

themselves. Information on convictions and civil orders would be relayed to the visa applicant by the consular official along with information on their legal rights should they find themselves in an abusive relationship.

Currently, an American seeking to marry someone through an IMB holds all of the cards. The American client has the benefit of a complete background check on his future wife, a requirement of the immigration process. In addition, the IMBs provide clients extensive information about the women they offer, everything from their favorite movies and hobbies to whether they are sexually promiscuous.

Conversely, the foreign fiancée only gets whatever information her future spouse wants to share. These women have no way of confirming what they are told about previous marriages or relationships or the American client's criminal history.

Researchers describe the typical American client as Caucasian, educated, professional, and financially secure. More than half have been married once already and express a desire to find a bride with more "traditional values," attitudes they feel are not held by many American women today.

Most of the foreign brides advertised by the IMBs come from countries where women are oppressed, have a few educational or professional opportunities, and where violence against women is condoned, if not encouraged. Because of the cultural differences, researchers say there is an inherent imbalance of power in these relationships between American men and foreign women.

The men who seek these more traditional wives typically control the household finances and make basic decisions like whether the wife will have a driver's license, get a job or spend time with friends. Because these women often immigrate alone, they have no family or other support network and rely on their husbands for everything. Such dependency can make it difficult for a wife to report abuse without worrying that doing so is a surefire ticket to deportation. Researchers agree that isolation and dependency put these women at greater risk of domestic abuse.

Documenting the extent of this problem has been quite difficult. Marriages arranged by IMBs are not tracked separately from other immigrant marriages. However, experts agree that abuse is more likely in such an arranged marriages and that abuse in these relationships is likely underreported since the women are likely to be more afraid of deportation than the abuse they suffer at home.

Attempting to get a handle on the problem, the Immigration and Naturalization Service commissioned a study of the industry in 1999. The INS study estimated that there are more than 200 IMBs operating around the globe, arranging between 4,000 and 6,000 marriages between American men and

foreign women every year. Experts today put the number of IMBs at nearly 500 worldwide. And based on the 1999 statistics, there are between 20,000 and 30,000 women who have entered the U.S. using an IMB in the past 5 years. While there are a few IMBs aimed at female clients, the overwhelming majority of people who seek IMB services are men.

IMBs also are being used as a cover for those seeking servants. That is what happened to Helen Clemente, a Filipina brought to the U.S. by retired Seattle-area police officer Eldon Doty and his wife, Sally. Eldon and Sally Doty had divorced to allow Eldon to marry Helen Clemente. However, Eldon and Sally Doty continued to live as man and wife, forcing Helene Clemente to work as their servant. After 3 years, Helen ran away. The Dotys have worked with INS in exchange for de facto immunity, while Helen Clemente continues to fight deportation.

It is critical for legal immigrants to know that they don't have to suffer abuse or work without pay to remain in this country. The Violence Against Women Act provided some safeguards for these female immigrants, ensuring that in cases of abuse a woman's immigration petition may proceed without the sponsorship of her abuser. That important legislation provided protections for women who come here and find themselves in abusive relationships; however, more can and should be done.

My legislation would give foreign fiancées critical information they need to make an informed decision about the person they are going to marry. It puts these foreign brides on more equal footing with their American groom.

My legislation enjoys support from more than 80 organizations and advocacy groups across the country, including religious coalitions, laws firms, women's rights and social justice groups. I hope my colleagues in the Senate will support it as well.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1455

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "International Marriage Broker Regulation Act of 2003".

**SEC. 2. LIMIT ON CONCURRENT PETITIONS FOR FIANCE(E) VISAS.**

Section 214(d) of the Immigration and Nationality Act (8 U.S.C. 1184(d)) is amended—

(1) by inserting "(1)" before "A visa"; and

(2) by adding at the end the following:

"(2) A United States citizen or a legal permanent resident may not file more than 1 application for a visa under section 101(a)(15)(K)(i) in any 1-year period."

**SEC. 3. INTERNATIONAL MARRIAGE BROKERS.**

Section 652 of the Omnibus Consolidated Appropriations Act, 1997 (8 U.S.C. 1375), is amended to read as follows:

**"SEC. 652. INTERNATIONAL MARRIAGE BROKERS.**

"(a) FINDINGS.—Congress finds the following:

"(1) There is a substantial international marriage broker business worldwide. A 1999 study by the Immigration and Naturalization Service estimated that in 1999 there were at least 200 such companies operating in the United States, and that as many as 4,000 to 6,000 persons in the United States, almost all male, find foreign spouses through for-profit international marriage brokers each year.

"(2) Aliens seeking to enter the United States to marry citizens of the United States currently lack the ability to access and fully verify personal history information about their prospective American spouses.

"(3) Persons applying for fiancé(e) visas to enter the United States are required to undergo a criminal background information investigation prior to the issuance of a visa. However, no corresponding requirement exists to inform those seeking fiancé(e) visas of any history of violence by the prospective United States spouse.

"(4) Many individuals entering the United States on fiancé(e) visas for the purpose of marrying a person in the United States are unaware of United States laws regarding domestic violence, including protections for immigrant victims of domestic violence, prohibitions on involuntary servitude, protections from automatic deportation, and the role of police and the courts in providing assistance to victims of domestic violence.

"(b) DEFINITIONS.—In this section:

"(1) CLIENT.—The term 'client' means a United States citizen or legal permanent resident who makes a payment or incurs a debt in order to utilize the services of an international marriage broker.

"(2) CRIME OF VIOLENCE.—The term 'crime of violence' has the same meaning given the term in section 16 of title 18, United States Code.

"(3) DOMESTIC VIOLENCE.—The term 'domestic violence' means any crime of violence, or other act forming the basis for past or outstanding protective orders, restraining orders, no-contact orders, convictions, arrests, or police reports, committed against a person by—

"(A) a current or former spouse of the person;

"(B) an individual with whom the person shares a child in common;

"(C) an individual who is cohabiting with or has cohabited with the person;

"(D) an individual similarly situated to a spouse of the person under the domestic or family violence laws of the jurisdiction where the offense occurs; or

"(E) any other individual if the person is protected from that individual's acts under the domestic or family violence laws of the United States or any State, Indian tribal government, or unit of local government.

"(4) FOREIGN NATIONAL CLIENT.—The term 'foreign national client' means a non-resident alien who utilizes the services of an international marriage broker.

"(5) INTERNATIONAL MARRIAGE BROKER.—

"(A) IN GENERAL.—The term 'international marriage broker' means a corporation, partnership, business, individual, or other legal entity, whether or not organized under any law of the United States, that charges fees for providing dating, matrimonial, social referrals, or matching services between United States citizens or legal permanent residents and nonresident aliens by providing information that would permit individuals to contact each other, including—

"(i) providing the name, telephone number, address, electronic mail address, or voicemail of an individual; or