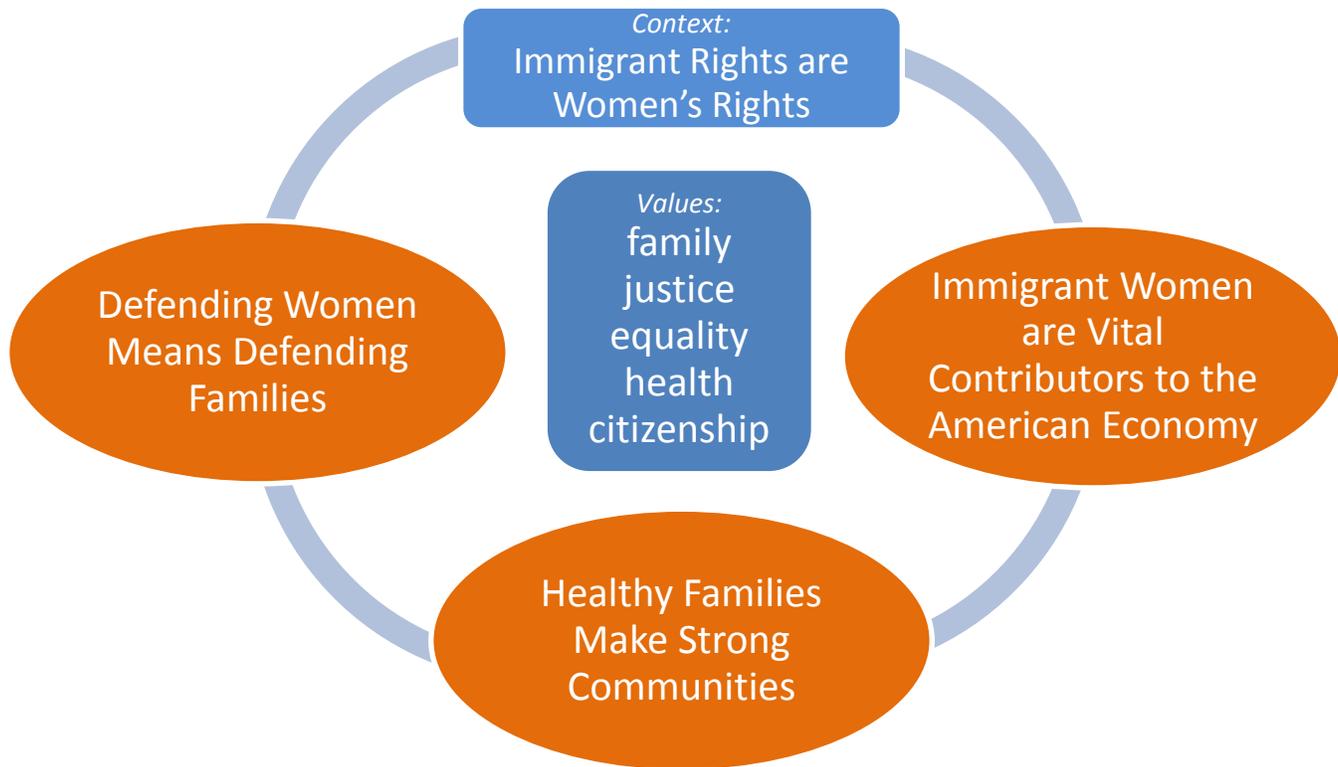


Key Talking Points: Women's Issues in Immigration Reform



Immigrant Rights are Women's Rights

- If we want to have a fair, effective, and broad conversation about immigration policy change, we need to include immigrant women. Our immigration laws have historically been unequal in their treatment of women. This is the moment to change that.
- Currently, women make up 51% of migrants in the U.S., and 55% of all green card recipients in 2010 were women.¹ Our immigration policy process needs to catch up to that reality.
- Immigrant women are the drivers of integration: immigrant women encourage their families to learn English, succeed in school and business, pursue naturalization, and fulfill their civic responsibilities.
- Immigration is a women's rights issue. When we provide opportunity and equality for immigrant women, we improve the lives of all women.

¹ Motel S, Patten E. *Statistical Portrait of the Foreign-Born Population in the United States: 2011, Table #1*. Pew Hispanic Center. January 2013. Available at <http://www.pewhispanic.org/2013/01/29/statistical-portrait-of-the-foreign-born-population-in-the-united-states-2011/#1/> Accessed March 13, 2013; Department of Homeland Security. *2011 Yearbook of Immigration Statistics*. Washington, D.C: U.S. Department of Homeland Security; 2011. Available at http://www.dhs.gov/sites/default/files/publications/immigration-statistics/yearbook/2011/ois_yb_2011.pdf /Accessed March 13, 2013.

Defending Women Means Defending Families

- Immigrant women, like all women, are the backbone of their families and communities.
- They contribute to the U.S. economy, keep their families together, and invest in their children's education. However, heavy-handed enforcement policies are tearing their families apart in inhumane, costly, and counterproductive ways.
- Strong families produce strong communities and a strong economy. Smart reform must put family unity back at the core of our immigration policy process.
- Immigrant families share American values of strong families, working together for success, and caring for one another. Policies that hurt immigrant families undermine American values.

Immigrant Women are Vital Contributors to the American Economy

- Immigrant women fuel economic growth. They are more likely to start businesses than their U.S.-born counterparts and now account for 40% of all immigrant business owners.²
- Approximately 60% of undocumented women are in the labor force, the majority working in professions where employment is informal, often contingent or unverifiable—presenting a challenge for women to demonstrate their work histories for immigration purposes.³
- Immigrant women are vital to the service economy, and they provide essential services to American families like child and elder care. In major cities like New York, immigrant women account for almost 100% of the domestic workforce.⁴
- Any roadmap to citizenship must be inclusive of women who work in the informal economy, like domestic workers and caretakers, and women who work as homemakers. Participation in the formal labor market cannot be the only way we measure contributions to this country.
- Women must have an opportunity to demonstrate their independent eligibility for citizenship so that they are not dependent on male sponsors.

Healthy Families Make Strong Communities

- Investing in the health of immigrant women and families makes for stronger communities and makes good fiscal sense.
- Immigrant women and families should be able to pay their fair share for health care and should be included in our health care system, just like the U.S.-born population.

² Pearce S, Clifford E, Tandon R. *Our American Immigrant Entrepreneurs*. Immigration Policy Center. December 2011. Available at http://www.immigrationpolicy.org/sites/default/files/docs/Women_Immigrant_Entrepreneurs_120811.pdf / Accessed March 13, 2013

³ Passel J, Cohn D. *A Portrait of Unauthorized Immigrations in the United States*. Pew Hispanic Center. April 2009. Available at: <http://www.pewhispanic.org/2009/04/14/a-portrait-of-unauthorized-immigrants-in-the-united-states/> / Accessed February 20, 2013.

⁴ Burnham L, Theodore N. *Home Economics. The Invisible and Unregulated World of Domestic Work*. National Domestic Worker's Alliance. Center for Urban Economic Development, University of Illinois at Chicago. Data Center. 2012. Available at <http://www.domesticworkers.org/homeeconomics/> / Accessed January 16, 2013.



- Immigrant women and families on the path to citizenship are committed to being in America. They should have the same responsibilities, and access to supports for which they are eligible, as other Americans.
- When our families, neighbors, and workforce are healthy, we all benefit.
- The roadmap to citizenship could take decades—which could have dire consequences for a child with a preventable illness or a woman with undiagnosed breast or cervical cancer.

Principles: Women's Issues in Immigration Reform

➤ Fair and Equitable Roadmap to Citizenship

- Any roadmap to citizenship and integration must be open, affordable, safe, and accessible to ALL immigrant women, including those whose work is in the home and those who are employed in the informal economy.
- Immigrant women must be afforded equal employment-based migration opportunities and workplace protections so that they may safely pursue economic opportunity and support their families with dignity and pride.

➤ Keeping Families Together

- Immigration reform must protect the right of all families to stay together, regardless of immigration status, family structure, sexual orientation, gender identity, or marital status, and provide sufficient family-based channels for migration in the future.
- Enforcement, detention, and deportation programs that compromise immigrant women's safety, violate their civil, human, and due process rights, and tear families apart must be replaced by sensible and sufficient legal channels for migration that adequately meet family and labor demands and respect our obligations under international law.

➤ Healthy Communities for a Stronger Future

- Immigration reform must advance ALL immigrant women's access to public services and economic support, including comprehensive health coverage and care, and legal and social services that promote equality of opportunity, integration, and the ability to make decisions regarding reproductive and sexual health and the well-being of the family.

➤ Protections for Immigrant Survivors of Violence

- Reforms to our immigration policies must bring an end to programs that disproportionately impact women by discouraging reporting of crimes to law enforcement and compromising the safety of communities, and must advance protections for women fleeing state and interpersonal violence and victims of trafficking or exploitation.



Detailed Talking Points: Women's Issues in Immigration Reform

Fair and Equitable Roadmap to Citizenship

Our immigration system has historically been unfair to women, but now we have an opportunity to change that. A truly equitable system will place just as much value on women as it does on men. And a truly fair and effective system will recognize the unique realities of women's lives.

- **Equal roadmaps for equal work:** A roadmap to citizenship that conditions eligibility on participation in the formal labor market disadvantage immigrant women, who are more likely to work in the informal economy (as domestic workers) or as homemakers. For example, 29% of undocumented immigrant women say they are not working because they are raising children at home.⁵ Any roadmap to legalization must place equal value on women's work.
- **Independent roadmaps to citizenship:** Thousands of immigrant women are granted lawful entry to the United States through their husband, but are not legally allowed to work. In fact, the majority of employment-based visas deny spouses permission to work. The result is that women become wholly dependent on male sponsors, putting them at risk for abuse and domestic violence. Women need an independent way to immigrate lawfully and access a roadmap to citizenship.
- **Empower women with smart enforcement:** Partnerships between local law enforcement and the Department of Homeland Security are increasingly turning local police into immigration officers. This makes women reluctant to report crimes and abuse for fear of deportation. Abusive spouses and exploitative employers are given a powerful weapon of control, and can effectively silence their victims by threatening to call the police. Instead of endangering women with these local law enforcement partnerships, we should empower women with smart enforcement that protects communities.
- **Protect the most vulnerable:** While most women come to the United States in search of a better life, some come in search of safety from violence and persecution at home. Others come unwillingly as the victims of traffickers. All of these women are deserving of protection, and a humane immigration system that is consistent with American values must stand up for the vulnerable. This means identifying vulnerable women who come into contact with the immigration system, providing access to asylum and other forms of humanitarian relief, reducing the use of immigration detention, ensuring that those who must be detained are afforded basic standards of care, and putting victims on a roadmap to citizenship.
- **Worker's rights are women's rights:** Immigrant women are more likely to be employed as domestic and farm-workers – jobs that come with low pay, long hours, and high risk for labor abuses including wage theft, unsafe working conditions, and in some cases even violence.⁶ We can uphold the rule of law, grow our economy, and protect immigrant women workers by providing sufficient, equitable and permanent channels for women to access the employment-based immigration system.

⁵ Passel J, Cohn D. *A Portrait of Unauthorized Immigrations in the United States*. Pew Hispanic Center. April 2009. Available at: <http://www.pewhispanic.org/2009/04/14/a-portrait-of-unauthorized-immigrants-in-the-united-states/> Accessed February 20, 2013.

⁶ Burnham L, Theodore N. *Home Economics. The Invisible and Unregulated World of Domestic Work*. National Domestic Worker's Alliance. Center for Urban Economic Development, University of Illinois at Chicago. Data Center. 2012. Available at <http://www.domesticworkers.org/homeeconomics/> Accessed January 16, 2013.

Detailed Talking Points: Women's Issues in Immigration Reform

Keeping Families Together

We all believe in keeping families together. In fact, family unity is a core American value and has long been central to our immigration system. But every year, misguided and inadequate immigration policies tear thousands of families apart. Whether they result in a woman fighting to ensure her children are cared for while she is detained, fighting to maintain custody of her children after being deported, working to raise a family when a partner is detained or deported, or enduring decades of separation from family members, the harm these policies cause to families is real.

- **Millions of families are at risk.** 5.1 million children in the United States live in mixed-legal status families. Four million of these children are U.S. citizens.⁷ The growth of mixed-status families – combined with a lack of sufficient legal channels for migration – means that more families than ever are at risk of being separated for years or even permanently. In fact, between July 2010 and September 2012, the United States deported more than 205,000 parents of U.S. citizen children.⁸
- **Family separation burdens local government.** When parents are detained or deported, children are at risk of ending up in the child welfare system. The Applied Research Center in November 2011 conservatively estimated that 5,100 children in foster care had parents who had been detained or deported. That number is expected to grow to 15,000 over the next five years.⁹ We must alleviate the unnecessary burden on states by permitting parents to care for their children.
- **Family separation is counterproductive.** The lack of legal opportunities for families to be together incentivizes unlawful migration and encourages deported parents to return to reunite with their kids. A smart immigration system is one that values and prioritizes family unity.
- **Parents should have a say in the future of their children.** When parents get involved with the immigration enforcement system, they often lose any say in how their children are cared for. Detained parents are held far from their children. They may be unable to participate in the reunification plans necessary to regain custody of children who end up in foster care, and they are often denied meaningful access to child custody hearings. A humane and cost-effective immigration system would protect parents' constitutionally-protected rights to determine the care and custody of their children.
- **The best interest of the child should come first.** Putting kids first means recognizing that children are better off with their parents. Being undocumented does not make someone an unfit parent, and parental rights should only be terminated in cases of verified abuse and neglect.
- **Judges need discretion to keep families together.** Heavy-handed detention and deportation policies have tied the hands of immigration judges. Judges should be able to exercise discretion so that parents do not have to be deported unnecessarily.

⁷ Passel J, Taylor P. *Unauthorized Immigrants and Their U.S.-Born Children*. Pew Hispanic Center. August 2010. Available at <http://www.pewhispanic.org/2010/08/11/unauthorized-immigrants-and-their-us-born-children/> Accessed March 13, 2013.

⁸ Wessler SR. Primary Data: Deportations of Parents of U.S. Citizen Kids. *Colorlines*. December 17, 2012. Available at http://colorlines.com/archives/2012/12/deportations_of_parents_of_us-born_citizens_122012.html. Accessed February 4, 2013.

⁹ Applied Research Center. *Shattered Families: The Perilous Intersection of Immigration Enforcement and the Child Welfare System*. November 2011. Available at <http://arc.org/shatteredfamilies>. Accessed February 4, 2013.

Detailed Talking Points: Women's Issues in Immigration Reform

Healthy Communities for a Stronger Future

Immigrant women and families work hard, pay taxes, and are committed to being in America. They should be able to pay their fair share for health care and should be included in our health care system, just like everyone else. They should not be excluded from health care. When our families and our workforce are healthy, we all benefit.

- **Investing in health is common sense—and makes good fiscal sense.** By and large, immigrants are younger and healthier than the American population as a whole—allowing them to participate in our health insurance systems and risk pools makes good fiscal sense. When immigrant women and families don't have health care, the need for medical attention doesn't go away. Immigrant families without health insurance may either delay treatment for preventable disease, leading to higher costs and greater suffering, or seek care through under-resourced and expensive emergency systems.
- **A healthy workforce means a stronger economy.** Good health care is essential to workers' productivity and the opportunity for women and families to realize their full potential. If immigrant women are healthy, they are better able to support their family economically and contribute to the success of their children. For an immigrant woman, being able to protect her health and care for her family is the first step to full social, economic, and civic integration into the American community. When mom is healthy, the whole family benefits.
- **The 5-year bar and other arbitrary delays are costly and inhumane.** Women and families should not be forced to wait five years for health care: five years is a lifetime to a child, and may make the difference between life and death for a woman suffering from breast or cervical cancer. Health coverage can mean the difference between preventing or treating conditions that can affect development throughout life, and leaving those conditions undetected and untreated. Removing the five-year bar for legal immigrants and those on the roadmap to citizenship will give them the same opportunity to pay their share and access health care as their friends and neighbors.
- **Today's laws are overly complex, confusing, and restrictive.** A patchwork of state and federal policies limiting access to health care and family economic supports creates confusion and a “chilling effect” discouraging qualified recipients from accessing support.¹⁰ A single family could have members with 5 different kinds of eligibility for health care depending on their immigration status. No mother should have to navigate different health insurance systems for every single child, or choose which of her children gets health care. We need a system that works for families and ensures that women and kids get the care they need.
- **Anyone could get hurt or sick, and so everyone should have access to basic health care.** No one should live in fear that because they lack health coverage, one accident or illness could threaten their family's economic security. Access to affordable, quality health care is a widely-shared goal. Medical coverage plays a crucial role in health and well-being, and all Americans should have access.

¹⁰ Huang P. *Anchor Babies, Over-Breeders and the Population Bomb: The Reemergence of Nativism and Population Control in Anti-Immigration Policies*. Harvard Law and Policy Review. Vol 2: 2008. Available at http://www.hlponline.com/Huang_HLPR.pdf / Accessed January 12, 2013.