

109TH CONGRESS
1ST SESSION

S. 1618

To regulate international marriage broker activity in the United States, to provide for certain protections for individuals who utilize the services of international marriage brokers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 7, 2005

Ms. CANTWELL (for herself and Mr. BROWNBACK) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To regulate international marriage broker activity in the United States, to provide for certain protections for individuals who utilize the services of international marriage brokers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “International Marriage
5 Broker Regulation Act of 2005”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) There is a substantial international mar-
2 riage broker business worldwide. A 1999 report by
3 the Immigration and Naturalization Service esti-
4 mated that there were at least 200 such companies
5 operating in the United States, and that as many as
6 4,000 to 6,000 individuals in the United States, al-
7 most all male, found foreign spouses through for-
8 profit international marriage brokers each year. The
9 international marriage broker business has grown
10 significantly in recent years, greatly facilitated by
11 the Internet. Studies suggest that in 2005 approxi-
12 mately 500 such companies operate in the United
13 States. In addition, the total number of foreign indi-
14 viduals entering the United States to marry United
15 States residents each year more than doubled be-
16 tween 1998 and 2002. It is estimated, then, that in
17 2005 at least 8,000 to 12,000 individuals in the
18 United States find foreign spouses through for-profit
19 international marriage brokers each year.

20 (2) That report noted that the “pervasiveness
21 of domestic violence in our society has already been
22 documented, and with the burgeoning number of un-
23 regulated international matchmaking organizations
24 and clients using their services, the potential for
25 abuse in mail-order marriages is considerable.” The

1 report noted further that men in the United States
2 who use the services of an international marriage
3 broker tend to seek relationships with women whom
4 they feel they can control.

5 (3) The dangers posed to foreign women who
6 meet their United States husbands through inter-
7 national marriage brokers are underscored by the
8 growing number of cases across the United States of
9 foreign women who have been abused or killed by
10 those husbands. Two highly publicized examples are
11 the murders in Washington State of Susanna
12 Remunerata Blackwell of the Philippines and
13 Anastasia Solovieva King of Kyrgyzstan.

14 (4) A 2003 survey of programs providing legal
15 services to battered immigrant women across the
16 country found that more than 50 percent of these
17 programs had served female immigrant clients bat-
18 tered by men in the United States they met through
19 international marriage brokers.

20 (5) 30.4 percent of all women in the United
21 States are physically abused by their husbands or
22 male cohabitants at some point in their lives. 49.3
23 percent of immigrants reported physical abuse by an
24 intimate partner during their lifetimes, with 42.1
25 percent reporting severe physical or sexual abuse.

1 Among immigrants who were married or formerly
2 married the lifetime abuse rate raises as high as
3 59.5 percent.

4 (6) Of abusive United States citizen or legal
5 resident spouses, 72.3 percent never file the immi-
6 gration papers necessary for their foreign spouses to
7 obtain legal immigrant status, and the 27.7 percent
8 who eventually do file wait an average of 4 years to
9 do so. In 1994, Congress included immigration pro-
10 tections in the Violence Against Women Act
11 (“VAWA”) (Public Law 103–322; 108 Stat. 1902),
12 to remove the ability of abusive United States citi-
13 zens and legal permanent residents to fully control
14 their foreign spouses’ ability to gain legal immigra-
15 tion status. By removing the threat of automatic de-
16 portation, VAWA aims to enable battered immi-
17 grants to take actions to protect themselves and
18 their children, such as calling the police, obtaining
19 a civil protection order, or filing criminal charges.

20 (7) Aliens seeking to enter the United States to
21 marry citizens or legal residents of the United
22 States currently lack the ability to access and fully
23 verify personal history information about their pro-
24 spective spouses in the United States.

1 (8) Many individuals entering the United States
2 on K nonimmigrant visas to marry citizens of the
3 United States are unaware of United States laws re-
4 garding—

5 (A) domestic violence, including protections
6 for immigrant victims of domestic violence, sex-
7 ual assault, and stalking;

8 (B) prohibitions on involuntary servitude;

9 (C) protections from automatic deporta-
10 tion; and

11 (D) the role of police and the courts in
12 providing assistance to victims of domestic vio-
13 lence and other crimes.

14 **SEC. 3. DEFINITIONS.**

15 In this Act:

16 (1) **CRIME OF VIOLENCE.**—The term “crime of
17 violence” has the meaning given such term in section
18 16 of title 18, United States Code.

19 (2) **DOMESTIC VIOLENCE.**—The term “domestic
20 violence” means any crime of violence, or other act
21 forming the basis for a past or outstanding protec-
22 tive order, restraining order, no-contact order, con-
23 viction, arrest, or police report, committed against a
24 person by—

1 (A) a current or former spouse of the per-
2 son;

3 (B) an individual with whom the person
4 shares a child in common;

5 (C) an individual with whom the person is
6 cohabiting or has cohabited;

7 (D) an individual similarly situated to a
8 spouse of the person under the domestic or
9 family violence laws of the jurisdiction in which
10 the offense occurs; or

11 (E) any other individual if the person is
12 protected from that individual's acts pursuant
13 to a court order issued under the domestic or
14 family violence laws of the United States or any
15 State, Indian tribal government, or unit of local
16 government.

17 (3) FOREIGN NATIONAL CLIENT.—The term
18 “foreign national client” means an individual who is
19 not a United States citizen, a national of the United
20 States, or an alien lawfully admitted to the United
21 States for permanent residence and who utilizes the
22 services of an international marriage broker, and in-
23 cludes an alien residing in the United States who is
24 in the United States as a result of utilizing the serv-
25 ices of an international marriage broker.

1 (4) INTERNATIONAL MARRIAGE BROKER.—

2 (A) IN GENERAL.—The term “inter-
3 national marriage broker” means a corporation,
4 partnership, business, individual, or other legal
5 entity, whether or not organized under any law
6 of the United States, that charges fees for pro-
7 viding dating, matrimonial, matchmaking serv-
8 ices, or social referrals between United States
9 clients and foreign national clients by providing
10 personal contact information or otherwise facili-
11 tating communication between individuals from
12 these respective groups.

13 (B) EXCEPTIONS.—Such term does not in-
14 clude—

15 (i) a traditional matchmaking organi-
16 zation of a cultural or religious nature that
17 operates on a nonprofit basis and in com-
18 pliance with the laws of the countries in
19 which it operates, including the laws of the
20 United States; or

21 (ii) an entity that provides dating
22 services between United States citizens or
23 residents and other individuals who may be
24 aliens, but does not do so as its principal
25 business, and charges comparable rates to

1 all individuals it serves regardless of the
2 gender, country of citizenship, or residence
3 of the individual.

4 (5) K NONIMMIGRANT VISA.—The term “K
5 nonimmigrant visa” means a nonimmigrant visa
6 issued pursuant to clause (i) or (ii) of section
7 101(a)(15)(K) of the Immigration and Nationality
8 Act (8 U.S.C. 1101(a)(15)(K)).

9 (6) PERSONAL CONTACT INFORMATION.—

10 (A) IN GENERAL.—The term “personal
11 contact information” means information or a
12 forum that would permit individuals to contact
13 each other and includes—

14 (i) the name, telephone number, post-
15 al address, electronic mail address, and
16 voice message mailbox of an individual;
17 and

18 (ii) the provision of an opportunity for
19 an in-person meeting.

20 (B) EXCEPTION.—Such term does not in-
21 clude a photograph or general information
22 about the background or interests of a person.

23 (7) STATE.—The term “State” includes the
24 District of Columbia, Puerto Rico, the Virgin Is-
25 lands, Guam, and American Samoa.

1 (8) UNITED STATES CLIENT.—The term
2 “United States client” means a United States cit-
3 izen or other individual who resides in the United
4 States and who makes a payment or incurs a debt
5 in order to utilize the services of an international
6 marriage broker.

7 **SEC. 4. REGULATION OF INTERNATIONAL MARRIAGE BRO-**
8 **KERS.**

9 (a) PROHIBITION ON MARKETING CHILDREN.—An
10 international marriage broker shall not provide any United
11 States client or other person with the personal contact in-
12 formation, photograph, or general information about the
13 background or interests of any individual under the age
14 of 18.

15 (b) LIMITATIONS ON SHARING INFORMATION RE-
16 GARDING FOREIGN NATIONAL CLIENTS.—

17 (1) IN GENERAL.—An international marriage
18 broker shall not provide any United States client or
19 other person with the personal contact information
20 of any foreign national client or other individual 18
21 years of age or older unless and until the inter-
22 national marriage broker has—

23 (A) collected certain background informa-
24 tion from the United States client or other per-
25 son to whom the personal contact information

1 would be provided, as specified in subsection
2 (e);

3 (B) provided a copy of that background in-
4 formation to the foreign national client or other
5 individual in the primary language of that client
6 or individual;

7 (C) provided to the foreign national client
8 or other individual in such primary language
9 the information about legal rights and resources
10 available to immigrant victims of domestic vio-
11 lence and other crimes in the United States de-
12 veloped under section 5;

13 (D) received from the foreign national cli-
14 ent or other individual in such primary lan-
15 guage a written consent that is signed (includ-
16 ing using an electronic signature) to release
17 such personal contact information to the spe-
18 cific United States client or other person to
19 whom the personal contact information would
20 be provided; and

21 (E) informed the United States client or
22 other person from whom background informa-
23 tion has been collected that, after filing a peti-
24 tion for a K nonimmigrant visa, the United

1 States client or other person will be subject to
2 a criminal background check.

3 (2) CONFIDENTIALITY AFTER ORDER OF PRO-
4 TECTION OR CRIME.—

5 (A) NONDISCLOSURE OF INFORMATION RE-
6 GARDING INDIVIDUALS WITH PROTECTION OR-
7 DERS AND VICTIMS OF CRIMES.—In fulfilling its
8 obligations under this subsection, an inter-
9 national marriage broker shall not disclose the
10 name or location of an individual who obtained
11 a restraining or protection order as described in
12 subsection (c)(2)(A), or of any other victim of
13 a crime as described in subparagraphs (B)
14 through (D) of subsection (c)(2).

15 (B) DISCLOSURE OF INFORMATION RE-
16 GARDING UNITED STATES CLIENTS.—An inter-
17 national marriage broker shall disclose the rela-
18 tionship of the United States client or other
19 person to an individual or victim described in
20 paragraph (A).

21 (c) OBLIGATIONS OF INTERNATIONAL MARRIAGE
22 BROKER WITH RESPECT TO MANDATORY COLLECTION
23 OF INFORMATION.—

24 (1) IN GENERAL.—Each international marriage
25 broker shall collect the background information list-

1 ed in paragraph (2) from each United States client
2 or other person to whom the personal contact infor-
3 mation of a foreign national client or any other indi-
4 vidual would be provided. The background informa-
5 tion must be in writing and signed (including using
6 an electronic signature) by the United States client
7 or other person to whom the personal contact infor-
8 mation of a foreign national client or any other indi-
9 vidual would be provided.

10 (2) REQUIRED BACKGROUND INFORMATION.—

11 An international marriage broker shall collect from
12 a United States client or other person under para-
13 graph (1) background information about each of the
14 following:

15 (A) Any court order restricting the client's
16 or person's physical contact or communication
17 with or behavior towards another person, in-
18 cluding any temporary or permanent civil re-
19 straining order or protection order.

20 (B) Any arrest or conviction of the client
21 or person for homicide, murder, manslaughter,
22 assault, battery, domestic violence, rape, sexual
23 assault, abusive sexual contact, sexual exploi-
24 tation, incest, child abuse or neglect, torture,
25 trafficking, peonage, holding hostage, involun-

1 tary servitude, slave trade, kidnapping, abduc-
2 tion, unlawful criminal restraint, false imprison-
3 ment, stalking, or any similar activity in viola-
4 tion of Federal, State or local criminal law.

5 (C) Any arrest or conviction of the client
6 or person for—

7 (i) solely or principally engaging in, or
8 facilitating, prostitution;

9 (ii) any direct or indirect attempts to
10 procure prostitutes or persons for the pur-
11 pose of prostitution; or

12 (iii) any receipt, in whole or in part,
13 of the proceeds of prostitution.

14 (D) Any arrest or conviction of the client
15 or person for offenses related to controlled sub-
16 stances or alcohol.

17 (E) Marital history of the client or person,
18 including—

19 (i) whether the client or individual is
20 currently married;

21 (ii) whether the client or person has
22 previously been married and how many
23 times;

1 (iii) how previous marriages of the cli-
2 ent or person were terminated and the
3 date of termination; and

4 (iv) whether the client or person has
5 previously sponsored the immigration of an
6 alien to whom the client or person was en-
7 gaged or married.

8 (F) The ages of any children of the client
9 or person under the age of 18.

10 (G) All States in which the client or person
11 has resided since the age of 18.

12 (d) PENALTIES.—

13 (1) FEDERAL CIVIL PENALTY.—

14 (A) VIOLATION.—An international mar-
15 riage broker that violates subsection (a), (b), or
16 (c) is subject to a civil penalty of not less than
17 \$20,000 for each such violation.

18 (B) PROCEDURES FOR IMPOSITION OF
19 PENALTY.—The Secretary of Homeland Secu-
20 rity may impose a penalty under paragraph (A)
21 only after notice and an opportunity for an
22 agency hearing on the record in accordance
23 with subchapter II of chapter 5 of title 5,
24 United States Code.

1 (2) FEDERAL CRIMINAL PENALTY.—An inter-
2 national marriage broker that violates subsection
3 (a), (b), or (c) within the special maritime and terri-
4 torial jurisdiction of the United States shall be fined
5 in accordance with subchapter B of chapter 229 of
6 title 18, United States Code, or imprisoned for not
7 less than 1 year and not more than 5 years, or both.

8 (3) STATE ENFORCEMENT.—In any case in
9 which the Attorney General of a State has reason to
10 believe that an interest of the residents of that State
11 has been, or is threatened to be, adversely affected
12 by a violation of subsection (a), (b), or (c) by an
13 international marriage broker, the State, as *parens*
14 *patriae*, may bring a civil action on behalf of the
15 residents of the State in a district court of the
16 United States with appropriate jurisdiction to—

17 (A) enjoin that practice;

18 (B) enforce compliance with this section;

19 or

20 (C) obtain damages.

21 (4) ADDITIONAL REMEDIES.—The penalties and
22 remedies under this subsection are in addition to
23 any other penalties or remedies available under law.

24 (e) NONPREEMPTION.—Nothing in this section shall
25 preempt—

1 (1) any State law that provides additional pro-
2 tections for aliens who are utilizing the services of
3 an international marriage broker or other inter-
4 national matchmaking organization; or

5 (2) any other or further right or remedy avail-
6 able under law to any party utilizing the services of
7 an international marriage broker or other inter-
8 national matchmaking organization.

9 (f) REPEAL OF MAIL-ORDER BRIDE PROVISION.—
10 Section 652 of the Illegal Immigration Reform and Immi-
11 grant Responsibility Act of 1996 (8 U.S.C. 1375) is here-
12 by repealed.

13 **SEC. 5. INFORMATION ABOUT LEGAL RIGHTS AND RE-**
14 **SOURCES FOR IMMIGRANT VICTIMS OF DO-**
15 **MESTIC VIOLENCE.**

16 (a) DEVELOPMENT OF INFORMATION PAMPHLET.—

17 (1) IN GENERAL.—The Secretary of Homeland
18 Security, in consultation with the Secretary of State,
19 shall develop an information pamphlet to ensure the
20 consistency and accuracy of information dissemi-
21 nated to—

22 (A) foreign national clients or other indi-
23 viduals by international marriage brokers pur-
24 suant to section 4(b)(1)(C); and

1 (B) beneficiaries of petitions filed by
2 United States citizens for K nonimmigrant
3 visas.

4 (2) CONSULTATION WITH EXPERT ORGANIZA-
5 TIONS.—The Secretary of Homeland Security, in
6 consultation with the Secretary of State, shall de-
7 velop such information pamphlet by working in con-
8 sultation with non-profit, non-governmental immi-
9 grant victim advocacy organizations.

10 (b) CONTENTS OF INFORMATION PAMPHLET.—The
11 information pamphlet required under subsection (a) shall
12 include information on the following:

13 (1) The K nonimmigrant visa application proc-
14 ess and the marriage-based immigration process, in-
15 cluding conditional residence and adjustment of sta-
16 tus.

17 (2) The requirement that international mar-
18 riage brokers provide foreign national clients with
19 background information collected from United
20 States clients regarding their marital history and do-
21 mestic violence or other violent criminal history, but
22 that such information may not be complete or accu-
23 rate.

24 (3) The illegality of domestic violence, sexual
25 assault, and child abuse in the United States.

1 (4) Information on the dynamics of domestic vi-
2 olence.

3 (5) Domestic violence and sexual assault serv-
4 ices in the United States, including the National Do-
5 mestic Violence Hotline, a project of the Texas
6 Council on Family Violence, a nonprofit organization
7 dedicated to fighting domestic violence, and the Na-
8 tional Sexual Assault Hotline, operated by the Rape,
9 Abuse and Incest National Network, and inde-
10 pendent anti-sexual assault organization.

11 (6) A description of immigration relief available
12 to an immigrant victim of domestic violence, sexual
13 assault, trafficking, and other crimes under the Vio-
14 lence Against Women Act, including the amend-
15 ments made by that Act, section 101(a)(15)(U) of
16 the Immigration and Nationality Act (8 U.S.C.
17 1101(a)(15)(U)), and section 101(a)(15)(T) of the
18 Immigration and Nationality Act (8 U.S.C.
19 1101(a)(15)(T)).

20 (7) The legal rights of immigrant victims of
21 abuse and other crimes in immigration, criminal jus-
22 tice, family law, and other matters.

23 (8) The obligations of parents to provide child
24 support for children.

1 (9) The illegality of and penalties for knowingly
2 entering into marriage for the purpose of evading
3 the immigration laws of the United States.

4 (c) TRANSLATION.—

5 (1) LANGUAGES.—In order to best serve the
6 language groups most recruited by international
7 marriage brokers and having the greatest concentra-
8 tion of K nonimmigrant visa applicants, the Sec-
9 retary of Homeland Security, in consultation with
10 the Secretary of State, shall translate the informa-
11 tion pamphlet developed under this section, subject
12 to paragraph (2), into the following languages:

13 (A) Arabic.

14 (B) Chinese.

15 (C) French.

16 (D) Hindi.

17 (E) Japanese.

18 (F) Korean.

19 (G) Polish.

20 (H) Portuguese.

21 (I) Russian.

22 (J) Spanish.

23 (K) Tagalog.

24 (L) Thai.

25 (M) Ukrainian.

1 (N) Vietnamese.

2 (2) MODIFICATION OF LANGUAGE.—The Sec-
3 retary of Homeland Security may modify the trans-
4 lation requirements of paragraph (1) if the report
5 submitted under section 7(b) includes recommenda-
6 tions for such modification.

7 (d) AVAILABILITY AND DISTRIBUTION.—The infor-
8 mation pamphlet under this subsection shall be made
9 available and distributed as follows:

10 (1) INTERNATIONAL MARRIAGE BROKERS AND
11 VICTIM ADVOCACY ORGANIZATIONS.—The informa-
12 tion pamphlet shall be made available to each inter-
13 national marriage broker and to each governmental
14 or non-governmental victim advocacy organization.

15 (2) K NONIMMIGRANT VISA APPLICANTS.—

16 (A) MAILING WITH IMMIGRATION
17 FORMS.—The information pamphlet shall be
18 mailed by the National Visa Center, of the Sec-
19 retary of State, to each applicant for a K non-
20 immigrant visa at the same time that Form
21 DS-3032 is mailed to such applicant. The pam-
22 phlet so mailed shall be in the primary lan-
23 guage of the applicant, or in English if no
24 translation into the applicant's primary lan-
25 guage is available.

1 (B) POSTING ON NVC WEB SITE.—The
2 Secretary of State shall post the content of the
3 pamphlet on the web site of the National Visa
4 Center, as well as on the web sites of all con-
5 sular posts processing K nonimmigrant visa ap-
6 plications.

7 (C) CONSULAR INTERVIEWS.—The Sec-
8 retary of State shall require that the pamphlet
9 be distributed directly to such applicants at all
10 consular interviews for K nonimmigrant visas.
11 If no written translation into the applicant’s
12 primary language is available, the consular offi-
13 cer conducting the visa interview shall review
14 the pamphlet with the applicant orally in the
15 applicant’s primary language, in addition to dis-
16 tributing the pamphlet to the applicant in
17 English.

18 **SEC. 6. CHANGES IN PROCESSING K NONIMMIGRANT VISAS;**

19 **CONSULAR CONFIDENTIALITY.**

20 (a) K NONIMMIGRANT VISA PROCESSING.—Section
21 214(d) of the Immigration and Nationality Act (8 U.S.C.
22 1184(d)) is amended—

23 (1) by striking “Attorney General” and insert-
24 ing “Secretary of Homeland Security” each place it
25 appears;

1 (2) by inserting “(1)” before “A visa”; and

2 (3) by adding at the end the following:

3 “(2) A United States citizen may not file a petition
4 under paragraph (1) if such a petition filed by that peti-
5 tioner for another alien fiancée or fiancé is pending or has
6 been approved and is still valid.

7 “(3) The Secretary of Homeland Security shall pro-
8 vide to the Secretary of State the criminal background in-
9 formation on a petitioner for a visa under clause (i) or
10 (ii) of section 101(a)(15)(K) to which it has access under
11 existing authority in the course of adjudicating the peti-
12 tion.

13 “(4) Each petitioner for a visa under clause (i) or
14 (ii) of section 101(a)(15)(K) shall provide, as part of the
15 petition, in writing and signed under penalty of perjury,
16 information described in section 4(c)(2) of the Inter-
17 national Marriage Broker Regulation Act of 2005.

18 “(5) The Secretary of State shall ensure that an ap-
19 plicant for a visa under clause (i) or (ii) of section
20 101(a)(15)(K)—

21 “(A) shall be provided, by mail or electroni-
22 cally—

23 “(i) a copy of the petition for such visa
24 submitted by the United States citizen peti-
25 tioner; and

1 “(ii) any information that is contained in
2 the background check described in paragraph
3 (3) relating to any court orders, arrests, or con-
4 victions described in subparagraphs (A) through
5 (D) of section 4(c)(2) of the International Mar-
6 riage Broker Regulation Act of 2005;

7 “(B) shall be informed that petitioner informa-
8 tion described in subparagraph (A) is based on avail-
9 able records and may not be complete; and

10 “(C) shall be asked in the primary language of
11 the visa applicant whether an international marriage
12 broker has facilitated the relationship between the
13 visa applicant and the United States petitioner and
14 whether that international marriage broker complied
15 with the requirements of section 4 of such Act.

16 “(6) The Secretary shall provide for the disclosure
17 of information described in paragraph (5) to the visa ap-
18 plicant at the consular interview in the primary language
19 of the visa applicant.

20 “(7) The fact that an alien described in clause (i)
21 or (ii) of section 101(a)(15)(K) is aware of any informa-
22 tion disclosed under paragraph (5) shall not be used
23 against the alien in any determination of eligibility for re-
24 lief under this Act or the Violence Against Women Act

1 (Public Law 103–322; 108 Stat. 1902), and the amend-
2 ments made by that Act.

3 “(8) In fulfilling the requirements of paragraph
4 (5)(A)(ii), a consular officer shall not disclose the name
5 or location of any person who obtained a restraining or
6 protective order against the petitioner, but shall disclose
7 the relationship of the person to the petitioner.”.

8 (b) SHARING OF CERTAIN INFORMATION.—Section
9 222(f) of the Immigration and Nationality Act (8 U.S.C.
10 1202(f)) shall not be construed to prevent the sharing of
11 information under section 214(d) of such Act (8 U.S.C.
12 1184(d)).

13 (c) EFFECTIVE DATE.—The amendment made by
14 subsection (a) shall apply to petitions filed after the date
15 of enactment of this Act.

16 **SEC. 7. STUDY AND REPORT.**

17 (a) STUDY.—The Secretary of Homeland Security,
18 through the Director of the Bureau of Citizenship and Im-
19 migration Services, shall conduct a study of the inter-
20 national marriage broker industry in the United States
21 that—

22 (1) estimates, for the years 1995 through
23 2005, the number of international marriage brokers
24 doing business in the United States, the number of
25 marriages resulting from the services provided by

1 such brokers, and the extent of compliance with the
2 applicable requirements of this Act;

3 (2) assess the information gathered under this
4 Act from clients by international marriage brokers
5 and from petitioners by the Bureau of Citizenship
6 and Immigration Services;

7 (3) examine, based on the information gathered,
8 the extent to which persons with a history of vio-
9 lence are using the services of international marriage
10 brokers and the extent to which such persons are
11 providing accurate information to international mar-
12 riage brokers in accordance with section 4;

13 (4) assess the accuracy of the criminal back-
14 ground check at identifying past instances of domes-
15 tic violence; and

16 (5) assess the extent to which the languages of
17 translation required under section 5(c)(1) continue
18 to accurately reflect the highest markets for recruit-
19 ment by international marriage brokers and the
20 greatest concentrations of K nonimmigrant visa ap-
21 plicants.

22 (b) REPORT.—Not later than 3 years after the date
23 of enactment of this Act, the Secretary of Homeland Secu-
24 rity shall submit a report to the Committee on the Judici-
25 ary of the Senate and the Committee on the Judiciary of

1 the House of Representatives setting forth the results of
2 the study conducted under subsection (a).

3 **SEC. 8. EFFECTIVE DATE.**

4 (a) IN GENERAL.—Except as provided in subsection
5 (b), section 5, and the amendments made by section 6,
6 this Act shall take effect on the date which is 60 days
7 after the date of enactment of this Act.

8 (b) ADDITIONAL TIME ALLOWED FOR INFORMATION
9 PAMPHLET.—Section 5(b) shall take effect on the date
10 which is 120 days after the date of enactment of this Act.

○