



WOMEN AND IMMIGRATION REFORM: KEY FACTS AND FIGURES

- The Immigration Reform and Control Act (IRCA) disproportionately excluded women. Women had a significantly harder time providing the necessary documents for legalization under IRCA. A study by the Urban Institute and Rand Corporation attributed this to the facts that many women are domestic workers who lack formal documents, and that many women have their documents in their husband's names.¹ The success of immigration reform for women depends on learning from the mistakes of the past.
- 95% of domestic workers nationwide are women. In major cities, more than three-fourths of domestic workers are foreign born. And in New York, almost the entire population of domestic workers is made up of immigrant women.² Yet many past immigration reform proposals excluded domestic workers who could not provide proof of employment.
- Decades-long backlogs in the family-based immigration system hurt women more than men. 70 percent of all immigrant women attain legal status through family-based visas, compared to 61 percent of men. As a result, women wait longer to enter the United States. While they wait in their home countries they are forced to be separated from their families.³ Failure to reduce backlogs, and expansion of the employment-based system at the expense of the family-based system, will both disproportionately disadvantage women.
- Employment-based visas favor men over women by nearly a four to one margin. The employment-based visa system places a premium on male-dominated fields like engineering and computer science. As a result, nearly three out of four principal employment-based visas go to men, while only one in four go to women.⁴

¹Baker, Susan Gonzalez. *The Cautious Welcome: The Legalization Programs of the Immigration Reform and Control Act*. Washington, DC: The Urban Institute Press and the Rand Corporation (1990) at 137-8. *See also* Baker 1997 "The 'Amnesty Aftermath: Current Policy Issues Stemming from the Legalization Programs of the 1986 Immigration Reform and Control Act," *International Migration Review*, 31(1):5-27.

² *National Domestic Workers Alliance, Home Economics Report*, based on *American Community Survey, 2005-2009 5-year sample*

³ Kelly Jefferys, DHS Office of Immigration Statistics, *Characteristic of Employment--Sponsored Legal Permanent Residents: 2004* (October 2005)

⁴ *Id.*

- This disparity persists despite the fact that immigrant women are almost as likely to have bachelor's degrees as immigrant men. Just over one-quarter (26.4 percent) of immigrant women had a bachelor's degree or more education in 2008, compared to 27.9 percent of immigrant men.⁵ Future flows programs must include professions commonly held by women so as not to limit women's opportunities for lawful immigration.
- The vast majority of women admitted through the employment-based system come in as dependents of their spouses and are unable to legally work. Forcing women to be dependent on their spouses significantly raises the risk of abuse. Studies have found that immigrants with stable permanent immigration status are more than twice as likely to call police for help in domestic violence cases as women with temporary legal immigration status.⁶ Allowing derivative beneficiaries of employment-based visas to work is an essential component in providing full protections to women.
- New America Media **found** that only 13 percent of immigrant women work as professionals in the United States, even though 32 percent of them worked as such in their home country. The study concludes, "Women may well be putting devotion to the wellbeing of their families ahead of personal pride in choosing the journey to America."⁷ Similarly, only 58% of working-age women who are undocumented immigrants are in the labor force (compared with 94% of working-age men). This is well below the share of women in the workforce who are U.S. born (73%) or legal immigrants (66%).⁸ These women could be contributing to the economy if we give them the work authorization and family supports necessary to do so.
- A higher share of women who are unauthorized immigrants say they are not working because they are raising children at home—29%, compared with 16% of other immigrants and 8% of U.S.-born women.⁹ Work as a homemaker is a critical contribution to the well-being of children and communities and must count as such for the purposes of legalization and eligibility for citizenship.

⁵Immigration Policy Center. *Immigrant Women in the United States: A Portrait of Demographic Diversity*. available at <http://www.immigrationpolicy.org/just-facts/immigrant-women-united-states-portrait-demographic-diversity>

⁶Forty-three percent of immigrants with stable permanent immigration status called police for help in domestic violence cases compared to 21percent among women with temporary status. This rate dropped further to 18.8% if the battered immigrant was undocumented. Ammar, N. *et al.*, "Calls to Police and Police Response: A Case Study From the Latina Immigrant Women," 7 U.S. J. OF INT'L POLICE SCI. & MGM'T 230 at 236 (2005)

⁷New America Media, *Women Immigrants: Stewards of the 21st Century Family* (Feb. 2009) available at

⁸ Jeffrey Pasel and D'Vera Cohn, Pew Research Hispanic Center, *A Portrait of Unauthorized Immigrants in the United States* (April 14, 2009) available at:

<http://www.pewhispanic.org/2009/04/14/a-portrait-of-unauthorized-immigrants-in-the-united-states/>