

ALLIANCE FOR IMMIGRANT SURVIVORS

Priorities for Next COVID-19 Response Package

July 26, 2020

Legislative Asks to Meet the Needs of Immigrant Survivors of Domestic Violence, Sexual Assault, Human Trafficking, and other Gender-Based Violence

Current Status Summary. Since the onset of this pandemic, immigrant survivors' safety has been severely compromised by a lack of access to basic health and economic supports, and by immigration enforcement that can lead to survivors being detained or deported before their humanitarian immigration applications under the Violence Against Women Act (VAWA) or the Trafficking Victims Protection Act (TVPA) can be adjudicated. Survivors' circumstances have become even more dire in recent months, including because:

- Immigrants [disproportionately work](#) either on the frontlines of the fight against the pandemic (such as health care and food production) where they face heightened risks of exposure, or in sectors hardest hit by the economic crisis (such as domestic household work and food services). [Sixty-two percent of Latinx households](#) report that a member has lost work income. Housing insecurity is acute, especially as the federal moratorium on evictions just expired. Immigrant survivors are making desperate appeals for help to stave off homelessness and to make sure their children have enough to eat, and yet the programs that serve them are also stretched incredibly thin: as just one example, shelters have had to sharply reduce numbers of residents.
- USCIS backlogs in the processing of humanitarian immigration applications have gone from bad to worse, with slow-downs and imminent agency furloughs compounding new non-sensical policies (like rejecting and requiring the re-submission of applications for even a single, immaterial blank space on a form) that bog down adjudications. Advocates report that it can now be 2-3 months before they even get a "receipt notice" confirming a filing with USCIS. Survivors that have already been granted status or a work permit face difficulties timely renewing or extending them. All this keeps vulnerable survivors in legal limbo, and leaves them at the mercy of abusers' threats to get them deported. Detention poses high risks for COVID exposure, and deportation (especially with current travel/visa/entry bans) would mean survivors would be separated for years from children they would be forced to leave behind, and that they would likely permanently lose custody of those children to abusers.

House-passed legislation has included some provisions helpful to immigrant families, but no final package to date has yet addressed immigrant families' and survivors' urgent needs.

Urgent needs:

Access to Health and Economic Supports for Immigrant Survivors

- Ensure that everyone – including immigrant survivors of violence – has free access to COVID-19 testing, treatment, vaccine, and other health care services.
- Ensure that immigrant taxpayers have access to income supports by allowing those with individual taxpayer identification numbers (ITINs) to receive cash relief benefits.

Humanitarian Responses by the Department of Homeland Security

- Prohibit the detention and deportation of survivors of domestic violence, sexual assault, and trafficking who have pending applications under VAWA or the TVPA.
- Allow immigrants to keep their immigration status and work authorization that expires during the COVID-19 pandemic by automatically extending them for the same period for which they were initially granted.
- Create flexibility in USCIS and immigration court procedural requirements by extending deadlines in pending immigration cases, appeals and revocations, and immigration court motions; tolling filing cutoffs; and allowing evidence unavailable at the time of filing due to the national emergency to be submitted after filing.
- Limit immigration enforcement activities, including by,
 - halting immigration enforcement in locations where immigrant survivors access help, such as victim service agencies, courthouses, and hospitals;
 - significantly reducing the population of people in Immigration and Customs Enforcement (ICE) and Customs and Border Patrol (CBP) custody; and
 - suspending in-person immigration court proceedings and shut down interior checkpoints, which undermine safety and access to services.
- Suspend the public charge inadmissibility rule to encourage survivors to seek the services they need, and clarify that accessing benefits related to COVID-19 will not count against immigrants in future immigration applications.

Services and Supports for All Survivors and the Programs that Serve Them

- Provide critical support for victim service providers to serve and meet the needs of survivors by:
 - increasing funding for services and programs provided through the Departments of Justice, Health and Human Services, and Housing and Urban Development. See specifics in the [May 29 National Task Force to End Sexual and Domestic Violence \(NTF\) Requests for COVID-19](#)

[Phase Four Response Package Letter](#) signed by 450 domestic violence and sexual assault organizations and [June 2 NTF Supplemental Statement](#) to Congressional leaders.

- providing flexible funding that allows victim service providers to help survivors with cash assistance, legal assistance, rental assistance, temporary accommodation in hotels or motels for survivors, and other urgent needs of survivors.
- Provide federal assistance and funding for Federal agencies to provide language access and public outreach on coronavirus preparedness, response, and recovery to hard-to-reach populations by translating into multiple languages all written COVID-19 related materials.
- Provide funding and assistance to community-based organizations (CBOs), particularly culturally-specific CBOs that have established relationships with hard-to-reach populations.

Additional Resources

- [S. 3609](#) / [H.R. 6437](#): Coronavirus Immigrant Families Protection Act, which among other provisions would:
 - modify immigration policies that would deter immigrant survivors from seeking services for the duration of the coronavirus emergency;
 - ensure that everyone has access to COVID-19 testing, treatment, and vaccines;
 - ensure access to economic supports to vulnerable families by temporarily extending work authorization and providing cash relief benefits to all immigrant taxpayers; and
 - provide funding for language access/public outreach on coronavirus response and recovery
- [H.R. 6623](#), which would require all Federal agencies to translate COVID-19 materials into multiple languages, and for other purposes
- [AIS COVID-19 Pandemic Resources for Immigrant Survivors & Advocates](#)
- [ASISTA Recommendations on USCIS Response to COVID-19](#)
- Tahirih Justice Center, "[The Impact of COVID-10 on Immigrant Survivors of Gender-Based Violence](#)"
- [May 29 National Task Force to End Sexual and Domestic Violence \(NTF\) Requests for COVID-19 Phase Four Response Package Letter](#) and [June 2 NTF Supplemental Statement](#)