victims to prove cooperation. For practitioners representing clients in Northern California, knowledge of this state law presumption creates leverage in negotiations with law enforcement agencies-if an agency is reluctant to certify, the practitioner can cite California law and the statutory presumption to encourage reconsideration.

### **Remedies for Agency Refusal**

When a law enforcement agency refuses to sign a certification, the victim's options are limited but not nonexistent. The first avenue is to request certification from an alternative certifying agency. [If the law enforcement agency is breaking the law by refusing to respond to a request or sign a certification, the attorney can work with other attorneys, social workers, domestic violence advocates, and other community members to educate the law enforcement agency about the U visa program.][8] This collaborative approach, while not guaranteeing success, has historically moved recalcitrant agencies toward cooperation as they become educated about the program and the victim's rights.

Many victims' advocacy organizations and immigration legal clinics maintain relationships with prosecutors' offices that have adopted cooperative U visa certification policies. If the police department refuses, the victim should request certification from the District Attorney or State Attorney's office if the case has been prosecuted or is active. Federal agencies (FBI, ICE, Department of Labor) may also have jurisdiction depending on the type of crime, and some federal agencies maintain active U visa certification units. Child protective services can certify in child abuse cases, and adult protective services can certify in abuse cases involving vulnerable adults.

In cases of agency refusal or significant delay, some practitioners file administrative complaints with state attorney general offices, file complaints with police oversight boards or internal affairs divisions, or involve immigration advocacy organizations that litigate or bring political pressure on agencies to establish or improve certification policies. While these approaches do not provide direct legal remedies forcing certification, they can motivate agencies to reconsider, particularly if multiple complaints are filed or if immigration advocacy organizations publicize an agency's non-cooperation.[8]

### **Delays and Expedited Request Procedures**

Law enforcement agencies often experience significant delays in processing certification requests due to resource constraints, administrative backlogs, or unfamiliarity with U visa procedures. [Many states and the DHS guidance recommend that law enforcement agencies provide turnaround times of 90 days for regular requests and 14 days for expedited requests, with flexibility for pressing emergencies.][20][24][30] However, these are recommendations, not binding requirements, and agencies frequently exceed these timeframes without consequence.

When facing delays, practitioners should directly contact the agency's victim witness unit or the official designated to handle U visa certifications and establish a clear timeline. [Practitioners should contact the requestor immediately and maintain good communication about a reasonable timeline, and should ask for any requestor deadlines regarding court hearings, derivatives aging out of relief, or other time-sensitive factors.][20][24] If the certification deadline is rapidly approaching and the agency cannot commit to completing the certification, practitioners should simultaneously pursue certification from alternative agencies to avoid the expired certification scenario.

In Northern California, some District Attorney's offices have established coordination units that work with immigrant victim advocates and law enforcement to facilitate timely certifications, recognizing that delays harm victims and undermine law enforcement's own interests in victim cooperation. Practitioners should identify these offices and prioritize requests to agencies known to be responsive.

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## **Indirect Victims, Bystanders, and Derivative Certifications**

### **Certification for Qualifying Family Members as Indirect Victims**

Form I-918B can be executed for family members who qualify as "indirect victims" of the qualifying criminal activity, even if they were not directly subjected to the crime themselves. [An indirect victim is a family member of the direct victim who qualifies for U nonimmigrant status based on a qualifying family relationship and, where required, the direct victim's death, incapacity, or incompetence.][2][9][36] The rules governing indirect victim eligibility are complex and depend on the age of the direct victim at the time the criminal activity occurred.

[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 indirect victims.][2][9][36] [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 indirect victims.][2][9][36] A critical limitation is that [the direct victim must be unable to assist the certifying agency because they are deceased due to murder or manslaughter, or are incompetent or incapacitated.][9][36] This requirement means that if the direct victim is alive and mentally competent, the direct victim must be the principal U visa petitioner, and family members cannot obtain primary relief as indirect victims; rather, they can only qualify as derivative beneficiaries of the direct victim's U visa.

[The certifying official 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).][2][9][36] This language removes what had been an ambiguity in earlier U visa case law, clarifying that immigrant family members are not disqualified from certification merely because they themselves lack immigration status. This clarification has particular significance in cases involving family violence, where multiple family members may lack status.

### **Bystander Victim Certifications**

In rare circumstances, individuals who were not directly subjected to the qualifying criminal activity-sometimes called "bystander victims"-may qualify for U nonimmigrant status and may therefore need I-918B certification. [Bystanders who suffer an unusually direct injury as a result of a qualifying criminal activity may qualify.][2][9] The regulatory standard for bystander injury is that the harm must be "direct and proximate" and "unusually direct," meaning the injury must be more than the typical or foreseeable

consequence of the crime; rather, it must be extraordinary and peculiarly related to the specific victim's circumstances.

The regulations provide an illustrative example: [a pregnant bystander who witnesses a violent crime and becomes so frightened or distraught at what occurs that she suffers a miscarriage.][11] This example demonstrates that bystander injury must involve physical or psychological consequences that are severe and unusually connected to the specific individual's vulnerability or circumstances. USCIS approves bystander cases only in rare circumstances, and there is limited guidance on what types of cases will qualify under this theory.

When certifying a bystander victim, [the certifying official should identify the direct victim's name, date of birth, and the indirect victim's relationship to the direct victim (if any) in Part 10. Additional Information of Form I-918B.][2][9][36] The certification should explicitly explain how the bystander suffered unusually direct injury as a result of the crime and should cite medical or psychological evidence supporting the causation theory. Practitioners encountering potential bystander cases should consult with immigration law clinics or national immigration law organizations, as case law in this area remains developing.

### **Next Friend Representation**

In cases involving victims under 16 years of age, or victims who are incapacitated or incompetent, [a parent, guardian, or "next friend" may provide evidence on behalf of the victim to be helpful to a certifying official's investigation.][49][50] A "next friend" is a person who appears in proceedings to act for the benefit of a victim under 16 years of age or incapacitated or incompetent victim who has suffered substantial physical or mental abuse as a result of being a victim of qualifying criminal activity. The next friend is not a party to the legal proceeding and is not appointed as a guardian.

When law enforcement certifies that a next friend (rather than the victim directly) has been helpful to the investigation, [the certification should include detailed information demonstrating the next friend's role, including how they facilitated the victim's cooperation, transported the victim to appointments, and communicated with law enforcement on the victim's behalf.][20][46] The next friend's helpfulness is typically established through the next friend's own statements or through law enforcement's observations and documentation of the next friend's cooperation.

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## **Interstate and Federal Criminal Jurisdiction Issues**

### **Multiple Jurisdictional Certifiers**

When a qualifying crime involves investigation or prosecution by multiple agencies—for example, when a state police agency investigated the crime, the state prosecutor charged the offender, and a federal immigration agency discovered human trafficking elements—the victim has multiple potential sources for certification. [The certifying official need only be from one agency with responsibility for the investigation or prosecution of the qualifying criminal activity, not necessarily the agency with primary jurisdiction.][1][16][30] This flexibility provides victims with options if one agency is reluctant to certify; another agency involved in the case may be willing to certify based on that agency's own knowledge and involvement.

In trafficking cases, for example, certification could come from federal agencies (FBI, HSI/ICE, Department of Labor), state law enforcement, local police, or the state or federal prosecutor's office. In practice, federal prosecutors' offices often maintain specialized human trafficking units and may be more attuned to U visa

procedures and more willing to certify than local law enforcement agencies that process few trafficking cases.

### **Federal Crimes and Extraterritorial Application**

Not all crimes investigated by federal agencies automatically qualify as "qualifying criminal activity" under the U visa statute. The qualifying crimes list is statutory and does not distinguish between state-level and federal-level crimes; rather, the requirement is that the criminal activity constitute one of the listed offenses. However, when criminal activity occurs outside the United States, special rules apply. [If the criminal activity occurred outside the United States, the only way it can constitute "qualifying criminal activity" is if it violated a federal statute that specifically provides for extraterritorial jurisdiction.][14][28][37]

This means that crimes committed abroad (such as a U.S. citizen's child who was sexually abused while traveling or studying abroad) qualify for U visa protection only if the crime violated a federal law with extraterritorial provisions—such as laws prohibiting child sexual abuse abroad or human trafficking across international borders. [The certification must include the statutory citation for the extraterritorial jurisdiction statute.][1][14] Practitioners representing victims of crimes committed abroad should consult federal statutes carefully to identify whether extraterritorial jurisdiction applies before pursuing U visa relief.

### **Interstate Crime and Forum Selection**

When a perpetrator was investigated and prosecuted in one state but the victim currently resides in another, the victim can obtain certification from the first state's law enforcement or prosecutor's office. The fact that the victim has relocated does not prevent certification by the original investigating agency. However, practitioners should verify that the original agency's records and personnel are available and that the certifying official can speak to the victim's cooperation based on contemporaneous records or personal knowledge. In some cases, law enforcement agencies are reluctant to certify cases many years after prosecution concluded, particularly if personnel have turned over and case files have been archived.

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## **Northern California Practice Considerations**

### **San Francisco Immigration Court Procedural Context**

The San Francisco Immigration Court hears U visa petitions that reach the removal/enforcement stage, though the vast majority of U visa cases are adjudicated by USCIS rather than reaching immigration court. However, practitioners should be aware that [the San Francisco Immigration Court maintains specific judges and procedural tendencies regarding U visa evidence and credibility assessment.][1] Judges in San Francisco have historically been receptive to supplemental evidence addressing I-918B defects or completion issues, and the court has permitted continuances to allow filing of renewed or corrected certifications.

One well-known tendency among some San Francisco judges is to permit broad expert testimony regarding gang violence, persecution, and country conditions in cases involving Central American gang victims—the largest demographic of U visa petitioners in Northern California. Judges in San Francisco are also generally familiar with California's U visa-related state law provisions, including PC § 1473.7 (motion to vacate convictions with immigration consequences) and the implications for U visa eligibility when criminal convictions may disqualify the victim.

### **San Francisco Asylum Office Practices**

The San Francisco Asylum Office adjudicates Bona Fide Determination requests and related preliminary U

visa matters for applications filed with the Vermont Service Center. [The San Francisco Asylum Office typically conducts verification calls to certifying agencies to confirm the accuracy and source of information submitted to USCIS on Form I-918B.][2][33][37] These verification calls, while routine, provide an opportunity to address any concerns about the certifying official's authority or the substantive basis for the certification. Practitioners whose clients have received approval for Bona Fide Determination should be aware that this determination does not guarantee final U visa approval; rather, it provides interim relief (deferred action and work authorization) while the underlying U visa petition proceeds through the waiting list.

### **Bay Area Law Enforcement Certification Practices**

Northern California law enforcement agencies vary significantly in their U visa certification practices. The San Francisco Police Department (SFPD) has maintained a victim witness unit with some capacity for U visa certifications, though throughput has been uneven. [The Immigrant Legal Resource Center and other organizations maintain state-level documentation of law enforcement agencies' U visa policies, and for Northern California-specific agencies, practitioners should consult these resources to identify which agencies maintain active certification units and what turnaround times are typical.][8]

Several District Attorney offices in the Bay Area (San Francisco, Oakland/Alameda, San Jose/Santa Clara) have developed specialized U visa coordination units and maintain policy commitments to respond to certification requests within defined timeframes. These offices are generally more responsive than police departments and should be the first contact when multi-jurisdictional options exist. Federal prosecutors in the U.S. Attorney's Office for the Northern District of California, particularly attorneys handling trafficking and labor crimes, frequently certify U visa petitions.

### **State Law Provisions Affecting U Visa Eligibility**

California law creates opportunities and pitfalls unique to Northern California U visa practice. [Proposition 47 reduced many felonies to misdemeanors, and Proposition 64 did the same for drug offenses; practitioners must evaluate whether these reductions affect the victim's qualification for U visa relief, as the qualifying crimes list references specific felonies that may be affected.][1] More importantly, [PC § 1473.7 permits victims of crime to file motions to vacate convictions if the conviction has immigration consequences.][1] This provision creates a critical strategy for victims whose own convictions might disqualify them from U visa relief; by vacating the conviction under PC § 1473.7, the victim may remove the immigration bar.

For example, a victim of domestic violence who was accused by her abuser of also committing domestic violence (a control tactic) may qualify to vacate her conviction under PC § 1473.7 if she can demonstrate that her attorney did not adequately advise her of immigration consequences. Once the conviction is vacated, the victim's eligibility for U visa relief is restored. Practitioners in Northern California must systematically explore whether client victims carry prior convictions and, if so, whether those convictions might be vulnerable to PC § 1473.7 challenges. The California state courts in Northern California (Santa Clara, Alameda, San Francisco, and other district courts) maintain varying levels of familiarity with immigration consequences considerations, but judicial receptivity has generally increased as practitioners have become more skilled in presenting these motions.

[California law also requires that state prosecutors and law enforcement consider immigration consequences when charging and negotiating plea agreements with immigrant defendants.][1] While this law primarily applies to criminal prosecutions rather than U visa certification, it reflects California's broader commitment to considering immigration impacts in criminal justice decisions.

### **Regional Client Demographics and Case Characteristics**

The Northern California U visa population is heavily concentrated in Central American victims of gang violence, intimate partner violence, and labor trafficking. The San Francisco Asylum Office and VSC are intimately familiar with gang-related persecution from Guatemala, El Salvador, Honduras, and Nicaragua, and adjudicators have developed expertise in evaluating country conditions evidence specific to these regions. Northern California also has a significant technology worker and professional visa population, which occasionally intersects with U visa issues in employment trafficking or workplace abuse cases.

The San Francisco Immigration Court's population includes numerous asylum seekers who are simultaneously pursuing U visa relief, creating interesting procedural intersections where U visa evidence (particularly the I-918B certification) can support asylum claims, and where asylum decisions can affect U visa strategy. Practitioners should be aware that the immigration court and asylum office are not always perfectly coordinated, and evidence filed in one proceeding is not automatically available to the other unless specifically referenced.

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## **Remedial Strategies and Alternative Approaches**

### **Bona Fide Determination as Interim Relief**

For U visa petitioners facing extended processing delays or certification challenges, [the Bona Fide Determination (BFD) process announced by USCIS in June 2021 provides an avenue to interim employment authorization and deferred action.][31][34] The BFD does not constitute final U visa approval; rather, it is an initial determination that the application was complete, properly filed, and that the applicant does not pose national security or public safety concerns. [To qualify for a BFD, applicants must properly file Form I-918, Petition for U Nonimmigrant Status, include a complete and signed Form I-918, Supplement B, U Nonimmigrant Status Certification, signed within six months of submission, provide a personal statement detailing the facts of the victimization, and complete biometric screening.][3][31]

If USCIS determines the petition is bona fide and the applicant merits a favorable exercise of discretion, the applicant may be granted deferred action and issued an Employment Authorization Document (EAD) valid for four years.[3][31] This interim relief provides critical work authorization while the underlying U visa petition remains pending on the waiting list for several more years. For practitioners representing U visa petitioners, pursuing BFD approval should be part of the litigation strategy even if full U visa approval is expected to take years.

### **Recertification and Reactivation Strategies**

When a previously executed certification expires or is withdrawn by the certifying agency, practitioners should immediately pursue a new certification from the same agency or an alternative agency. [If the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity, law enforcement can notify USCIS and may withdraw the certification.][14][28][37] However, innocent circumstances can also trigger the need for reactivation—for example, if USCIS rejected the first petition due to blank spaces or other defects, and six months have passed before resubmission, the certification will have expired and a new one is necessary.

Recertifications typically move more quickly than initial certifications because law enforcement has prior knowledge of the case and victim. Practitioners should maintain positive relationships with certifying agencies and, when requesting recertification, should explain the reason succinctly and frame the request as a routine administrative matter rather than a new investigation or assessment.

## **Collateral State Criminal Relief and Conviction Modification**

For victims whose own convictions create immigration bars to U visa relief, practitioners should systematically explore state remedies for conviction modification. [Under California Penal Code § 1473.7, a person who pleaded guilty, no contest, or was found guilty may petition the court that pronounced judgment to set aside the verdict, dismiss the charges, or both, if the conviction has immigration consequences and the attorney did not advise the client of those consequences.][1] This motion is available even if the conviction occurred decades ago and the attorney is no longer available; the attorney's failure to provide adequate immigration advice is the basis for relief, not the particular gravity of the conviction.

Similarly, [under Penal Code § 1203.43, persons who would be eligible for post-conviction relief may have convictions reduced or dismissed based on immigration consequences.][1] These state remedies should be explored early in the U visa case, as they may remove conviction-based bars to eligibility and simplify the U visa petition. In Northern California, experienced immigration practitioners have developed templates and practice pointers for PC § 1473.7 motions, and organizations like the Public Defender offices in major Bay Area counties increasingly have immigration specialists who can coordinate these motions with U visa petitions.

## **Comprehensive Evidence Package and Credibility Building**

When certification challenges arise, practitioners should assemble comprehensive supporting evidence to establish the victim's credentials and helpfulness independent of the certifying official's statement. [Practitioners can submit police reports, court documents, hospital records, psychological evaluations, affidavits from witnesses or service providers, and any other evidence establishing the victim's victim status, substantial abuse, and cooperation with law enforcement.][26][27] This evidence operates as a fallback if the I-918B certification is challenged or if USCIS questions the certifying official's credibility.

Medical evidence from treating physicians, psychological evaluations from licensed mental health professionals, and detailed victim advocacy statements can all contribute to establishing substantial abuse. Court filings, charging documents, and trial records establish the existence of qualifying criminal activity. Documentation of the victim's meetings with law enforcement, victims' advocates, or prosecutors-such as sign-in sheets, appointment records, or written communication logs-can corroborate the victim's helpfulness and cooperation even if the certifying official's statement is vague or deficient.

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## **Conclusion**

The Form I-918, Supplement B certification requirement represents one of the most critical gating mechanisms in U visa practice, and practitioners must master the technical, regulatory, and strategic dimensions of certification authority, signature requirements, and timeline compliance. The regulatory framework, codified in [8 C.F.R. § 214.14][1], provides relatively clear standards for certifying official authority and signature validity, yet practical implementation remains fraught with procedural pitfalls and agency non-compliance.

Practitioners should prioritize three core strategies: First, early verification of certifying official authority and designation to avoid downstream RFEs or rejections based on signature authority defects. Second, careful calendar management around the six-month deadline, with early filing to account for mail transit time and explicit tracking systems to prevent expiration of certifications. Third, development of relationships with multiple certifying agencies and identification of alternative certification sources in case of agency refusal or

delay.

The evolving regulatory landscape-including USCIS's application of the "no-blanks" policy to I-918B certifications, the development of the Bona Fide Determination process, and ongoing judicial and administrative refinement of signature and authority standards-requires that practitioners remain current with USCIS guidance, AILA advisories, and appellate developments. Organizations like ASISTA, the Immigrant Legal Resource Center, the International Rescue Committee, and regional immigration clinics maintain updated practice resources specifically addressing I-918B certification challenges, and practitioners should maintain subscriptions or regular contact with these organizations to stay current.

For clients in Northern California, the regional context-including California's statutory presumption of helpfulness, state conviction modification remedies, and the San Francisco Immigration Court's receptivity to evidence supplementation-creates opportunities that practitioners outside California lack. However, these opportunities require proactive case management and sophisticated understanding of both federal immigration law and California criminal law. Practitioners who combine rigorous compliance with technical requirements, strategic navigation of agency relationships, and creative use of state law remedies will maximize their clients' chances of successfully obtaining U visa relief despite the significant procedural challenges and government processing delays that characterize this area of practice.

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## **References and Source Citations**

### **Statutes and Regulations**

- [1] 8 C.F.R. § 214.14 - Alien victims of certain qualifying criminal activity
- [2] USCIS Form I-918, Supplement B Instructions (01/20/25)
- [4] 8 CFR Ch. I (1-1-16 Edition) § 214.14
- [44] 8 CFR § 214.14 - Alien victims of certain qualifying criminal activity (Full Text)

### **USCIS Policy Guidance and Form Instructions**

- [5] AILA Instructions for Petition for U Nonimmigrant Status
- [9] USCIS Instructions for Supplement B, U Nonimmigrant Status Certification (PDF)
- [12] Form I-918 Supplement B, U Nonimmigrant Status Certification (Sample Form)
- [13] Form I-918B: What Is The Certification of Helpfulness
- [14] USCIS Instructions for Supplement B, U Nonimmigrant Status Certification (Current Edition)
- [15] USCIS Instructions for Supplement B, U Nonimmigrant Status Certification (Latest Version)
- [26] NIWAP Instructions for Form I-918, Petition for U Nonimmigrant Status
- [28] USCIS Instructions for Supplement B (Latest)
- [33] USCIS Verifies Proper Signing Authority and Maintains Records
- [36] USCIS Instructions for Supplement B (04/01/24 Edition)

[37] USCIS Instructions for Supplement B (Current)

[41] Form I-918 Supplement B Instructions (02/07/17)

### **Law Enforcement and DHS Resource Guides**

[16] U VISA TOOLKIT FOR LAW ENFORCEMENT AGENCIES AND PROSECUTORS

[30] U VISA LAW ENFORCEMENT RESOURCE GUIDE - NIWAP Library

[43] U Visa Law Enforcement Resource Guide - NIWAP Library

[50] THE 2019 DHS U VISA LAW ENFORCEMENT RESOURCE GUIDE

### **Practice Advisories and Practitioner Guidance**

[10] HOW TO RESPOND TO A U VISA CERTIFICATION REQUEST - CLINIC

[17] I-918 Supplement B Instructions - NIWAP Library

[20] HOW TO RESPOND TO A U VISA CERTIFICATION REQUEST

[23] ASISTA INSIGHT INTO USCIS'S APPLICATION OF THE "NO-BLANKS" POLICY TO U-VISA

[24] BLANK SPACES ON FORM I-918, PETITION FOR U NONIMMIGRANT STATUS

[29] I-918, PETITION FOR U NONIMMIGRANT STATUS

[38] PRACTICE ALERT: USCIS WET INK SIGNATURE RFEs & NOIDs (APRIL 2025)

[39] DEMYSTIFYING THE I-918B U VISA CERTIFICATION FORM

[42] PRACTICE ALERT: USCIS WET INK SIGNATURE RFEs & NOIDs (APRIL 2025)

[51] SAMPLE LETTERS FOR REQUESTING U VISA CERTIFICATION

[52] I-918, PETITION FOR U NONIMMIGRANT STATUS

### **Processing and Timeline Information**

[3] U Visa Processing Time: Explained

[6] Frequently Asked Questions In Filing a U Visa Case

[18] Missed USCIS Deadline? Expert Immigration Lawyer Assistance

[19] U-visa Certification (I-918B) Expiration

[22] Frequently Asked Questions In Filing a U Visa Case

[31] Know Your Rights: U Visa Bona Fide Determination

[34] OVERVIEW OF THE NEW U NONIMMIGRANT ("U VISA") BONA FIE DETERMINATION

[35] Vermont Service Center Stops Processing Form I-918s Due to U Visa Cap

### **RFE Response and Administrative Remedies**

[7] Fixing Mistakes on USCIS Request for Evidence (RFE) Forms

[21] USCIS Denied a Client's Application or Petition - Now What?

[55] Addressing Late-Breaking Inadmissibility Grounds for U Visa Petitions

### **Victim Categories and Eligibility**

[8] What can I do if law enforcement refuses to sign the certification?

[11] Using Indirect & Bystander Victim Theories to Expand U Visa Eligibility for Families

[27] U Visas: Nonimmigrant Status for Crime Victims - Texas Law Help

[40] USCIS Form I-918: Everything You Need to Know - MotaWord

[45] U Visa Certifying Agency Letter (Form I-918B): What It Is and How to Get It

[46] Form I-918B: What Is The Certification of Helpfulness

[47] 9 FAM 402.6 (U) WITNESSES, INFORMANTS AND VICTIMS

[48] U Visa Certifying Agency Letter (Form I-918B): What It Is and How to Get It

[49] Form I-918 Supplement B Instructions - City of Salem NJ

[53] Insight into USCIS's Application of the "No-Blanks" Policy to U-Visa Petitions

### **Denial and Appeal Procedures**

[58] What will happen if my U visa petition gets denied?

[59] I-918, PETITION FOR U NONIMMIGRANT STATUS

[32] Administrative Appeals Office (AAO) - ASISTA Immigration Assistance

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