

August 2, 2021

Hon. Ron Wyden
Chairman
Senate Finance Committee
Washington, DC 20510

Hon. Mike Crapo
Ranking Member
Senate Finance Committee
Washington, DC 20510

Hon. Bernie Sanders
Chairman
Senate Budget Committee
Washington, DC 20510

Hon. Lindsey Graham
Ranking Member
Senate Budget Committee
Washington, DC 20510

Hon. Richard Neal
Chairman
House Committee on Ways and Means
Washington, DC 20515

Hon. Kevin Brady
Ranking Member
House Committee on Ways and Means
Washington, DC 20515

Dear Chairman Wyden, Ranking Member Crapo, Chairman Sanders, Ranking Member Graham, Chairman Neal, and Ranking Member Brady,

The undersigned organizations, who are committed to promoting the safety, health, and well-being of survivors of domestic violence, sexual assault and their families, write to express our strong support for a permanent expansion of the Child Tax Credit within the budget reconciliation process. In particular, we ask you to also include families with children who do not have Social Security numbers as these are often the children whose parents are at greatest risk for violence and trafficking.

The recent one-year expansion of the Child Tax Credit under the American Rescue Plan will provide critical economic support for families and children. The Center on Poverty & Social Policy at Columbia University estimates that the one-year expansion of the Child Tax Credit will move 4 million children out of poverty¹, a dramatic reduction that would help countless survivors support their families and find financial security. But the current Child Tax Credit is only authorized for one year and critically, is not available to children with Individual Tax Identification Numbers (ITINs).² This is because the 2017 Tax Cuts and Jobs Act changed the law to require that children have a Social Security number to receive the Child Tax Credit.³ Without a permanent Child Tax Credit expansion that includes all immigrant children, many families will be left behind, including immigrant and migrant survivors of domestic violence, sexual assault, and other abuses.

The impact on survivors of domestic violence, sexual assault, and child abuse is significant. Studies have shown that strengthening economic supports for families is a key strategy to help prevent intimate partner violence (IPV).⁴ In fact, it is one of only six strategies named by the U.S. Centers for Disease Control and Prevention (CDC) that promises effectiveness for preventing IPV.⁵ The Child Tax Credit has the potential to lift families out of poverty, a risk factor for IPV. At the same time, increased financial stability provides survivors with more options for safety, making it easier to leave abusive relationships and provide for their children.⁶

Immigrant survivors already face too many barriers to safety and financial security. To address these barriers, a bipartisan majority in Congress created survivor-based forms of immigration protections, including Violence Against Women Act (VAWA) self-petitions, U and T visas. However, the processing times for these applications have skyrocketed, undermining the effectiveness of these critical benefits. For example, there are currently over 271,000 individuals with pending U visa matters⁷ who are waiting over five years on average to have their U visa applications adjudicated,⁸ including noncitizen children of immigrant survivors of violence, some of whom are survivors themselves.⁹ These delays make survivors of abuse and exploitation vulnerable to further harm and leave survivors with few options to financially support their family.

We applaud a recent policy change announced on June 14th by U.S. Citizenship and Immigration Services (USCIS) that would provide employment authorization and deferred action for U visa petitioners and qualifying family members with pending, bona fide cases.¹⁰ But it will take time and resources for this policy to be fully implemented, and even those who are eligible face additional delays and barriers to obtaining work-authorized Social Security numbers, particularly children. These barriers to legal protections for survivors of violence coupled with a Child Tax Credit that does not include children without Social Security numbers, leaves many immigrant and migrant families behind.

Failing to include children without Social Security numbers from eligibility for the Child Tax Credit impacts children and families across the country. The Institute on Taxation and Economic Policy estimates that over 1 million undocumented children will not be eligible for the Child Tax Credit.¹¹ These include children throughout every state in the country, children of survivors of domestic violence, and children whose families were hit hardest by the pandemic.

These include children of immigrant and migrant essential workers – many of whom are immigrant women of color in low-wage jobs – who have shouldered a disproportionate impact of the pandemic, from higher risks and rates of COVID-19, to increased economic and employment instability, to their systematic exclusion from federal COVID-relief efforts and assistance.¹² Despite the central role these workers have and continue to play in our collective safety and wellbeing, many still lack critical health and safety protections, workplace rights, and livable wages to provide for themselves and their families¹³, challenges compounded for those experiencing violence.¹⁴ Expansion of the Child Tax Credit is essential to addressing the long-standing disparities that undermine immigrant and migrant families' stability and security, and enable them to thrive.

The Child Tax Credit expansion will provide crucial support to many families and survivors of domestic violence, sexual assault, and other abuses. We urge Congress to make the Child Tax Credit permanent, and in so doing, ensure it includes all children- including all immigrant children- as part of the budget reconciliation process.

Sincerely,

National Organizations

Alianza Americas

Alianza Nacional de Campesinas

American Friends Service Committee

Asian Pacific Institute on Gender-Based Violence

ASISTA

Asylum Seeker Advocacy Project (ASAP)

BWJP

Casa de Esperanza: National Latin@ Network

Center for Law and Social Policy (CLASP)

Center for the Study of Social Policy

Centro de los Derechos del Migrante, Inc.

Children's Defense Fund

Children's HealthWatch

Church World Service

Coalition on Human Needs

Community Change Action

Disciples Refugee & Immigration Ministries

Equal Rights Advocates

Faith in Public Life

Faith in Public Life Action Fund

Family Centered Treatment Foundation

Family Farm Defenders

First Focus Campaign for Children

Freedom Network USA

Futures Without Violence

Hispanic Federation

Immigration Center for Women and Children

Immigration Hub

Jewish Council for Public Affairs

Jewish Women International

Justice for Migrant Women

Kids in Need of Defense (KIND)

Labor Council for Latin American Advancement

MomsRising

National Alliance to End Sexual Violence

National Association of Counsel for Children

National Center on Domestic and Sexual Violence

National Children's Campaign

National Council of Jewish Women

National Crittenton

National Education Association

National Immigration Law Center (NILC)

National Network for Arab American Communities (NNAAC)

National Network for Immigrant & Refugee Rights

National Network for Youth, Inc.

National Network to End Domestic Violence
National Organization for Women
National Partnership for New Americans
National Resource Center on Domestic Violence
NIWAP, Inc.

Oxfam America

RESULTS

Rural Coalition

Save the Children

Shalom Task Force

Tahirih Justice Center

The National Domestic Violence Hotline

The Workers Circle

Time's Up Now

Ujima Inc. The National Center on Violence Against Women in the Black Community

US Committee for Refugees and Immigrants

Vote Run Lead

Women's Media Center

Young Center for Immigrant Children's Rights

Regional, State and Local Organizations

Americans for Immigrant Justice

California National Organization for Women

California Partnership to End Domestic Violence

Campesinos Sin Fronteras

Casa Ruby

Casa San Jose

Children At Risk

Colorado Latino Leadership Advocacy and Research Organization

Community Without Borders

De Campesinos a Campesinos

Farmworker Association of Florida

Grupo AMOR

Her Justice, Inc.

Hispanic Unity of Florida, Inc.

Human Rights Initiative of North Texas

Idaho Coalition Against Sexual & Domestic Violence

Illinois Coalition Against Domestic Violence

Kansas Coalition Against Sexual and Domestic Violence

La Mujer Obrera

Legal Allies PC

Los Angeles Center for Law and Justice

Make the Road New York

Michigan Immigrant Rights Center

Minnesota Council on Latino Affairs (MCLA)

MN Immigrant Movement

Mujeres Divinas
Mujeres Luchadoras
Multicultural Efforts to end Sexual Assault (MESA)
Nationalities Service Center
Nevada Coalition to End Domestic and Sexual Violence
New York Immigration Coalition
New York State Coalition Against Domestic Violence
North Carolina Coalition Against Domestic Violence
Organización en California de Líderes Campesinas, Inc.
Pennsylvania Coalition Against Domestic Violence
Pineros y Campesinos Unidos del Noroeste (PCUN)
Rian Immigrant Center
Rice County Neighbors United/Vecinxs Unidxs
South Carolina Appleseed Legal Justice Center
Southwestern Law School Legal Clinic
The Children's Partnership
The Legal Project
The Ohio Women's Public Policy Network
The Resurrection Project
Vermont Network Against Domestic and Sexual Violence
Washington State Coalition Against Domestic Violence
Women Employed
Workers Center of Central New York
Wyoming Coalition Against Domestic Violence and Sexual Assault

¹ Center on Poverty & Social Policy, “The American Family Act would move 4 million children out of poverty, but continuing to tie the credit to earnings nearly halves that impact”. Retrieved July 2021 from <https://www.povertycenter.columbia.edu/news-internal/2019/3/5/the-afa-and-child-poverty> .

² IRS.gov. Retrieved July 2021 from <https://www.irs.gov/faqs/childcare-credit-other-credits/child-tax-credit/child-tax-credit-4> .

³ Public Law No. 115-97 (2017).

⁴ Niolon, P. H., Kearns, M., Dills, J., Rambo, K., Irving, S., Armstead, T., & Gilbert, L. (2017). *Preventing Intimate Partner Violence Across the Lifespan: A Technical Package of Programs, Policies, and Practices*. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. Retrieved July 2021 from <https://www.cdc.gov/violenceprevention/pdf/ipv-technicalpackages.pdf>, citing Matjasko, J. L., Niolon, P. H., & Valle, L. A. (2013). The role of economic factors and economic support in preventing and escaping from intimate partner violence. *Journal of Policy Analysis and Management*, 32(1), 122- 128.

⁵ *Id.*

⁶ *Id.*

⁷ U.S. Citizenship and Immigration Services, Number of Form I 918, Petition for U Nonimmigrant Status by Fiscal Year, Quarter, and Case Status, Fiscal Years 2009-2021. Retrieved July 2021 from https://www.uscis.gov/sites/default/files/document/reports/I918u_visastatistics_fy2021_qtr1.pdf .

⁸ U.S. Citizenship and Immigration Services, Processing Times for Form I-918: Petition for U nonimmigrant status at Vermont Service Center, accessible at <https://egov.uscis.gov/processing-times/>

⁹ U nonimmigrant status provides lawful status to noncitizens who have been victims of certain crimes, including domestic violence, sexual assault, and who will be, are or have been helpful to law enforcement in the prosecution or investigation of those crimes.

¹⁰ U.S. Citizenship and Immigration Services, Policy Alert June 14, 2021, Subject: Bona Fide Determination Process for Victims of Qualifying Crimes, and Employment Authorization and Deferred Action for Certain Petitioners, at <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20210614-VictimsOfCrimes.pdf>

¹¹ Institute on Taxation and Economic Policy, “Inclusive Child Tax Credit Reform Would Restore Benefit to 1 million Young ‘Dreamers’”. Retrieved July 2021 from <https://itep.org/inclusive-child-tax-credit-reform-would-restore-benefit-to-1-million-young-dreamers/> .

¹² Center for American Progress, “Protecting Undocumented Workers on the Pandemic’s Front Lines - Immigrants Are Essential to America’s Recovery”. Retrieved July 2021 from <https://www.americanprogress.org/issues/immigration/reports/2020/12/02/493307/protecting-undocumented-workers-pandemics-front-lines/>.

¹³ *Id.*

¹⁴ Center for American Progress, “Ensuring Domestic Violence Survivors’ Safety - The Need for Enhanced Structural Supports During and After the Coronavirus Pandemic”. Retrieved July 2021 from <https://www.americanprogress.org/issues/women/reports/2020/08/10/489068/ensuring-domestic-violence-survivors-safety/> .