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Violence Against Women Act (VAWA) Confidentiality Provisions at DHS

The Department of Homeland Security (DHS) and its components are committed to ensuring full compliance with the Violence Against Women Act (VAWA) and Department of Justice Reauthorization Act of 2005, Pub L. 109–162, 119 Stat. 2960 (2006). VAWA directly impacts the work of DHS and its components in several important ways:

- VAWA’s confidentiality provisions generally prohibit disclosure to a third-party of any information relating to an alien who is an applicant for relief under VAWA, subject to certain, limited exceptions. See 8 U.S.C. § 1367 (a)(2) & (b).
- VAWA’s confidentiality provisions prohibit DHS from using information solely from a spouse or parent who has battered the alien or subjected the alien to extreme cruelty, including any live-in family members of the alleged abuser, as the basis for arresting and charging an alien with removability, unless the alien has been convicted of certain serious crimes. See 8 U.S.C. § 1367 (a)(1).
- VAWA’s confidentiality provisions require certification that the confidentiality provisions have been complied with when enforcement actions leading to a removal proceeding are taken at specified locations, such as

domestic violence shelters, rape crisis centers, or courthouses. See 8 U.S.C. § 1229(e).

A clear, consistent means of reporting alleged violations by DHS employees of VAWA's confidentiality provisions serves the interests of both DHS and the public. DHS has therefore established procedures for reporting alleged violations. Following these procedures will allow DHS to investigate and address complaints.

Reporting a Violation of the VAWA Confidentiality Provisions (#)

Complaints alleging a violation of the VAWA confidentiality provisions by a DHS employee should be submitted in writing to the Office for Civil Rights and Civil Liberties (CRCL). CRCL is statutorily obligated to review and assess information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion by DHS employees and officials. See 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1.

To send a complaint to CRCL, you may download and use an [optional complaint form \(/publication/crcl-complaint-submission-form\)](/publication/crcl-complaint-submission-form) (PDF, 7 pages - 212 KB) if you choose. Using the form will help ensure that CRCL gets the relevant information. If you prefer, you can simply share with us the following information, in any written format:

- **Contact information:** Full name, date of birth, alien registration number (A-number if applicable), phone number, mailing address, and e-mail address if available. If you are writing on behalf of someone else, please also provide your contact information, including organization name, if any.
- **A written description of the specific circumstances:** Date, time and location; name(s) and contact information

of any witnesses; and name, job title, agency or component, and contact information (if available) of the employee(s) alleged to have committed the violation, or the relationship of the alleged violation to a DHS program or activity.

- **Relevant documents:** Copies of any paperwork related to the complaint or its circumstances, such as NTAs and warrants; and copies of any pending VAWA, T-visa or U-visa applications filed with DHS.
- **A summary of other steps taken, if any, to resolve this complaint:** For example, steps could include communications with a DHS component agency regarding your complaint, or letters written to the DHS Office of the Inspector General.

Complaints may be filed on behalf of someone else. If you are writing on behalf of someone else and wish to receive information which relates to that person or his complaint, you must provide ***express written consent*** from that individual authorizing DHS to share information with you about the complaint. Complaints should be submitted in writing via e-mail, fax, or standard mail to:

By mail:

U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, D.C. 20528

Phone: (202) 401-1474

Toll Free: (866) 644-8360

E-mail: crcl@dhs.gov (<mailto:crcl@dhs.gov>)

Fax: (202) 401-4708

Local TTY: (202) 401-0470

Toll Free TTY: (866) 644-8361

Complaints are accepted in languages other than English. For additional information about CRCL's roles and responsibilities, visit the [Office of Civil Rights & Civil Liberties \(/about-office-civil-rights-and-civil-liberties\)](/about-office-civil-rights-and-civil-liberties) online or [e-mail \(mailto:crcl@dhs.gov\)](mailto:crcl@dhs.gov) or call us.

CRCL will initially refer a complaint to the DHS Office of the Inspector General. The complaint may later be further referred to the relevant DHS component.

Privacy Act Statement: A federal law called the Privacy Act says we must explain how we protect your information while processing your complaint. CRCL may disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the types of complaints, but do not include personal information.

- [Read past reports \(/reports-office-civil-rights-and-civil-liberties\)](/reports-office-civil-rights-and-civil-liberties)
- [Learn more about the Privacy Act \(http://publications.usa.gov/\)](http://publications.usa.gov/)

Contact Us

- [Contact the Office of Civil Rights and Civil Liberties \(/contact-crcl\)](/contact-crcl)

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