

Questions to Ask Domestic Violence Victims Who Emigrated to the United States to Join Their Fiancé(e) or Spouse

How did you first meet or speak with your fiancé (e)/spouse (for ease of reference, "fiancé")? Did anyone arrange your introduction? If so, who?

Did this person or entity require you or your fiancé to pay a fee for the introduction/matchmaking service?

Could you tell me more about this person or entity (for ease of reference, "matchmaking service")? Was the matchmaking service affiliated with a religious or cultural organization?

How old were you when the matchmaking service introduced you to your fiancé?

Did the matchmaking service attempt to verify your age? Did it ask for any documentation concerning your age?

How did you learn about the matchmaking service? How did you communicate with it?

What is the contact information for the matchmaking service?

Did it ask for permission to share your contact information with your fiancé *before* you met or spoke with your fiancé for the first time? Did you provide your permission in writing?

Did you receive any background information about your fiancé *before* you met or spoke for the first time?

Did the matchmaking service inform you of its obligation to search the National Sex Offender Public Website and determine whether that website contains any information regarding your fiancé?

Did this person or entity provide you any documents or other information concerning its search of the sex offender website?

Did the matchmaking service provide you with any information about or copies of police or court records concerning:

- Temporary restraining or civil protection orders?
- Arrests or convictions for assault, battery, homicide, manslaughter, or murder?
- Domestic violence, rape, sexual assault, abusive sexual contact, sexual exploitation, incest, child abuse or neglect?
- Torture, human trafficking, holding hostage, involuntary servitude or slavery?
- Kidnapping, abduction, unlawful criminal restraint, false imprisonment or stalking?
- Prostitution?
- Alcohol or drug abuse?

Did you receive any information about your U.S. fiancé(e) or spouse's:

- Prior marriages?
- Prior efforts to obtain visas for other fiancé (e)s or spouses?
- Children under the age of 18?
- Prior states or countries of residence?

Did you receive this pamphlet from the matchmaking service? [http://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Battered%20Spouse,%20Children%20%26%20Parents/IMBRA%20Pamphlet%20Final%2001-07-2011%](http://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Battered%20Spouse,%20Children%20%26%20Parents/IMBRA%20Pamphlet%20Final%2001-07-2011%20)

Suspicion? Concern? Question? Notify us immediately!

If the answers to any of these questions suggest that an IMB made an introduction and failed to satisfy the requirements identified in this pamphlet, notify us immediately.



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The United States
Department of Justice

Domestic Violence and the International Marriage Broker Regulation Act:

What Every Law Enforcement Officer and Domestic Violence Advocate Should Know



This is Lana.



Lana is a 28 year old domestic violence victim.* In the course of interviewing Lana you learn that she is originally from South Asia. You also learn that Lana met her fiancé through an international matchmaking agency that recruits South Asian women interested in meeting men in the United States and markets its matchmaking services over the internet. Lana tells you that she emigrated to the United States to join her fiancé — now her batterer and spouse — here. Interesting background information, you think, but does it bear on your investigation or analysis of her domestic violence case? *It should.*

The International Marriage Broker Regulation Act (IMBRA)

IMBRA, 8 U.S.C. §1375a, regulates individuals and companies who charge fees for facilitating introductions between U.S. citizens, nationals, or green card holders (together, “U.S. clients”) and foreign nationals. IMBRA created certain disclosure requirements for international marriage brokers (“IMBs”) and their U.S. clients, and the failure of either to abide by those requirements may give rise to federal civil and/or criminal liability in addition to any other federal or state law charges relating to Lana’s case.

*Lana is a fictional character used for illustrative purposes only.

What is an IMB?

IMBs include individuals, businesses, companies, or other legal entities that charge fees for providing dating, matrimonial or matchmaking services, or social referrals (collectively, “matchmaking services”) by sharing personal contact information or otherwise introducing or facilitating communication between U.S. clients and foreign nationals. (IMBs do not include: (1) non-profit cultural or religious organizations providing matchmaking services; or (2) persons or entities who do not provide these services as their principal business and whose rates and services are the same regardless of the client’s gender or country of citizenship.)

How does IMBRA regulate IMBs?

IMBRA regulates IMBs and U.S. clients in several different ways. Among other things, the law:

- Prohibits IMBs from conducting business with any individual under the age of 18;
- Requires IMBs to search the National Sex Offender Public Website for the names of U.S. clients;
- Obligates IMBs to collect certain background information from their U.S. clients (including, among other things, information about arrests or convictions for assault, battery, domestic violence, murder, prostitution, rape, and sexual assault, as well as civil protection orders);
- Requires IMBs to provide foreign nationals with the results of the sex offender website search, the background information, and a pamphlet including information about domestic violence, sexual assault, and child abuse; the legal rights of immi-

grant victims of these crimes; and a warning about the use of fiancé(e) and spouse visas by U.S. citizens who have a history of committing domestic violence, sexual assault, child abuse, or other crimes;

- Demands that IMBs obtain the foreign national’s written consent to release his or her contact information to the U.S. client *before* the IMB shares that information with the U.S. client; and
- Creates civil and/or criminal penalties for IMBs and U.S. clients who fail to abide by their disclosure obligations.

How will I know if an IMB was involved in a particular case?

Discerning an IMB’s involvement in a domestic violence case involving a foreign national may be challenging. Some domestic violence victims may be reluctant to acknowledge that they relied on an intermediary for an introduction; others may have been coached by an IMB to avoid disclosing that fact; still others may not know what an IMB is or understand the legal requirements attaching to IMBs. On the back of this pamphlet you will find a list of questions to ask domestic violence victims who are foreign nationals. If the answers to any of these questions suggest that an IMB was involved and failed to satisfy the requirements identified in this pamphlet, contact us today.



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