

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide immigration status for certain battered spouses and children.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 744

To provide for comprehensive immigration reform and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. KLOBUCHAR

Viz:

1 At the end of subtitle D of title IV, add the following:

2 **SEC. 4409. STATUS FOR CERTAIN BATTERED SPOUSES AND**
3 **CHILDREN.**

4 (a) NONIMMIGRANT STATUS FOR CERTAIN BAT-
5 TERED SPOUSES AND CHILDREN.—

6 (1) IN GENERAL.—Section 101(a)(51) (8
7 U.S.C. 1101(a)(51)), as amended by section
8 2305(d)(6)(B)(i)(III), is further amended—

9 (A) in subparagraph (E), by striking “or”

10 at the end the following;

1 (B) in subparagraph (F), by striking the
2 period at the end and inserting a semicolon and
3 “or”; and

4 (C) by adding at the end the following:

5 “(G) section 106 as an abused derivative
6 alien.”.

7 (b) RELIEF FOR ABUSED DERIVATIVE ALIENS.—

8 (1) IN GENERAL.—Section 106 (8 U.S.C.
9 1105a) is amended to read as follows:

10 **“SEC. 106. RELIEF FOR ABUSED DERIVATIVE ALIENS.**

11 “(a) ABUSED DERIVATIVE ALIEN DEFINED.—In this
12 section, the term ‘abused derivative alien’ means an alien
13 who—

14 “(1) is the spouse or child admitted under sec-
15 tion 101(a)(15) or pursuant to a blue card status
16 granted under section 2211 of the Border Security,
17 Economic Opportunity, and Immigration Moderniza-
18 tion Act;

19 “(2) is accompanying or following to join a
20 principal alien admitted under such a section; and

21 “(3) has been subjected to battery or extreme
22 cruelty by such principal alien.

23 “(b) RELIEF FOR ABUSED DERIVATIVE ALIENS.—

24 The Secretary—

1 “(1) shall grant or extend the status of admis-
2 sion of an abused derivative alien under the such
3 section 101(a)(15) or 2211 under which the prin-
4 cipal alien was admitted for the longer of—

5 “(A) the same period of time for which the
6 principal was initially admitted; or

7 “(B) a period of 3 years;

8 “(2) may renew a grant or extension of status
9 made under paragraph (1);

10 “(3) shall grant employment authorization to
11 an abused derivative alien; and

12 “(4) may adjust the status of the abused deriv-
13 ative alien to that of an alien lawfully admitted for
14 permanent residence if—

15 “(A) the alien is admissible under section
16 212(a) or the Secretary of Homeland Security
17 finds the alien’s continued presence in the
18 United States is justified on humanitarian
19 grounds, to ensure family unity, or is otherwise
20 in the public interest; and

21 “(B) the status under which the principal
22 alien was admitted to the United States would
23 have potentially allowed for eventual adjustment
24 of status.

1 “(c) EFFECT OF TERMINATION OF RELATIONSHIP.—
2 Termination of the relationship with principal alien shall
3 not affect the status of an abused derivative alien under
4 this section if battery or extreme cruelty by the principal
5 alien was 1 central reason for termination of the relation-
6 ship.

7 “(d) PROCEDURES.—Requests for relief under this
8 section shall be handled under the procedures that apply
9 to aliens seeking relief under section 204(a)(1)(C).”.

10 (2) TABLE OF CONTENTS AMENDMENT.—The
11 table of contents in the first section is amended by
12 striking the item relating to section 106 and insert-
13 ing the following:

“Sec. 106. Relief for abused derivative aliens.”.