

*HR 5331 - Violence Against Immigrant Women Act of 2012*

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*Washington, D.C.* (May 8, 2012) – Reps. Jan Schakowsky (D-Ill.) and Judy Chu (D-CA) introduced the **H.R. 5331**, Violence Against Immigrant Women Act of 2012, which amends the Violence Against Women Act (VAWA) to expand protections for immigrant victims of domestic violence. This legislation would ensure that immigrant victims have the legal resources necessary to escape abuse.

The Violence Against Immigrant Women Act would ensure greater numbers of immigrant victims of domestic violence and sexual assault receive U visa protection against their perpetrator's threats of deportation. The legislation would ensure that victims of stalking, elder abuse, and child abuse can also access these important protections. This legislation would require DHS to issue employment authorization to victims in timely manner. Because of delays, the majority of immigrant victims who have filed valid cases are forced to wait more than six months for work authorization, some wait as much as a year.

“Battered immigrant women make up one of the most vulnerable populations in this country and these women should not feel forced to stay in violent, life-threatening intimate partner relationships because of their tenuous immigration status,” said **Rep. Schakowsky**. “The lack of access to employment creates significant hardship for immigrant crime victims and their children. These victims face increased harm and exposure to abuse because they are forced to find ways to feed, clothe and house themselves and their children while they wait for employment authorization. We must remain firm in our commitment to protect all victims of domestic violence, including vulnerable immigrant women. We should be increasing protections, not rolling them back.”

Many times battered immigrants are afraid to speak up about their abuse. The House Republican version of the Violence Against Women Act (H.R. 4970) will make reporting abuse even more difficult for current law to protect vulnerable immigrant victims. The changes proposed in H.R. 4970 not only leave out the moderate improvements to the immigration provisions in VAWA that were included in S. 1925, the Senate bill that was passed with significant bipartisan support, but it also seeks to make harmful amendments to important immigration remedies currently in effect in VAWA. H.R. 4970 would also create obstacles for victims seeking to report crimes and increase danger for immigrant victims. Furthermore, it undermines the protections that are in current law by eliminating confidentiality protections and makes it more difficult for victims to work with law enforcement.

“Far too often, immigrant victims of domestic violence are also victims of their circumstances,” said **Rep. Chu**. “They feel tied to a violent partner because their abuser uses their immigration status to control or isolate them. By taking common sense steps like increasing and streamlining access to U visas, we’re telling these women, ‘You don’t have to stay in an abusive relationship because of your immigration status. You don’t have to stay with your abuser because of your economic situation. No matter your background, there are resources available to you that will help you escape your torment.’ If we care about supporting victims of domestic violence, we must protect those women who are the most vulnerable. That’s exactly what this bill does.”

The *Violence Against Immigrant Women Act* of 2012 would:

- Add dating violence, stalking, child abuser and elder abuse to list of crimes covered by the U visa so that victims of all of the crimes covered by VAWA and crimes investigated and prosecuted under state family violence, child and elder abuse laws receive U visa protection.
- Recapture up to 5,000 previously unused "U" visas annually, bringing the total number to 15,000 enabling an additional 5,000 immigrants a year to come forward and collaborate with law enforcement helping prosecute 5,000 more criminals.
- Allow the law enforcement agency head to designate other agency employees to provide U visa certifications. Current regulations require that certifiers be supervisors.
- Ensures that VAWA self-petitioners and U visa victims who have filed valid cases with DHS receive legal work authorization within 180 days after their application is filed.
- Includes a technical correction to Housing laws needed to ensure that battered immigrant self-petitioners receive the access to public and assisted housing Congress provided them in 1996.
- Clarify that the minor children of U visa applicants who turn 21 while the applications are being adjudicated shall retain their status as minors for purpose of eligibility for immigration benefits.
- Requiring HHS and DOJ programs funding research to include research on domestic violence, sexual assault, trafficking and elder abuse including the impact of these crimes on immigrant and underserved victims to be an authorized purpose for their research funding.
- Preventing expedited deportation so that cases involving domestic violence may be adequately reviewed.
- Require ongoing training for all DHS, DOJ, and DOS personnel who come into contact with immigrant crime victims of domestic violence so staff and managers know the full range of immigration relief petitions available to victims.

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**FOR IMMEDIATE RELEASE**

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