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March 29, 2019

**RE: Democrats Devise Sneaky Strategy to Squelch Debate on Controversial VAWA Immigration Provisions**

Dear Member of Congress:

It's no secret that VAWA's immigration provisions are one of the most controversial parts of this law. A number of groups have spoken out against VAWA's immigration provisions that afford more rights to the illegal alien than to the American citizen:

- ***Center for Immigration Studies:*** Under VAWA, “an alien can allege that her (or his) spouse engages in domestic violence and abuse and — without that citizen having a chance to clear his (or her) name...How can this travesty of justice take place? Clearly there are significant emotional, financial, and perhaps even professional employment consequences that can flow from such a Kafkaesque adjudication.”<sup>1</sup>
- ***ImmigrationFraud.com:*** “The perfect way to bypass regular background checks and the two-year marriage requirement? Make false domestic violence allegations -- either emotional or physical. These provisions are part of the Violence Against Women Act (VAWA).”<sup>2</sup>
- ***Victims of Immigration Fraud:*** “The K-1 Fiancée visa system has a loophole that encourages false allegations of domestic abuse. The accuser is given an incentive to self petition themselves into the United States (VAWA I 360 exception). These same provisions also deny an American spouse a fair opportunity to present a defense to the USCIS when an allegation of abuse is made by a foreign spouse, whether it is a man or a woman.”<sup>3</sup>

The last thing Democrats wanted was a vigorous debate, especially since the thorny immigration issue was the main reason why the previous VAWA reauthorization stretched out so long, from 2011-2013. So Democrats came up with a novel idea: Just pretend that VAWA does not include any immigration provisions, and hope that nobody will notice.

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<sup>1</sup> <https://cis.org/Cadman/Inherent-Unfairness-Immigration-Provision-Violence-Against-Women-Act>

<sup>2</sup> <http://www.immigrationfraud.com/news.html>

<sup>3</sup> <http://voif.org/>

Since VAWA was first enacted in 1994, immigration issues were always addressed in Title VIII of the law. This is how Title VIII looked in H.R. 11 in 2013:

[TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS](#)

[Sec. 801. U nonimmigrant definition.](#)

[Sec. 802. Annual report on immigration applications made by victims of abuse.](#)

[Sec. 803. Protection for children of VAWA self-petitioners.](#)

[Sec. 804. Public charge.](#)

[Sec. 805. Requirements applicable to U visas.](#)

[Sec. 806. Hardship waivers.](#)

[Sec. 807. Protections for a fiancée or fiancé of a citizen.](#)

[Sec. 808. Regulation of international marriage brokers.](#)

[Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.](#)

[Sec. 810. Disclosure of information for national security purposes.](#)

Now fast forward to H.R. 1585 in 2019...Title VIII has been magically transformed into “Homicide Reduction Initiatives:”

[TITLE VIII—HOMICIDE REDUCTION INITIATIVES](#)

[Sec. 801. Prohibiting persons convicted of misdemeanor crimes \*\*against\*\* dating partners and persons subject to protection orders.](#)

[Sec. 802. Prohibiting stalkers and individuals subject to court order from possessing a firearm.](#)

So what happened to the “Protection of Battered Immigrants”? It disappeared! Do a text search in H.R. 1585, and the words “immigrant” or “immigration” never appear.

Does that mean the Democrats plan to scrap the “Protection of Battered Immigrants” provisions? Absolutely not, because the VAWA provisions do not sunset. Unless the newly passed VAWA explicitly rescinds previously enacted provisions, those provisions stay on the books!

So at the March 13 Judiciary Committee mark-up, no one raised the contentious immigration issue. The Democrats’ devious plan succeeded! *Well, almost.*

Fortunately, it’s not too late to at least raise these concerns. I’m attaching to this letter a summary of the immigration reform provisions that Rep. Sandy Adams (R-FL) proposed in her H.R. 4970 bill, and passed the House on May 16, 2012.

And maybe Democrats should explain to us why they used this sneaky tactic.

Sincerely,

*E. Everett Bartlett, PhD*

President

Attachment:

Summary of Title VIII: Immigration Provisions Proposed by Rep. Sandy Adams – H.R. 4970, Introduced April 27, 2012