Negative: U Visas

By Katherine Baker

***Resolved:* *The United States federal government should substantially reduce its restrictions on legal immigration to the United States.***

Summary: The U visa allows an immigrant in the United States (legally or illegally; most are illegally) to stay and work in the U.S. and eventually obtain a green card for permanent residency, if they have been a victim of crime and are cooperating with authorities in investigation of that crime. This negative brief will argue that there are other Status Quo ways to encourage immigrants to cooperate that don't create the disadvantages that the U visa has. Since U's depend on the immigrant claiming to be a crime victim, they open the door to all kinds of fraud and false accusations, since it's easy for anyone to claim they are the victim of an imaginary crime, and a big incentive for any illegal immigrant to do so if it magically converts him to legal status.

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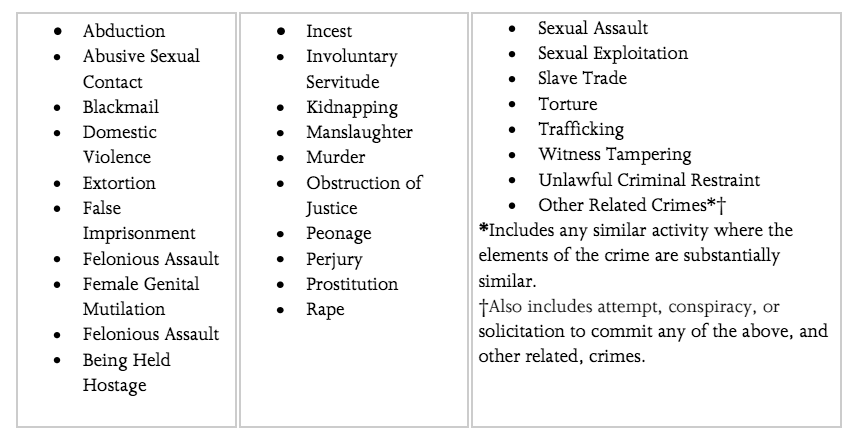
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Negative: U Visa

BACKGROUND

Qualifying crimes for U visa

Neil Munro, 2017. (Reporter for Breitbart News, a right-leaning news, opinion and commentary website.) “Obama Backdoor Amnesty Provided ‘U visas’ For 140,000 Illegal Aliens” 27 Jun 2017. <http://www.breitbart.com/big-government/2017/06/27/u-vsa-becomes-backdoor-amnesty-for-200000-plus/>

For example, officials have gradually expanded the list of qualifying crimes, according to a DHS guide to the visa: 

INHERENCY

1. Limit is a lot higher than the 10K as advertised

10,000 "limit" doesn’t tell whole story. 17,937 were approved in 2016

ROBERT C. HUTCHINSON, 2018. (former deputy special agent in charge and acting special agent in charge with the U.S. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement’s Homeland Security Investigations in Miami, Florida. He retired in 2016 after more than 28 years as a special agent with DHS.) “U Visas – A Hidden Homeland Security Vulnerability” January 10, 2018. <https://www.domesticpreparedness.com/preparedness/u-visas-a-hidden-homeland-security-vulnerability/>

According to Department of Homeland Security (DHS) statistics, 60,710 U visa applications were received and 17,937 were approved in fiscal year 2016, with a backlog of 150,561 to be adjudicated by CIS. CIS statistics show that 35,044 petitions were received in fiscal year 2016. Out of those U visa petitions, 10,046 were approved, 1,843 were denied, and 23,155 were pending review. The total number of U visa petitions pending review from fiscal years 2009 to 2016 is 86,980. From those 35,044 victim requests in fiscal year 2016, an additional 25,666 family members also applied for the status along with the victim of criminal activity applicants – 7,891 family members were approved and 1,318 were denied by CIS. The total number of family member U visa petitions pending review from fiscal years 2009 to 2016 is 63,624.

Despite cap, 62,000 additional U visas were approved during Obama’s second term

NumbersUSA, 2017. (NumbersUSA Education & Research Foundation provides a civil forum for Americans of all political and ethnic backgrounds to focus on a single issue, the numerical level of U.S. immigration.) “Over 140,000 Illegal Aliens Obtained Amnesty Through the "U" Visa Under Obama Admin.” JUN 28th, 2017. Updated: Jul 12th. <https://www.numbersusa.com/news/under-obama-admin-140000-illegal-aliens-obtained-amnesty-through-u-visa>

During Pres. Obama’s eight-year administration 141,91 illegal aliens were given citizenship and work permits through the U Visa program, despite the 10,000 per year cap. During Obama’s first term 63,000 U visa requests were approved and 78,637 were approved during his second term which means that they approved around 62,000 additional U visas over the cap limit.

No limit to qualifying family members

Federation for American Immigration Reform, 2012. (FAIR, the Federation for American Immigration Reform, is a non-partisan, public interest organization of concerned Americans, united in the belief that our immigration policies and laws should again serve the nation’s future needs. “Weaknesses in the U Visa Program” Last updated: Mar. 21, 2012. <https://fairus.org/sites/default/files/2017-08/U_Visa_Policy_Statement.pdf>

In addition, while federal law caps the number of U visas granted each year at 10,000, there is no limit to derivative visas issued to qualifying family members. (INA § 214(p)(2)) Even family members in deportation proceedings or with final orders of removal are eligible to receive a U visa. (8 C.F.R. § 214.14(f)(2)) Qualifying family members include the spouse, children, and any unmarried siblings under the age of 18 if the U visa petitioner is under 21-years of age; it includes the spouse and children (up to age 21) if the petitioner is 21-years of age or older. (INA § 101(a)(15)(U)(ii))

Immediate benefits just for applying

Federation for American Immigration Reform, 2012. (FAIR, the Federation for American Immigration Reform, is a non-partisan, public interest organization of concerned Americans, united in the belief that our immigration policies and laws should again serve the nation’s future needs. This means better border management, lower levels of overall immigration, and a greater focus on highly skilled immigrants.) “Weaknesses in the U Visa Program” Last updated: Mar. 21, 2012. [https://fairus.org/sites/default/files/2017- 08/U\_Visa\_Policy\_Statement.pdf](https://fairus.org/sites/default/files/2017-%2008/U_Visa_Policy_Statement.pdf)

The U visa program also provides immediate benefits to aliens who simply apply for a U visa. For example, if the annual cap has already been met, eligible applicants are placed on a waiting list and given first priority to receive a visa the following year. (8 C.F.R. § 214.14(d)(2)) Once on the waiting list, USCIS grants the alien AND their qualifying family members deferred action or humanitarian parole, affording them the same benefits as if they had been granted the visa. (Id.) These benefits include work authorization for the alien and their family members (Id.)

1. Other programs solve as good or better

Don’t need U visa to solve crime or get witnesses

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While proponents of the program tout the U visa as a way to aid those who have suffered a serious violent crime, the program is neither necessary to help crime victims nor is granting citizenship to a victim of crime a proportional response. First, the Department of Homeland Security already has authority to grant humanitarian parole or deferred action to enable an alien to stay in the U.S. and assist in a criminal investigation or prosecution. In addition, police and prosecutors regularly interact with victims of crime and use their discretion not to pursue possible charges against an individual in order to pursue a case against the offender.

DHS has authority to suspend deportation even without U visa if the alien assists a criminal investigation

Federation for American Immigration Reform, 2012. (FAIR, the Federation for American Immigration Reform, is a non-partisan, public interest organization of concerned Americans, united in the belief that our immigration policies and laws should again serve the nation’s future needs. )“Weaknesses in the U Visa Program” Last updated: Mar. 21, 2012. <https://fairus.org/sites/default/files/2017-08/U_Visa_Policy_Statement.pdf>

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Other visas and programs solve for protecting witnesses: T visa, CP status, DA, SPBP and VAWA

Neil Munro, 2017. (Reporter for Breitbart News, a right-leaning news, opinion and commentary website.) “Obama Backdoor Amnesty Provided ‘U visas’ For 140,000 Illegal Aliens” 27 Jun 2017. <http://www.breitbart.com/big-government/2017/06/27/u-vsa-becomes-backdoor-amnesty-for-200000-plus/>

Moreover, according to Obama’s DHS, there are several other visa programs which allow illegals to safely testify in American courts. According to the DHS guide to the U visa program, “Federal law provides additional options to assist law enforcement with providing immigration status to victims and witnesses of crime that may or may not be eligible for the U visa,” including: The T nonimmigrant status (or T visa) provides immigration protection to victims of severe forms of trafficking in persons who comply with reasonable requests for assistance from law enforcement … VAWA Recognizing that immigrant victims of domestic violence may remain in an abusive relationship because his or her immigration status is often tied to the abuser, the Violence Against Women Act (VAWA) in 1994 created a self-petitioning process that removes control from the abuser and allows the victim to submit his or her own petition for permanent residence without the abuser’s knowledge or consent… Continued Presence (CP) is a temporary immigration status provided to individuals identified by law enforcement as victims of human trafficking who are potential witnesses in an investigation or prosecution … Significant Public Benefit Parole (SPBP) may be utilized to bring an individual to serve as a witness, defendant, or cooperating source, and if necessary in extremely limited cases, the individual’s immediate family members, into the United States for up to one year. It must be emphasized that SPBP will only be granted for the minimum period of time required to accomplish the requested purpose, e.g., if a trial is 3 months long, parole will be granted for 3 months … Deferred Action (DA) is a discretionary decision-making authority that allows DHS to determine which cases merit the commitment of limited resources [but] does not provide a pathway to permanent residency.

Immigration parole better than U visa because it is more likely to get the victim/witness to actually testify

Dan Cadman, 2018. (retired INS / ICE official with thirty years of government experience. Mr. Cadman served as a senior supervisor and manager at headquarters, as well as at field offices both domestically and abroad. Within the immigration law enforcement field, Mr. Cadman's knowledge and experience encompass, among other things, criminal aliens, employer sanctions, and national security and terrorism matters.) “Use and Misuse of the 'U' Visa for Alien Victims of Crime” February 11, 2018. <https://cis.org/Cadman/Use-and-Misuse-U-Visa-Alien-Victims-Crime> (brackets in original)

Immigration parole, something used so cavalierly and in utter defiance of the statutory language by the Obama administration, is a much better mechanism for prospective victim witnesses than the "U" visa. Section 212(d)(5) of the INA, 8 U.S.C. § 1182(d)(5), provides in part that: (A) The Attorney General may, except as provided in subparagraph (B) or in section 1184(f) of this title, in his discretion parole into the United States temporarily under such conditions as he may prescribe only on a case-by-case basis for urgent humanitarian reasons or significant public benefit. [Emphasis added.] The phrase "significant public benefit" has long been understood to include requests by police and prosecuting officials to ensure the availability of alien victims and witnesses for investigative and trial proceedings. And, unlike "U" visas, grants of parole are specific, time-limited, and subject to renewal or revocation. The latter is especially useful in situations where the victim/witness becomes recalcitrant and refuses to cooperate with authorities as the time for trial comes near.

HARMS / SIGNIFICANCE

1. Not really "victims"

A lot of the so-called U-visa victims are frauds

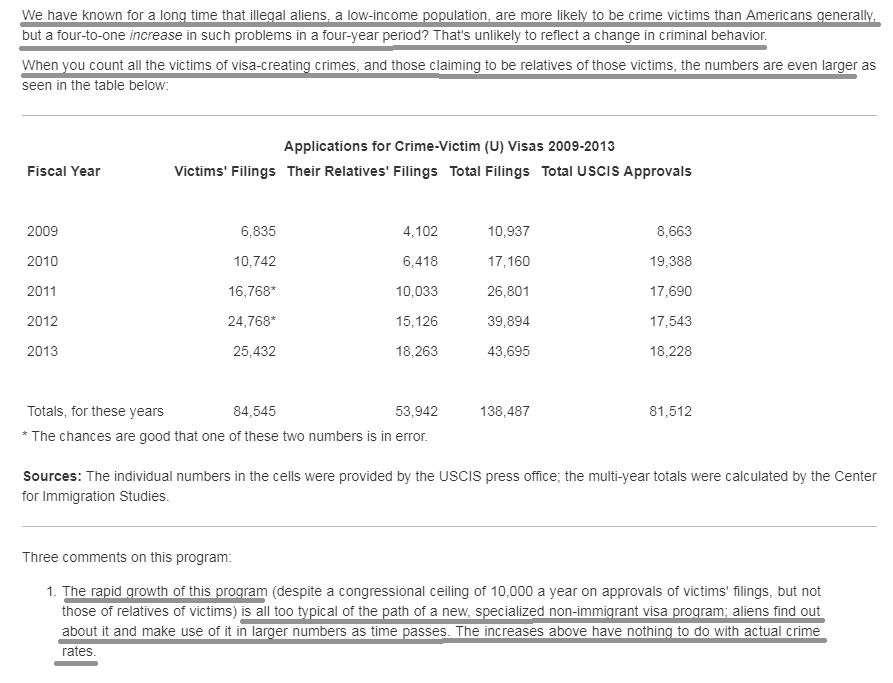
ROBERT C. HUTCHINSON, 2018. (former deputy special agent in charge and acting special agent in charge with the U.S. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement’s Homeland Security Investigations. He retired in 2016 after more than 28 years as a special agent with DHS and the legacy U.S. Customs Service.) “U Visas – A Hidden Homeland Security Vulnerability” January 10, 2018. <https://www.domesticpreparedness.com/preparedness/u-visas-a-hidden-homeland-security-vulnerability/>

Domestic violence is one of the primary crimes utilized in many U visa claims. However, John Sampson, a retired U.S. Immigration and Customs Enforcement (ICE), provided written testimony to the Senate Committee on the Judiciary describing immigration fraud as having reached an “epidemic” level. Such fraud includes using U visas to expedite lawful permanent resident (green card) status during alleged marriage fraud schemes and alleged domestic violence situations.

2. No crime epidemic

U visa "victim" claims are rising while actual crime rates are dropping. Something fishy going on…

David North 2013 (Fellow of the Center for Immigration Studies, is an internationally recognized authority on immigration policy; former Assistant for Farm Labor to the US Secretary of Labor) 18 Dec 2018 Crime, Generally, in the U.S. Is Down, But Visa-Creating Crime Soars<https://cis.org/North/Crime-Generally-US-Down-VisaCreating-Crime-Soars>



SOLVENCY / REVERSE ADVOCACY

1. Not actually solving crimes

U visa can be granted if the immigrant might be helpful, not if he actually does solve a crime

Dan Cadman, 2018. (retired INS / ICE official with thirty years of experience; former senior supervisor and manager at headquarters, as well as at field offices both domestically and abroad.) “Use and Misuse of the 'U' Visa for Alien Victims of Crime” February 11, 2018. <https://cis.org/Cadman/Use-and-Misuse-U-Visa-Alien-Victims-Crime>

In fact, despite the requirement, the very fact that the applications are so oversubscribed, as compared with their yearly cap, suggests that police and prosecutors are, if anything, overly lenient when showing their amenability to sign off on requests for the visas. The problem is in the way the statute has been written. Section 101(a)(15)(U) of the Immigration and Nationality Act (INA), codified at [8 U.S.C. § 1101(a)(15)(U)](https://www.law.cornell.edu/uscode/text/8/1101#a_15_H_i_c), contains this language:  
*(III) the alien (or in the case of an alien child under the age of 16, the parent, guardian, or next friend of the alien) has been helpful, is being helpful,****or is likely to be helpful****to a Federal, State, or local law enforcement official, to a Federal, State, or local prosecutor, to a Federal or State judge, to the Service, or to other Federal, State, or local authorities investigating or prosecuting criminal activity. [Emphasis added.]*There's a lot of latitude — quite probably too much — in the phrase "is likely to be helpful". After all, it's no skin off their nose to police or prosecutors if they sign off on the application and later decide not to pursue charges against the perpetrator. Backlogs aren't their business or concern. Better safe than sorry by ensuring that a potential witness/victim is favorably inclined to cooperate, right?

DISADVANTAGES

1. Fraud

LINK: Wide open for fraud

NumbersUSA, 2017. (NumbersUSA Education & Research Foundation provides a civil forum for Americans of all political and ethnic backgrounds to focus on a single issue, the numerical level of U.S. immigration.) “Over 140,000 Illegal Aliens Obtained Amnesty Through the "U" Visa Under Obama Admin.” JUN 28th, 2017. Updated: Jul 12th. <https://www.numbersusa.com/news/under-obama-admin-140000-illegal-aliens-obtained-amnesty-through-u-visa>

“The U visa was yet another example of Obama expanding sympathy-laden programs without considering the implications for working Americans and agency oversight capabilities,” said Dale Wilcox, the executive director and general counsel at the Immigration Law Reform Institute. “The ease of fabricating a crime coupled with the bounty of US wage-rates and welfare benefits already made the program wide open for fraud,” he said. “Obama’s expansions made it even easier.”

Link: Open to criminal aliens and worse

ROBERT C. HUTCHINSON, 2018. (Robert C. Hutchinson is a former deputy special agent in charge and acting special agent in charge with the U.S. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement’s Homeland Security Investigations in Miami, Florida. He retired in 2016 after more than 28 years as a special agent with DHS and the legacy U.S. Customs Service.) “U Visas – A Hidden Homeland Security Vulnerability” January 10, 2018. <https://www.domesticpreparedness.com/preparedness/u-visas-a-hidden-homeland-security-vulnerability/>

The oversight of this little known program has reportedly been insufficient, permitting its extensive improper utilization and extended delay of deportation for many well beyond the legal limits and eligibility for the program. As a result, the program could be leveraged not only by criminal aliens, but those who wish to do even greater harm.

LINK: U visas open to fraud

Federation for American Immigration Reform, 2012. (FAIR, the Federation for American Immigration Reform, is a non-partisan, public interest organization of concerned Americans, united in the belief that our immigration policies and laws should again serve the nation’s future needs. )“Weaknesses in the U Visa Program” Last updated: Mar. 21, 2012. <https://fairus.org/sites/default/files/2017-08/U_Visa_Policy_Statement.pdf>

Finally, the U visa program is not narrowly tailored to achieve its purported goal: helping victims of violent crimes. The corresponding statutes and regulations make the program broad in scope and subject to fraud. For example, to be eligible for a U visa, an alien need not be the actual victim of a crime, nor must the crime be violent. Rather, the criminal activity could merely be in the “attempt, conspiracy, or solicitation to commit” phase, and qualifying crimes include acts of perjury, blackmail, and obstruction of justice. (INA § 101(a)(15)(U)(iii)) Thus, an illegal alien may be put on a path to citizenship merely because someone conspired to blackmail them.

BRINK: Can’t take back a U visa if they fail to testify

Dan Cadman, 2018. (Dan Cadman is a retired INS / ICE official with thirty years of government experience. Mr. Cadman served as a senior supervisor and manager at headquarters, as well as at field offices both domestically and abroad. Within the immigration law enforcement field, Mr. Cadman's knowledge and experience encompass, among other things, criminal aliens, employer sanctions, and national security and terrorism matters.) “Use and Misuse of the 'U' Visa for Alien Victims of Crime” February 11, 2018. <https://cis.org/Cadman/Use-and-Misuse-U-Visa-Alien-Victims-Crime>

Some might say that eliminating the possibility of keeping prospective victim witnesses around to testify at trial is short-sighted, particularly for long and complex cases. That might be true if "U" visas were the only mechanism to achieve that goal. They aren't, and in fact probably aren't even the best for that purpose, since once a "U" visa granted, there isn't really a way to take the visa back if the victim then reneges on his or her commitment to cooperate.

IMPACT: harms immigrants

Dan Cadman, 2018. (retired INS / ICE official with thirty years of government experience. Mr. Cadman served as a senior supervisor and manager at headquarters, as well as at field offices both domestically and abroad.) “Use and Misuse of the 'U' Visa for Alien Victims of Crime” February 11, 2018. <https://cis.org/Cadman/Use-and-Misuse-U-Visa-Alien-Victims-Crime>

One other thought: There has been so much discussion about sanctuaries, about whether police and sheriffs who cooperate with federal immigration authorities are damaging community trust, even though there is no empirical data that proves this happens. On the contrary, there is some reason to believe that the victims of sanctuary policies are often immigrants themselves, because recidivist alien criminals who return to the streets frequently reside in immigrant communities.

1. Increased immigration

LINK: Allows illegals to get residency

Neil Munro, 2017. (Reporter for Breitbart News, a right-leaning news, opinion and commentary website.) “Obama Backdoor Amnesty Provided ‘U visas’ For 140,000 Illegal Aliens” 27 Jun 2017. <http://www.breitbart.com/big-government/2017/06/27/u-vsa-becomes-backdoor-amnesty-for-200000-plus/>

Supposedly, the program was limited to 10,000 visas per year. But Obama’s lax regulations encouraged a huge number of illegals to file for U visas — and also allowed many illegals to get residency and work permits years before they receive the actual U visa.

Link: Incentive. U visa allows the illegal immigrant who came to work in the US illegally to get citizenship by testifying against the employer he chose to work for illegally

NumbersUSA, 2017. (NumbersUSA Education & Research Foundation provides a civil forum for Americans of all political and ethnic backgrounds to focus on a single issue, the numerical level of U.S. immigration.) “Over 140,000 Illegal Aliens Obtained Amnesty Through the "U" Visa Under Obama Admin.” JUN 28th, 2017. Updated: Jul 12th. <https://www.numbersusa.com/news/under-obama-admin-140000-illegal-aliens-obtained-amnesty-through-u-visa>

The visa was supposed to help encourage illegal aliens who had suffered physical or mental abuse – especially battered woman – to testify in court without the fear of deportation. However, under the Obama administration the list of qualifying crimes for a U visa was broadened to include workplace investigations including extortion, forced labor, and fraud in foreign labor contracting. This grants some illegal aliens who testify against their employers the ability to gain U.S. citizenship.

LINK: House Judiciary Committee found significant fraud within U visa program

ROBERT C. HUTCHINSON, 2018. (former deputy special agent in charge and acting special agent in charge with the U.S. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement’s Homeland Security Investigations in Miami, Florida. He retired in 2016 after more than 28 years as a special agent with DHS and the legacy U.S. Customs Service.) “U Visas – A Hidden Homeland Security Vulnerability” January 10, 2018. <https://www.domesticpreparedness.com/preparedness/u-visas-a-hidden-homeland-security-vulnerability/>

In December 2016, Senate and House Judiciary Committee Chairmen identified significant fraud within the U visa program through falsified applications and disregard of congressional limits for the program. According to congressional findings, recent cases have highlighted how the program is being exploited through falsified police reports and bribes to secure U visas, allowing foreign nationals to avoid deportation. Whistleblowers report that illicit activity to secure U visas is common.

Link: Massive deficits. Immigrants spike the federal deficit

Center for Immigration Studies 2016 21 Sept 2016 National Academy of Sciences Study of Immigration: Workers and Taxpayers Lose, Businesses Benefit <https://cis.org/Press-Release/National-Academy-Sciences-Study-Immigration-Workers-and-Taxpayers-Lose-Businesses> (brackets added)

Turning to the fiscal impact, immigrants do not pay enough in taxes to cover their consumption of public services at the present time. The NAS [National Academies of Sciences] report presents eight different scenarios based on different assumptions about the current fiscal impact (taxes paid minus services used) of immigrants and their dependent children. All of the scenarios show that immigrants are a fiscal drain. The drain is as large as $299 billion a year[.](https://cis.org/Press-Release/National-Academy-Sciences-Study-Immigration-Workers-and-Taxpayers-Lose-Businesses#2) In all the scenarios dealing with the current fiscal impact the deficit is as large or larger than the economic benefit reported above. Second-generation and third-generation Americans (native-born children and grandchildren of immigrants) are also in fiscal deficit, mainly because of the federal budget deficit shown in Table 8-2 p. 312. Of course, a fiscal drain for natives may be unavoidable. But adding more people through our immigration policies who run a deficit only adds to the problem. The deficit is mainly caused by the federal budget deficit — Washington is not collecting enough taxes to pay for government generally.

Impact: Every increase in the deficit huts the economy

Dr William Gale and Benjamin Harris 2011. (Gale - PhD in economics, Stanford Univ.; senior fellow at the Brookings Institution and co-director of the Urban-Brookings Tax Policy Center; former assistant professor in the Department of Economics at UCLA, and a senior economist for the Council of Economic Advisers under President George H.W. Bush; Harris - master’s degree in economics from Cornell University and a master’s degree in quantitative methods from Columbia University; senior research associate with the Economics Studies Program at the Brookings Institution) “A VAT for the United States: Part of the Solution” <http://www.taxanalysts.com/www/freefiles.nsf/Files/GALE-HARRIS-5.pdf/$file/GALE-HARRIS-5.pdf>

But even in the absence of a crisis, sustained deficits have deleterious effects, as they translate into lower national savings, higher interest rates, and increased indebtedness to foreign investors, all of which serve to reduce future national income. Gale and Orszag (2004a) estimate that a 1 percent of GDP increase in the deficit will raise interest rates by 25 to 35 basis points and reduce national saving by 0.5 to 0.8 percentage points of GDP.

1. False accusations

Unwarranted increase in applicants.

Malia Zimmerman, 2016. (Malia Zimmerman is an award-winning investigative reporter focusing on crime, homeland security, illegal immigration crime, terrorism and political corruption.) “Immigrants preying on Americans with false tales of abuse to stay in US, experts say” September 08, 2016. <http://www.foxnews.com/us/2016/09/08/immigrants-preying-on-americans-with-false-tales-abuse-to-stay-in-us-experts-say.html>

The number of people submitting U visa applications to the U.S. Citizenship and Immigration Services claiming to be victims of crime has increased dramatically in recent years, rising to 52,666 last year from 24,768 applicants in 2012. The number is on track to reach nearly 58,000 by year’s end. “It can’t be that there has suddenly been a wave of domestic violence or victimization of immigrants,” Vaughan said. “Instead, the advocates for illegal immigrants have realized that these special green card programs are a way to launder the status of many illegal aliens in the absence of a larger amnesty.”

LINK: Marriage fraud even easier

Malia Zimmerman, 2016. (Malia Zimmerman is an award-winning investigative reporter focusing on crime, homeland security, illegal immigration crime, terrorism and political corruption.) “Immigrants preying on Americans with false tales of abuse to stay in US, experts say” September 08, 2016. <http://www.foxnews.com/us/2016/09/08/immigrants-preying-on-americans-with-false-tales-abuse-to-stay-in-us-experts-say.html>

The so-called “domestic violence” visas are even easier to obtain if the underlying relationship blooms into a marriage, Sampson warned. Of the more than 450,000 immigrant visas issued on the basis of a marriage to a U.S. citizen each year, nearly 30 percent are fraudulent, Sampson said, citing US ICE statistics. “It is these one-sided immigration marriage fraud schemes that cause the most damage to unsuspecting U.S. citizens and their families,” Sampson said. “They are abused emotionally, financially, psychologically and, often times, physically. And no one seems to be interested in stopping this heinous crime.”

LINK: Allege abuse, become an instant legal resident

Malia Zimmerman, 2016. (an award-winning investigative reporter focusing on crime, homeland security, illegal immigration crime, terrorism and political corruption.) “Immigrants preying on Americans with false tales of abuse to stay in US, experts say” September 08, 2016. <http://www.foxnews.com/us/2016/09/08/immigrants-preying-on-americans-with-false-tales-abuse-to-stay-in-us-experts-say.html>

All the foreign nationals have to do, Sampson said, is allege they are the victim of domestic violence or abuse, even on the same day of marriage, and then they become a permanent resident alien “in an instant.” Obstacles that normally prevent a foreign national from obtaining a green card – or being deported – are waived for those claiming domestic violence because the foreign national is now the victim, said Sampson.

BRINK: Claiming violence against spouse ‘Easiest way to get a green card’

Malia Zimmerman, 2016. (award-winning investigative reporter focusing on crime, homeland security, illegal immigration crime, terrorism and political corruption.) “Immigrants preying on Americans with false tales of abuse to stay in US, experts say” September 08, 2016. <http://www.foxnews.com/us/2016/09/08/immigrants-preying-on-americans-with-false-tales-abuse-to-stay-in-us-experts-say.html>

New Jersey resident Elena Maria Lopez claims she was targeted in an immigration marriage fraud scheme, and now runs an advocacy website to educate the public about such scams. “The easiest way to get a quick green card is by claiming domestic violence against your American spouse,” Lopez said. “Making such unsubstantiated, uninvestigated allegations can help you bypass background checks and is almost a guaranteed green card for foreign nationals that would've been flagged on many other levels.”

IMPACT: False accusations ruin lives

Malia Zimmerman, 2016. (award-winning investigative reporter focusing on crime, homeland security, illegal immigration crime, terrorism and political corruption.) “Immigrants preying on Americans with false tales of abuse to stay in US, experts say” September 08, 2016. <http://www.foxnews.com/us/2016/09/08/immigrants-preying-on-americans-with-false-tales-abuse-to-stay-in-us-experts-say.html>

“Every week we hear from people who have been taken advantage of by fraudsters,” said Jessica Vaughan, director of policy studies for the Washington-based Center for Immigration Policy. “It’s hard to hear these stories of citizens who are duped and not only have their hearts broken, but often their bank account drained and lose their good name to false accusations of abuse, but is a predictable consequence of giving out green cards to anyone who claims to have been the victim of a crime.”

Immigrants get legal help, but not legal residents

Malia Zimmerman, 2016. (award-winning investigative reporter focusing on crime, homeland security, illegal immigration crime, terrorism and political corruption.) “Immigrants preying on Americans with false tales of abuse to stay in US, experts say” September 08, 2016. <http://www.foxnews.com/us/2016/09/08/immigrants-preying-on-americans-with-false-tales-abuse-to-stay-in-us-experts-say.html>

While immigrants are often eligible for pro bono legal help, including immigration fraud, no such help is available to U.S. citizens and legal permanent residents scammed by immigrants for legal status, Lopez said.