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Immigration and Immigrants' Rights

According to the 2000 census, there are over 30 million immigrants in the U.S., representing 11 percent of the total population; and an estimated one in five children in the U.S. is native-or foreign- born child of an immigrant.ⁱ These immigrants and their children contribute to our communities, economy and our culture. In fact, the United States is one of the most diverse nations today, thanks to the millions of immigrants who have enriched our culture and contributed to our economic growth.

Today, immigrants' rights have been brought to the national stage via the discussion of immigration reform. The policies considered by Congress have covered a range of issues from border security to the economy but it is important to remember that all of these policies, affect women and families and their well-being should be a consideration in any proposed immigration reforms. For instance, 85 percent of immigrant families with children are mixed status families, where at least one parent is a non-U.S. citizen and one child is a U.S. citizen.ⁱⁱ These families are active members of the communities in which they live, work and attend school.

VIEW POINTS

Supporters of immigration reform and tougher immigration laws argue that individuals who do not follow the immigration laws of the United States should not be rewarded for their behavior by being eligible to become citizens. These individuals argue that there is a legal process for entering the United States and individuals should follow all applicable laws and processes.

Advocates for immigrant rights counter that policies considered by local communities, and state and federal governments have covered a range of issues from border security to the economy but have not always focused on a broader issue of how immigration reform policies and practices impact individuals and families. Some advocates further argue that while all immigration reform policies affect immigrant individuals and families; rarely has the well-being of women and children been at the forefront of the consideration in these discussions, nor has specific situations involving women and children been addressed. For example, immigrant women may face unique circumstances including being trafficked into the United States or experience domestic violence. Immigration reform policies should include how to address the circumstances and needs of these victims.

YWCA POSITION

Though border security and the economic needs of our country are important aspects of the immigration debate, the discussion should not be limited to these issues. Any discussion on immigration should include how to best protect the welfare of immigrant women, girls and their families including those who are victims of violence and trafficking.

- **The YWCA has a long history of working to improve the lives of women of color, including immigrant women.** We began providing bilingual instruction, housing and skill training to immigrant women in 1909. Today, we offer job training, housing, health care and culturally sensitive domestic violence assistance in communities. We also work nationally to support public policies that protect immigrant rights and to prevent enactment of legislation that will harm immigrant women, girls and families.

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- **Because of our work in communities across the country, the YWCA considers the discussion surrounding immigration to be too limited for the realities facing immigrant women, girls and families.** Any discussion on immigration and immigrant rights should include, in addition to security and economic concerns, two items: 1) ways to protect and promote the welfare of immigrant women and families, and 2) ways to protect and ensure the safety of immigrant battered women and their children, and females who have been raped or victims of trafficking.
- **Any discussion of immigration policies must include consideration of families and family well-being.** YWCAs witness everyday the importance of families in relation to the well-being of our clients. For example, families provide emotional and economic support to their members. Among immigrant families, it is estimated that 85 percent with children are of a mixed status families in which at least one parent is a non-citizen and one child is a citizen.ⁱⁱⁱ Any discussion of immigrants' rights or immigration reform, therefore, should include how to protect and promote the welfare of mixed status and immigrant families and ensure that these families are not harmed or separated. Furthermore, Congress must address the difficulties of family reunification. It can often take years or even more than a decade for close relatives of U.S. citizens or permanent residents to obtain immigrant visas, which simply encourages people to overstay temporary visas or find some other way to enter the country.
- **Any discussion of immigration policies must include consideration of women and girls who are victims of violence.** As the largest provider of battered women's shelters in the country, YWCAs see daily how immigration status affects a woman's ability to leave an abuser. In fact, immigrant women who are victims of violence experience unique challenges in accessing services and leaving their partners including: language barriers, threats of deportation and separation from her children, withdrawal of her petition to complete her legalization status, and intimidation by destroying important documents such as an identification card or passport. Congress has recognized these unique needs, as evidenced by the creation and reauthorization of the Violence Against Women Act (VAWA), which contains provisions to protect immigrant women who are victims of violence. Future immigration legislation must continue this trend.
- **Any discussion on immigrants' rights and immigration reform Congress must also consider the needs, safety and well-being of trafficking victims who are in the United States.** Each year, an estimated 800,000 to 900,000 women and children are bought, sold or forced across the world's borders. Recent figures project that between 18,000 and 20,000 of those women and children are trafficked into the United States annually for sexual exploitation or forced labor. Others estimate that the actual number of women and children trafficked into the United States is closer to 50,000.^v Victims of trafficking should not be penalized for having been brought to our country against their will, should not face penalties or fines for having false documents or needing assistance to recover from their trauma.^{iv} Congress has recognized the unique needs of trafficking victims, as evidenced by the creation of legislation to address the needs of these victims including the Victims of Trafficking and Violence Protection Act of 2000 (Public Law No: 106-386). Future immigration legislation should continue this trend.

ⁱ Michael Fix, Wendy Zimmerman and Jeffrey Passell, *The Integration of Immigrant Families in the United States* (Urban Institute, July 2001) and Urban Institute Check Points (September 2000).

ⁱⁱ Fix, Zimmerman and Passell, supra n. i.

ⁱⁱⁱ Michael Fix, Wendy Zimmerman and Jeffrey Passell, *The Integration of Immigrant Families in the United States* (Urban Institute, July 2001) and Urban Institute Check Points (September 2000).

^{iv} Family Violence Law Center. http://www.fvlc.org/gethelp_immigrantwomen.html