The New York City Council

Legislation Details (With Text)

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Title:	Resolution calling upon the federal government to eliminate the numerical cap on U visas.			
Sponsors:	Daniel Dromm, Gale A. Brewer, Margaret S. Chin, Leroy G. Comrie, Jr., Julissa Ferreras-Copeland, Lewis A. Fidler, Letitia James, Brad S. Lander, Melissa Mark-Viverito, Rosie Mendez, Annabel Palma, Jumaane D. Williams, Mathieu Eugene			
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Res. No. 705

Resolution calling upon the federal government to eliminate the numerical cap on U visas.

By Council Members Dromm, Brewer, Chin, Comrie, Ferreras, Fidler, James, Lander, Mark-Viverito, Mendez, Palma, Williams and Eugene

Whereas, The United Stated Congress created the U nonimmigrant visa (U visa) with the passage of the Victims of Trafficking and Violence Protection Act in 2000; and

Whereas, This legislation strengthened the ability of law enforcement agencies to investigate and prosecute cases of domestic violence while offering protection to victims of crimes; and

Whereas, Congress recognized domestic violence problems are worsened in marriages where one spouse is a United States citizen or has legal status and the other spouse does not and control of the spouse without legal status is placed in the hands of the abuser; and

Whereas, The U visa is a way to provide abused illegal immigrants with a way to obtain lawful immigration status without having to depend on their abuser; and

Whereas, U.S. Citizenship and Immigration Services (USCIS) states that the U visa is set aside for victims of crimes who have suffered substantial mental or physical abuse and are willing to assist law enforcement and government officials in the investigation or prosecution of the criminal activity; and

Whereas, Currently USCIS may grant no more than 10,000 U visas in any given fiscal year; and

Whereas, If the cap is reached in any fiscal year before all petitions are adjudicated, USCIS will create a wait list to provide a mechanism by which victims cooperating with law enforcement agencies can stabilize their immigration status; and

Whereas, New York City is home to over three million immigrants; and

Whereas, According to the New York Police Department (NYPD) they responded to 249,000 domestic violence incidents in 2010; and

Whereas, Also in 2010, the City's Domestic Violence Hotline answered 119,177 calls, averaging more than 320 calls per day; and

Whereas, The cap of 10,000 U visas is simply to low to address the needs of illegal immigrants who are victims of domestic abuse and other crimes; and

Whereas, In fiscal year 2010, USCIS approved 10,000 U Visas, causing all other pending illegal immigrant victim applicants to be placed on a waiting list no matter the seriousness of the crime(s) committed against them; and

Whereas, USCIS increased training and expanded communication channels and resources dedicated to the U visas program prior to and during 2010 and according to the USCIS this led to an increase in applications; and

Whereas, USCIS significantly enhanced outreach around the U visa, educating service providers on the eligibility requirements of a U visa petition and making dedicated efforts to reach both law enforcement officials and community advocates alike; and

Whereas, While outreach efforts are laudable they have also contributed to an increase in the number of

approved U visa petitions, which supports the elimination of the cap; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the federal government to eliminate the numerical cap on U visas.

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JSM
LS#2159
3/7/2011