



January 15, 2026

The Honorable Kristi Noem
Secretary of Homeland Security
U.S. Department of Homeland Security
301 7th Street, SW
Washington, D.C. 20528

Dear Secretary Noem:

As members of the Democratic Women's Caucus, we are disappointed by your continued disregard for immigrant survivors of gender-based violence in the United States and your dismissal of our requests sent in a previous letter.¹ In July, members of the Democratic Women's Caucus and House Democratic Caucus urged you and the Department of Homeland Security (DHS) to reinstate U.S. Immigration and Customs Enforcement (ICE) Directive 11005.3, "Using a Victim-Centered Approach With Noncitizen Crime Victims," which clarifies protections for survivors applying for immigration benefits under the *Violence Against Women Act* (VAWA) and the T and U visa programs.² Despite our efforts to work with you to address this urgent concern, we received a lackluster response with a refusal to enact meaningful change at DHS. Since then, we have continued to receive reports of the detention and deportation of survivors back to dangerous situations³ as ICE Directive 11005.3 remains rescinded.⁴ Survivors' lives and safety are on the line. **We stand firm in our urgent appeal for you to release VAWA, T and U visa applicants from ICE detention; immediately reinstate ICE Directive 11005.3 to protect survivors; and refrain from taking enforcement actions against survivors with pending applications.**

By arresting, detaining, and deporting survivors with pending applications, some of whom have been granted deferred action, DHS has disrupted the processes designed to keep women safe.

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Humanitarian safeguards—such as deferred action and work authorization—were explicitly authorized by Congress to allow survivors to remain in the United States safely while their immigration applications are under review, without fear of arrest, detention, or deportation. Your actions now contravene the protections passed by Congress and exacerbate the underlying issues that caused us to pass these laws. It has been reported that agents have stopped checking for VAWA, T and U visa status to ensure that these pending applications receive expedited *prima facie* review before deportations.⁵ The predictable result of these failures is that women are less safe, less likely to report abuse or crime to the police, and more likely to remain in dangerous situations, creating safety risks for communities nationwide. Available data already reflects these outcomes, with applications for survivor-based immigration benefits falling significantly since the beginning of 2025.⁶ When these systems fail, it empowers abusers and means that perpetrators will not be brought to justice, and survivors face even greater, often lethal, danger.

The lives of survivors of domestic violence, sexual assault, human trafficking, and other crimes across the country are being put in jeopardy due to your carelessness and neglect. In California, Carmen, a mother who was living with her 8-year-old son, reported her abusive husband to authorities after he continuously threatened their lives, and she applied for a U visa. He was deported, but so was Carmen. Just as she thought she and her son would no longer live in fear, she was deported back to the country where her abusive husband could find her.⁷ In Wisconsin, Yessenia Ruano escaped human trafficking and applied for a T visa. Instead of considering the totality of her case, immigration agents told her they were going to deport her. To protect her two daughters from the dangers and pain of family separation, Ruano self-deported with her children to keep her family together.⁸ In another case, Lupe applied for a U visa after having been brutally beaten for trying to intervene when her ex-partner hit her child. Then, after living in the United States for three decades, she was summarily deported in one day.⁹ These courageous women and mothers sought to protect themselves and their children from abuse and applied for the appropriate visas; yet, you failed them. In all of these situations, DHS has pushed these women back into harm's way even though these visas are intended to provide safety.

We call on you to address this issue by immediately reinstating the survivor-protective policy, ICE Directive 11005.3, and by acting consistently with that policy to release individuals with bona fide pending VAWA, T and U visa applications. Our laws promise immigrant survivors

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9 Barclay, M. (2025, October 16). *Immigrants with pending U and T visas sue over ICE policies.* The 19th. <https://19thnews.org/2025/10/u-t-visas-lawsuit-trump-immigration/>

protection in exchange for their cooperation with law enforcement, a process that carries real risk, particularly when reporting gender-based violence. Those protections, such as deferred action, may not be unilaterally revoked by ICE. Upholding these safeguards is essential to the well-being of women and children and to maintaining the trust that allows survivors to come forward to help law enforcement in identifying and prosecuting perpetrators. The more that survivors can trust government systems to protect them, the more law enforcement can do their job to keep the community safe and save lives.

We request a meeting to discuss the following questions within 30 days of receiving this letter.

1. How does DHS monitor and enforce compliance with statutory, regulatory, and policy guidance related to identifying and assessing eligibility for the VAWA, U and T visas, or other survivor-based humanitarian protections at all stages of enforcement including encounter, arrests, issuances of Notices to Appear (NTAs), bond and detention determinations, and execution of final removal orders?
2. How has DHS consulted with U.S. Citizenship and Immigration Services' (USCIS) specially trained VAWA Unit during the development of its current policies and practices that impact immigrant survivors of domestic violence and crime? What has the VAWA Unit advised DHS as to the impact of its policies and practices on survivors?
3. How does DHS determine whether survivor cooperation with law enforcement has been fully considered when evaluating whether to take enforcement action and exercise discretion? Please include the criteria, screening tools, protocols and procedures, and oversight mechanisms used to review such determinations.
4. How many enforcement actions or removal cases in Fiscal Year 2025 involved individuals with pending survivor-related immigration applications, and of those cases, how many involved individuals identified as victims of domestic violence or other forms of gender-based violence or abuse? How many involved individuals who had been issued deferred action in connection with their pending applications?
5. In how many instances in Fiscal Year 2025 were adverse enforcement actions (including but not limited to issuances of NTAs, detention or bond determinations, or execution of removal orders) stayed, deferred, or reversed due to later identification of potential eligibility for survivor-based benefits such as VAWA, T and U visa based relief, and what corrective protocols were applied?

6. Please provide a detailed explanation of all current DHS, ICE, U.S. Customs and Border Protection, and USCIS policies and training protocols related to identification and treatment of current or potential beneficiaries of survivor-based protections during enforcement and removal operations, including any ongoing evaluations or updates to those procedures.

We look forward to meeting with you. We will continue to push for a world in which all women and girls are safe from violence.

Sincerely,



Sydney Kamlager-Dove
Co-Chair
Policy Task Force
Democratic Women's Caucus



Pramila Jayapal
Congressional Asian Pacific
American Caucus Liaison
Democratic Women's Caucus



Gwen S. Moore
Member
Democratic Women's Caucus



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Lateefah Simon
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Kelly Morrison
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Melanie Stansbury
Co-Chair
Member Services Task Force
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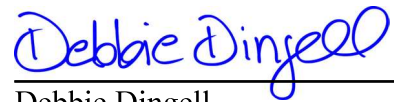
LaMonica McIver
New Member Liaison
Democratic Women's Caucus



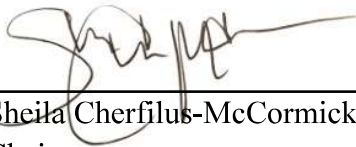
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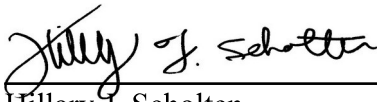
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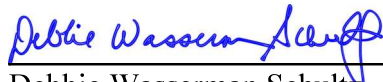
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Debbie Wasserman Schultz
Member of Congress



Doris Matsui
Member of Congress



Rashida Tlaib
Member of Congress



Val Hoyle
Member of Congress



Maxine Dexter
Member of Congress



Lauren Underwood
Member of Congress



Frederica S. Wilson
Member of Congress



Alexandria Ocasio-Cortez
Member of Congress



Delia C. Ramirez
Member of Congress

CC:

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Katherine Culliton-González
Officer for Civil Rights and Civil Liberties (CRCL)
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Avenue, SE
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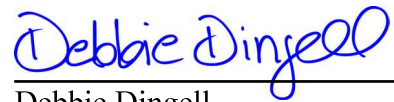
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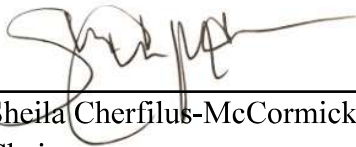
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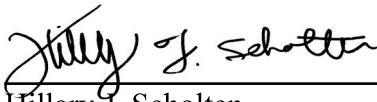
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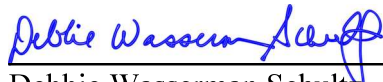
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CC:

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