

ALLIANCE FOR IMMIGRANT SURVIVORS

THE WORKING FOR IMMIGRANT SAFETY AND EMPOWERMENT ACT (WISE)

December 2022

The Working for Immigrant Safety and Empowerment (WISE) Act is a comprehensive bill extending critical immigration benefits to immigrant survivors, including those who are VAWA self-petitioners, T and U visa applicants, and special immigrant juveniles. **The WISE Act is a huge step forward towards justice for immigrant survivors by providing various types of immigration relief, including:**

- **Lifting the U visa and SIJ visa caps and making these programs more accessible.** Currently, survivors are experiencing egregious delays in the processing of their U visas. There are over 300,000 individuals with pending U visa matters and the processing time it takes just to place these cases on the waitlist *is over five years*. In addition, Special Immigrant Juvenile (SIJ) cases are subject to employment-based visa caps, even though they are humanitarian cases that protect abused and neglected children and youth. Significant delays, as well as barriers to obtaining law enforcement U-visa certifications, can subject survivors and their families to additional risks of violence, exploitation, manipulation, and trauma. The WISE Act helps alleviate these risks and ensures that this program can offer a true pathway to safety.
- **Preventing detention and deportation of immigrant survivors with pending immigration cases.** Threats of deportation are one of the most potent tools abusers and perpetrators of crime use to maintain control over, and silence immigrant survivors. Abusers and perpetrators leverage the immigration system against immigrant survivors, who fear losing their job, being deported, or even being separated from their children if they speak out. Detention and removal of those with victim-based cases also undermine the intent of programs like VAWA. Deporting survivors while they await their decisions on cases discourages them from seeking justice and undercuts the usefulness of these forms of relief as tools for law enforcement to keep all communities safe. The WISE Act will help protect immigrant survivors from deportation or detention.
- **Requiring issuance of work authorization within 180 days of filing.** Timely access to employment authorization is critical to immigrant survivors' ability to escape violence and provide for themselves and their families. Without access to financial independence, survivors are more vulnerable and may be faced with the choice of returning to abusive relationships or facing homelessness. Survivors need real opportunities to leave and overcome violence, with the support of important provisions in the WISE Act.
- **Ensuring immigrant survivors with pending cases are eligible for critical federal public benefits, and no longer subject to the five-year bar.** Like work authorization, access to public benefits is central to immigrant survivors' ability to seek safety and stability. Immigrant survivors need access to housing, healthcare, food, and childcare assistance that allows them to build a safe and healthy life for themselves and their children, and recover from violence and trauma.
- **Limiting immigration enforcement in protected areas.** The WISE Act puts limits on immigration enforcement at locations where survivors frequently access support including health care facilities, domestic violence shelters, rape crisis centers, victim services agencies, courthouses, places of worship, childcare facilities, among others.
- **Strengthening confidentiality and privacy protections for immigrant survivors.** The WISE Act limits use, as well as sharing, of the information in survivors' applications to process their cases.

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The [Alliance for Immigrant Survivors](https://immigrantsurvivors.org) is a national network of advocates and allies dedicated to defending and advocating for policies that ensure immigrant survivors of gender-based violence have access to critical and life-saving protections.

For questions or inquiries, please email info@immigrantsurvivors.org.