

BATTERED IMMIGRANT WOMEN

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 1999

Ms. SCHAKOWSKY. Mr. Speaker, I am proud to introduce legislation to address the gaps, errors, and oversights in current law that impede the ability of battered immigrant women to flee violent relationships and survive economically. The Battered Immigrant Women Protection Act of 1999 would restore provisions that allow battered women, who are entitled to permanent residency, to file their own application for immigrant status without requiring the cooperation of their abusive spouses. It would also allow them to remain in the United States while awaiting their green cards.

This legislation would also ensure that battered immigrants with pending immigration applications are able to access public benefits, food stamps, SSI, housing, work permits and immigration relief.

October is Domestic Violence Awareness Month, and domestic violence has grown to epidemic proportions. It is the single largest cause of injury to women in the United States. It is in every neighborhood and community throughout our Nation. Domestic abuse does not discriminate. Rural and urban women of all religious, ethnic, economic, and educational backgrounds; of varying ages, physical abilities, and lifestyles can be affected by domestic violence.

A woman's reasons for staying in an abusive relationship are more complex than a statement about her strength of character. In many cases, it is dangerous for a woman to leave her abuser. On average, a typical battered woman attempts to leave her abusive relationship five to seven times before she achieves permanent separation from her batterer.

This pattern indicates that battered women often lack adequate independent living and employment options. We must take the next step toward creating real solutions to the continuing problem of domestic violence. We must help women and families achieve economic self-sufficiency so that they are able to escape their violent relationships and secure protection.

Sadly though, in addition to the lack of adequate housing and employment options for many victims of domestic abuse, immigrant women and their children who suffer every day at the hands of abusers face one more threat—the threat of deportation. Battered women often experience shame, embarrassment and isolation. For immigrant women, who often have no family support and whose immigration status is tied to the abusers, it is even more difficult. In more ways than one, they are held hostage by their abusers.

The bill would expand legal protections for battered immigrant women so that they may flee violent homes, obtain court protections, and cooperate in the criminal prosecution of their abusers without fear of deportation.

It also ensures that women who are victims of terrible crimes, such as rape, incest, torture, battery, sexual assault, female genital mutilation, and forced prostitution, can remain temporarily in the United States. These women would then be able to apply for lawful permanent residency at a later date. Giving these

victims this opportunity to remain in the U.S. is an important step in the efforts of law enforcement to protect the victims and prosecute and investigate cases of domestic abuse and trafficking of aliens.

I'd like to share the story of "Celeste" to illustrate the dire need for this legislation.

Celeste was born in Mexico. She met her husband, Ronaldo, a lawful permanent resident of the United States in 1991. They immediately began dating and fell in love. Four months later, they married, and Celeste moved with her husband to Chicago.

For the first five months things went well. Celeste became pregnant, but soon after, things began to change. He suddenly became unpredictable and controlling. He began to abuse Celeste.

Celeste feared for her safety and that of her son. Ronaldo had promised to file a visa petition for Celeste when she came to the United States, but then refused to keep his promise unless she paid him a lot of money.

Celeste was left with only two choices: report the abuse to the police and face certain deportation or say nothing and live with the abuse.

If this critical piece of legislation is passed, thousands of women around the country like Celeste will be able to leave their abusive spouses and petition for citizenship on their own. Additionally, they will be authorized to work and will have access to basic services like transitional housing and counseling to help them get on their feet.

There is no reason to wait. We must act now to end the injustice, solve this problem, and help these women and their children. It is wrong to stand idly by as battered women and their children are forced to choose between a black eye and broken arm or a one-way ticket out of the country.

I submit the following summary of the bill.

**BATTERED IMMIGRANT WOMEN PROTECTION
ACT OF 1999**

The Battered Immigrant Women Protection Act of 1999 continues the work that began with the passage of the first Violence Against Women Act (VAWA) in 1994. Prior to VAWA 1994, abusive citizens and permanent residents had total control over their spouse's immigration status. As a result, battered immigrant women and children were forced to remain in abusive relationships, unable to appeal to law enforcement and courts for protection for fear of deportation.

VAWA 1994 immigration provisions remedied the situation by allowing battered immigrants to file their own applications for immigration relief without the cooperation of their abusive spouse, enabling them to safely flee violence. Despite the successes of the immigration provisions of VAWA 1994, subsequent legislation drastically reduced access to VAWA immigration relief for battered immigrant women and their children.

This bill seeks to restore, improve implementation of and expand access to a variety of legal protections for battered immigrants so they may flee violent homes, obtain court protection, cooperate in the criminal prosecution of their abusers, and take control of their lives without the fear of deportation.

Under current law, many battered immigrants are forced to leave the US to obtain their lawful permanent residence. Leaving the US may put women at risk of violence from their abusers and would deny them the protection provided by courts, legislation, custody decrees, and law enforcement. This bill will allow battered immigrant women

and children to obtain permanent immigration status without leaving the U.S.

The Battered Immigrant Women Protection Act would:

Allow for adjustment of status for VAWA self-petitioners, thus allowing women to remain in the U.S. while awaiting their green cards;

Prevent changes in abuser's status from undermining victim's petitions;

Provide for numerous waivers and exceptions to inadmissibility for VAWA eligible applicants;

Improve access to VAWA for battered immigrant women who are married to members of the armed forces, married to bigamists, and victims of elder abuse;

Allow for discretionary waivers for good moral character determinations;

Give VAWA applicant access to work authorization;

Protect certain crime victims including crimes against women;

Allow VAWA applicants access to food stamps, SSI, housing and legal services;

Train judges, immigration officials, armed forces supervisors and police on VAWA immigration provisions;

Provide permanent immigration status for immigrant victims of elder abuse.

**IMF SHOULD PAY INTEREST ON
ALL U.S. FUNDS USED**

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 1999

Mr. SAXTON. Mr. Speaker, under legislation I am introducing today, the International Monetary Fund [IMF] would have to pay interest on all the U.S. reserves it taps, or face a cut-off of future U.S. funds. The failure of the IMF to pay full interest to the U.S. has been estimated to cost a cumulative \$2.7 billion, or \$150 million annually. This fleecing of the taxpayer should be ended before any further U.S. funds are even considered for the IMF. No U.S. approval of IMF gold sales, credit lines, or quota increases should be considered until the U.S. is fully and fairly compensated for its current financial support of IMF operations.

The IMF's failure to pay interest on all U.S. reserves is another one of many inconvenient facts that has never been disclosed or explained to the U.S. Congress or to the public. It provides yet another example of the lack of transparency so characteristic of the IMF and its activities. The disclosure of this failure of the IMF to pay interest on all U.S. reserves is one result of the Joint Economic Committee research program on the IMF. The JEC finding was recently confirmed and quantified in an important new General Accounting Office [GAO] report, "Observations on the IMF's Financial Operations."

These interest costs to the U.S. also highlight the implausibility of the Administration's oft-repeated arguments that the IMF does not cost taxpayers a dime, and that the U.S. must pay its fair share to the IMF. The U.S. already provides over one-quarter of the IMF's usable resources, but it is the IMF that is short-changing the U.S., not the other way around. U.S. taxpayers have been more than generous to the IMF, a specialized agency of the United Nations Organization.

There can be little doubt that very few members of Congress would defend the current

IMF practice that has cost the U.S. \$2.7 billion to date. Although many issues involving the IMF are controversial, the IMF's full and fair payment of interest on all U.S. reserves provided is one area in which wide agreement should be possible. The current IMF practice of shortchanging the U.S. simply is not defensible.

A SPECIAL TRIBUTE TO THE OAK HARBOR HOTEL ON THE OCCASION OF ITS ONE-HUNDREDTH ANNIVERSARY CELEBRATION

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 1999

Mr. GILLMOR. Mr. Speaker, it is my distinct honor and privilege to rise today to pay tribute to a special event taking place this weekend in Ohio's Fifth Congressional District. Beginning today and continuing through Sunday, October 24, 1999, the Oak Harbor Hotel will celebrate its One-Hundredth Anniversary.

In the final year of the Nineteenth Century, the Keubler Brewing Company of Sandusky decided to take an enormous step and build a hotel in Oak Harbor, Ohio. With a new railway line linking Toledo to points in the east, the hotel would be used to serve the many who came through Oak Harbor in search of a restful night's lodging. The three-story hotel, complete with its thirty-four rooms, lounges, and dining rooms, has served many travelers in the last one-hundred years. Its very presence in Oak Harbor and its grandiose appearance make it a truly remarkable building.

For the past century, the Oak Harbor Hotel has long been a centerpiece of this wonderful community. Located on the shores of Lake Erie, the Oak Harbor Hotel continues to fill its rooms to capacity with travelers throughout the year. Its history is long and its décor is breathtaking. Through all its changes—from operating the first telephone in town to housing the area Post Office—this elegant and vibrant hotel has remained strong in its service and dedicated to those who occupied its rooms.

Mr. Speaker, the Oak Harbor Hotel symbolizes all that is good in our communities—grace, elegance, and beauty. Over the last one-hundred years, the Oak Harbor Hotel has hosted many community groups, organizations, and clubs. In fact, the Rotary Club has met there nearly continuously since 1941. With its spacious and stylish dining, reception rooms, and state-of-the-art kitchen, the Oak Harbor Hotel is often the site of wedding rehearsals and receptions, banquets, and community events.

Mr. Speaker, the individuality of our culture and the warmth of our spirit are embodied in our communities and places like the Oak Harbor Hotel. I would urge my colleagues to stand and join me in paying special tribute to the Oak Harbor Hotel on its One-Hundredth Anniversary.

CONFERENCE REPORT ON H.R. 2670, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

SPEECH OF

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1999

Mr. UNDERWOOD. Mr. Speaker, I rise in opposition to the Conference Report of H.R. 2670, the Commerce, Justice, State appropriations bill for FY 2000. This legislation fails to provide for adequate funding for many issues important to the safety of our communities and our families. Programs such as the President's Community Oriented Policing initiative requires full funding to put more officers in our neighborhoods and on our streets to safeguard our children. I am also disappointed that Conference did not include legislation that would have expanded the definition of hate crimes to include acts committed against a person based on sexual orientation, gender or disability. Furthermore, I oppose this Conference Report because it also does not include any federal reimbursement to the Territory of Guam for taking on the federal responsibility to detain illegal aliens seeking asylum in the United States. In this first half of this year alone, Guam has spent more than \$8 million in behalf of the Immigration and Naturalization Service for housing illegal aliens attempting to enter the U.S. through Guam. From this month until the end of the year, an additional \$5 million will be spent.

In recent years, Guam has been subject to illegal immigration from Asian countries, particularly from the People's Republic of China, partly because of the Asian economic crisis. In just the first four months of 1999, Guam was the recipient of more than 700 Chinese illegal aliens seeking political asylum in the United States. Never before had Guam experienced such a surge of illegal immigration from Asia. This surge depleted INS financial resources on Guam and forced the Government of Guam to incur detention costs to our local correctional facility, which is already overcrowded, at a cost of nearly \$45,000 per day for more than 430 current alien detainees.

Since the start of the year, I along with Governor of Guam Carl Gutierrez, have been working with the Clinton Administration to address the surge of illegal immigration from China. With their cooperation and also with the collaboration of the U.S. Coast Guard and the Commonwealth of the Northern Mariana Islands, illegal immigration—for now—has slowed. However, there remains more than 430 alien detainees that are housed in Guam's correctional facility awaiting for the INS asylum process to run its course.

Illegal immigration into the United States is a federal responsibility. Because of Guam's proximity to Asia, it is incumbent that federal agencies assist the Government of Guam in combating this serious problem on our shores. Guam's size of only 212 square miles and a population of 150,000 does not lend itself to unexpected and significant increases in the immigrant population. Any increases translate into serious social and financial repercussions because our resources have been strained by the Asian economic crisis and we do not have

alternative resources available for non-criminal immigrants that are available on the U.S. mainland to supplement federal resources.

I believe that special budget requests from U.S. Territories in Congress are perhaps the greatest challenges territorial delegates face during our terms in office. Our needs and our states are often misunderstood because our distances from the mainland U.S. are great. Apart from federal programs that both states and territories can participate, any other requests outside of the norm can be a frustrating ordeal. We are vulnerable to federal interagency differences about how to treat the territories as well as having little leverage during the appropriations process.

I am appreciative for the collaboration and support of the President for including reimbursement for Guam as part of his Administration's priorities during the appropriations process. I remain confident that the President is committed to reimbursing Guam for shouldering the costs of the federal government's responsibility and I remain committed to working with my colleagues to ensure that Guam is reimbursed for all past, present and future costs related to the detention of illegal aliens on Guam.

CORAL REEF CONSERVATION

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 21, 1999

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to introduce legislation to authorize the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, to provide financial assistance for coral reef conservation projects, and for other purposes.

Coral reef ecosystems are the marine equivalent of tropical rain forests, containing some of the planet's richest biological diversity and supporting thousands of species of fish, invertebrates, algae, plankton, sea grasses and other organisms. The reef itself is composed of the massed calcareous skeletons of millions of sedentary, living animals (the corals). Coral reef communities are both exceptionally productive and diverse. Although coral reefs cover less than 1 percent of the Earth's surface, fully one-fourth of all ocean species live in or around the reefs of the world, including 65 percent of marine fish species. Southeast Asian reefs alone support an estimated 5 to 15 times the number of fish found in the North Atlantic Ocean. Reefs surrounding the Pacific island of Palau contain 9 species of sea-grass, more than 300 species of coral and 2,000 varieties of fish.

Coral reefs have great commercial, recreational, cultural and esthetic value to human communities. They supply shoreline protection, areas of natural beauty, and sources of food, pharmaceuticals, jobs and revenues through activities such as education, research, tourism and fishing. Coral reef ecosystems provide the main source of animal protein for more than 1 billion people in Asia.

Studies indicate that coral reefs in the United States and around the world are being degraded and severely threatened by human and environmental impacts. Land-based pollution, over-fishing, destructive fishing practices, vessel groundings, and climate change all affect coral reef ecosystems. Of particular concern is the effect of multiple impacts on coral