

TITLE 8 - ALIENS AND NATIONALITY
CHAPTER 12 - IMMIGRATION AND NATIONALITY
SUBCHAPTER I - GENERAL PROVISIONS

§ 1105a. Employment authorization for battered spouses of certain nonimmigrants

(a) In general

In the case of an alien spouse admitted under subparagraph (A), (E)(iii), (G), or (H) of section 1101 (a)(15) of this title who is accompanying or following to join a principal alien admitted under subparagraph (A), (E)(iii), (G), or (H) of such section, respectively, the Secretary of Homeland Security may authorize the alien spouse to engage in employment in the United States and provide the spouse with an “employment authorized” endorsement or other appropriate work permit if the alien spouse demonstrates that during the marriage the alien spouse or a child of the alien spouse has been battered or has been the subject of extreme cruelty perpetrated by the spouse of the alien spouse. Requests for relief under this section shall be handled under the procedures that apply to aliens seeking relief under section 1154 (a)(1)(A)(iii) of this title.

(b) Construction

The grant of employment authorization pursuant to this section shall not confer upon the alien any other form of relief.

(June 27, 1952, ch. 477, title I, § 106, as added Pub. L. 109–162, title VIII, § 814(c), Jan. 5, 2006, 119 Stat. 3059.)

Prior Provisions

A prior section 1105a, act June 27, 1952, ch. 477, title I, § 106, as added Sept. 26, 1961, Pub. L. 87–301, § 5(a), 75 Stat. 651; amended Dec. 29, 1981, Pub. L. 97–116, § 18(b), 95 Stat. 1620; Oct. 24, 1988, Pub. L. 100–525, § 9(e), 102 Stat. 2620; Nov. 18, 1988, Pub. L. 100–690, title VII, § 7347(b), 102 Stat. 4472; Nov. 29, 1990, Pub. L. 101–649, title V, §§ 502(a), 513 (a), 545 (b), 104 Stat. 5048, 5052, 5065; Dec. 12, 1991, Pub. L. 102–232, title III, § 306(a)(2), 105 Stat. 1751; Sept. 13, 1994, Pub. L. 103–322, title XIII, § 130004(b), 108 Stat. 2027; Oct. 25, 1994, Pub. L. 103–416, title II, § 223(b), 108 Stat. 4322; Apr. 24, 1996, Pub. L. 104–132, title IV, §§ 401(b), (e), 423 (a), 440 (a), 442 (b), 110 Stat. 1267, 1268, 1272, 1276, 1280; Sept. 30, 1996, Pub. L. 104–208, div. C, title III, §§ 306(d), 308 (g)(10)(H), 371 (b)(1), title VI, § 671(c)(3), (4), 110 Stat. 3009–612, 3009–625, 3009–645, 3009–722, related to judicial review of orders of deportation and exclusion, prior to repeal by Pub. L. 104–208, div. C, title III, §§ 306(b), (c), 309, Sept. 30, 1996, 110 Stat. 3009–612, 3009–625, effective, with certain transitional provisions, on the first day of the first month beginning more than 180 days after Sept. 30, 1996, but such repeal not to be considered to invalidate or to require the reconsideration of any judgment or order entered under this section. See section 1252 of this title.