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# S Visa

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### **1862 S Visa Program -- Eligibility**

The number of alien witnesses and informants who may be admitted into the United States pursuant to the S Visa Program is limited by law, and is currently set by Congress at 200 per fiscal year for aliens who provide critical, reliable information necessary to the successful investigation or prosecution of a criminal organization, and an additional 50 per fiscal year for aliens who provide critical, reliable information concerning a terrorist organization and who qualify for a reward under the Department of State's rewards program. 8 U.S.C. § 1184(k)(1). See also 22 U.S.C. § 2708(a) (Department of State rewards program). There can be no carryover of allocated S visa slots into the next fiscal year. Certain family members of the alien providing the information?spouse, parents, and children?are also eligible for admission into the United States in an S nonimmigrant derivative status, 8 U.S.C. § 1101(a)(15)(S), and these persons do not count against the numerical limits.

The S nonimmigrant classification is generally available to aliens who would otherwise be inadmissible to or deportable from the United States (for example, due to criminal convictions or certain problems with immigration status). The statute authorizes the Secretary of Homeland Security to waive most grounds of inadmissibility. The program is particularly useful for witnesses or informants who would otherwise be in danger in their home countries. It is also a substantial benefit for many other witnesses and informants who might not otherwise be able legally to enter or remain in the United States.

Questions concerning the eligibility of cooperating aliens for S visa status should be directed to the Policy and Statutory Enforcement Unit in the Office of Enforcement Operations, Criminal Division, at (202) 305-4023.

### **Government Links**

This section focuses on articles and reports related to S visa from government agencies such as the USCIS, DOS, DHS, CBP, DOJ and ICE.

1. **United States Department of Justice - 1861 S Visa Program -- Statutory and Regulatory Basis** <sup>[2]</sup>

## 2. **United States Department of Justice - 1863 S Visa Program -- Application Procedures**

[3]

### **Nonimmigrant Visas:**

S Visa [4]

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### **Links:**

[1] <https://immigration.com/visa/s-visa/s-visa>

[2] [http://www.usdoj.gov/usao/eousa/foia\\_reading\\_room/usam/title9/crm01861.htm](http://www.usdoj.gov/usao/eousa/foia_reading_room/usam/title9/crm01861.htm)

[3] [http://www.usdoj.gov/usao/eousa/foia\\_reading\\_room/usam/title9/crm01863.htm](http://www.usdoj.gov/usao/eousa/foia_reading_room/usam/title9/crm01863.htm)

[4] <https://immigration.com/visa/nonimmigrant-visas/s-visa>