

May 17, 2012

U.S. House of Representatives

RE: Update – Manager’s amendments to VAWA (H.R. 4970) do not fix critical problems. H.R. 4970 eliminates protections for battered immigrants; harms victims.

Dear Member of Congress:

As a diverse coalition of immigration, faith, labor, civil rights, human rights and community organizations serving and advocating on behalf of immigrant victims of domestic violence, human trafficking, sexual assault, dating violence, and stalking, we urge you to oppose H.R. 4970, the Violence Against Women Reauthorization Act of 2012 (VAWA) (Adams, R-FL) when it comes to the House floor.

The amendments offered by Representative Adams (“manager’s package”) that will be considered by the Rules Committee today are inadequate and do not correct the major problems with H.R. 4970. With the manager’s package, H.R. 4970 will still roll back existing protections for battered immigrants that were created with bi-partisan congressional support.

Enacted in 1994 and reauthorized twice in 2000 and 2005, VAWA has a long history of uniting lawmakers with the common purpose of protecting survivors of domestic violence, sexual assault, and stalking. When VAWA was conceived, Congress recognized that the noncitizen status of battered immigrants can make them particularly vulnerable. Abusers often exploit their victims’ undocumented status, leaving the victim afraid to report the abuse to law enforcement and making them fearful of assisting with the prosecution of these crimes.

As modified, H.R. 4970 effectively eradicates protections created by VAWA that have been available for almost twenty years to immigrant victims of violence. The bill establishes an extremely onerous adjudication process for victims to receive protection that is not required in other areas of the law. Finally, it wastes government resources when allegations of fraud have not been substantiated.

**H.R. 4970 eliminates protections for crime victims offered by the U visa.**

- Deters immigrant victims from reporting crimes by denying nearly all U visa recipients the protections offered by lawful permanent resident status. By offering only temporary relief, H.R. 4970 will eliminate an important incentive for victims to report crimes and silence victims who fear deportation. A victim could be deported and be forced to leave her children behind with an abuser if he has legal status but she does not.

- Endangers crime victims by making it extremely difficult for them to obtain U visa protection. H.R. 4970 needlessly requires that an investigation or prosecution is being actively pursued. Current law already requires that law enforcement certify that the victim has been or is likely to be helpful to an investigation or prosecution.
- H.R. 4970 requires that the victim help identify the perpetrator. Many sexual assault victims never get a good look at the perpetrator.

**H.R. 4970 denies battered immigrants the protections of “self-petitioning.”**

- Gives perpetrators tools to interfere with a victim’s immigration case
- Forces every VAWA self-petitioner to participate in two face-to-face interviews with DHS officials, subjecting them to unnecessary additional screening that can be dangerous for victims who may have to account for their every movement to the abuser
- Requires untrained local field office staff conduct in-person interviews with victims of domestic violence and sexual assault. Long delays to secure initial interviews at local offices will put victims trying to leave abusive relationship at greater risk.
- Endangers the safety of battered immigrants by suspending adjudication of their case if there is an open criminal investigation or prosecution of the perpetrator

**H.R. 4970 requires DHS officials to conduct expensive and time consuming reviews of the victims’ cases that are not required in other areas of law. These wasteful reviews are motivated by unsubstantiated claims of fraud and abuse within VAWA programs.**

H.R. 4970 endangers victims, and undoes years of bipartisan progress made in previous VAWA bills by taking us to a time before 1994 when abusers were allowed to use immigration status as a tool for further abuse. When H.R. 4970 is brought to the floor of the House of Representatives, **we urge you to vote NO**. This bill goes against the core of VAWA by eliminating protections for victims and placing victims in danger.

If you have any questions or concerns, please contact Mony Ruiz-Velasco, National Immigrant Justice Center at 312/660-1360, [mruizvelasco@heartlandalliance.org](mailto:mruizvelasco@heartlandalliance.org), or Grace Huang, Washington State Coalition Against Domestic Violence, 206/389-2515, [grace@wscadv.org](mailto:grace@wscadv.org).

Sincerely,

Alianza Nacional de Campesinas  
 America’s Voice Education Fund  
 American Civil Liberties Union  
 American Immigration Lawyers Association  
 American Jewish Committee  
 Americans for Immigrant Justice  
 Artemis Justice Center

Asian American Justice Center, Member of Asian American Center for Advancing Justice  
Asian American Institute, a Member of the Asian American Center for Advancing Justice  
Asian American Legal Defense and Education Fund (AALDEF)  
Asian Pacific American Legal Resource Center  
Asian Pacific Islander Institute on Domestic Violence  
ASISTA  
Battered Women's Legal Advocacy Project  
Benjamin N. Cardozo Human Rights and Genocide Law Clinic  
Black Women's Roundtable  
Boston University Civil Litigation Program  
Break the Cycle  
California Partnership to End Domestic Violence  
Capital Area Immigrants' Rights Coalition  
Casa de Esperanza: National Latin@ Network for Healthy Families and Communities  
Casa De Proyecto Libertad  
Casa Esperanza  
Center for Gender & Refugee Studies  
Center for Social Justice  
Central American Resource Center (CARECEN)  
Centro Legal de la Raza  
Church World Service, Immigration and Refugee Program  
Coalition for Human Immigrant Rights of Los Angeles (CHIRLA)  
Community Safety Networks  
Connecticut Legal Services, Inc.  
Disciples Home Missions of the Christian Church (Disciples of Christ)  
East Bay Community Law Center  
East Bay Sanctuary Covenant  
Empire Justice Center  
The Episcopal Church  
Families for Freedom  
Farmworker Justice  
Fiel Houston Inc.  
Florence Immigrant & Refugee Rights Project  
Florida Coastal Immigrant Rights Clinic  
Friends of Farmworkers, Inc.  
Futures Without Violence  
Greater Hartford Legal Aid  
Greater Rochester Coalition for Immigration Justice  
Healing Abuse Working for Change  
Hebrew Immigrant Aid Society  
Human Rights Defense Center  
Human Rights Initiative of North Texas  
Hutto Visitation Program  
Illinois Coalition for Immigrant and Refugee Rights  
Immigrant Defense Project  
Immigrant Legal Resource Center

Immigrant Rights Clinic at Rutgers School of Law  
Immigration Equality  
Immigration Law Center of Minnesota  
Institute on Domestic Violence in the African-American Community  
International Institute of Buffalo  
International Institute of the Bay Area  
International Organization for Adolescents  
Jacksonville Area Legal Aid, Inc.  
Jesuit Social Research Institute/Loyola University New Orleans  
Jewish Council for Public Affairs  
Jewish Council on Urban Affairs  
Jewish Labor Committee  
Jewish Women International  
Just Neighbors  
Justice for Our Neighbors- New York  
Justice Strategies  
Kansas Coalition Against Sexual and Domestic Violence  
Kentucky Coalition for Immigrant and Refugee Rights  
Kids in Need of Defense  
The Leadership Conference on Civil and Human Rights  
Legal Aid Justice Center  
Legal Aid Society of Minneapolis  
The Legal Aid Society of San Mateo County  
Legal Aid Society of Rochester, New York  
Legal Aid Society of the Orange County Bar Association  
Legal Services for Children in San Francisco  
Legal Services of New Jersey  
Life Span Center for Legal Services and Advocacy  
Lutheran Immigration and Refugee Service  
Lutheran Social Services of New England  
MAITRI  
Manavi, Inc.  
Massachusetts Immigrant and Refugee Advocacy Coalition  
Migrant Support Services of Wayne County  
Monsoon United Asian Women of Iowa  
Ms. Foundation  
National Asian Pacific American Women's Forum  
National Center for Victims of Crime  
National Center on Domestic and Sexual Violence  
National Center on Domestic Violence, Trauma & Mental Health  
National Clearinghouse for the Defense of Battered Women  
National Coalition Against Domestic Violence  
National Coalition of Anti-Violence Programs (NCAVP)  
National Coalition on Black Civic Participation  
National Council of Jewish Women  
National Council of La Raza (NCLR)

National Council of Negro Women  
National Domestic Violence Hotline  
National Employment Law Project  
National Immigrant Justice Center  
National Immigration Forum  
National Immigration Law Center  
National Immigration Project of the National Lawyers Guild  
National Latina Institute for Reproductive Health  
National Organization for Women  
National Organization of Asian Pacific Islanders Ending Sexual Violence  
National Organization of Sisters of Color Ending Sexual Assault  
National Network to End Domestic Violence  
National Resource Center on Domestic Violence  
NC Immigrant Rights Project  
New Sanctuary Coalition of NYC  
New York State Coalition Against Sexual Assault  
New York State Defenders Association- Criminal Defense Immigration Project  
Next Door Solutions to Domestic Violence  
Northern Manhattan Improvement Corp.- Domestic Violence Project  
Northwest Immigrant Rights Project  
NY Anti-Trafficking Network  
Organizacion en California de Lideres Campesinas  
Paso Del Norte Civil Rights Project  
The P.E.A.C.E.\* Initiative  
Pennsylvania Immigration and Citizenship Coalition  
Physicians for Human Rights  
Political Asylum/Immigration Representation Project  
Public Council Law Center, Immigrants' Rights Project  
Rabbis for Human Rights-North America  
The Reformed Church of Highland Park, NJ  
Refugee Resettlement and Immigration Services of Atlanta  
Refugee and Immigrant Center for Education and Legal Services (RAICES)  
Refugio del Rio Grande  
Research Institute Without Walls  
Rocky Mountain Immigrant Advocacy Network  
Service Employees International Union  
Somos America Coalition  
South Asian Americans Leading Together (SAALT)  
Southwestern Law School Immigration Law Clinic  
Texans United for Families  
Tahirih Justice Center  
Tri-City Community Action Program, Inc.  
Tulsa Immigrant Resource Network- Boesche Legal Clinic at University of Tulsa College of Law  
Undocumented Ohio  
UNIDOS Against Domestic Violence  
The Union for Reform Judaism

Unitarian Universalist Association of Congregations  
United Methodist Women Immigrant & Civil Rights Initiative  
United We Dream Network  
University of Miami School of Law Immigration Clinic  
UNO Immigration Ministry  
Vermont Immigration and Asylum Advocates  
VIDA Legal Assistance, Inc.  
Virginia Sexual and Domestic Violence Action Alliance  
Washington State Coalition Against Domestic Violence  
Wayne Action for Racial Equality  
The William Kellibrew Foundation  
Wisconsin Coalition Against Domestic Violence  
Women of Color Network  
Women's Refugee Commission  
Worker Justice Center of New York  
World Relief  
Who Is My Neighbor? Inc.  
The Young Center for Immigrant Children's Rights at the University of Chicago  
YWCA USA