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Hearing to examine H.R. 750,
the "Save America Comprehensive Immigration Act of 2007"

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Ensuring that the needs, rights and dignity of immigrant women and children are considered as Congress and the nation discuss the challenges and policy implications for Comprehensive Immigration Reform

Thank you for inviting the National Organization for Women Foundation to testify before this subcommittee as you consider H.R. 750, The Save America Comprehensive Immigration Act of 2007. NOW Foundation and our sister organization NOW have been working for decades to promote and advance women's equality.

Today we are here because there is a drumbeat of anger across this nation aimed at immigrant workers and their families, with little regard for the truths about the lives and livelihoods of millions of people living and working here among us. As our nation, and this Congress, works to clarify our residency and citizenship laws, improve our security and safeguard our communities, we must not forget the needs and rights of immigrant women and children, whose concerns are too often overlooked and under-played.

Last year, we took a leadership role in convening the National Coalition for Immigrant Women's Rights, and gathered together grassroots and advocacy organizations nationwide with the goal of defending and promoting equality for immigrant women and their families living and working in the United States.

We integrate human rights principles into our work and believe that immigrant women's rights are both civil rights and women's rights. We believe that comprehensive immigration reform must include fair and non-discriminatory implementation of our immigration and enforcement policies, and that must include economic, legal and social justice for immigrant women.

Equality for immigrant women can only be attained when immigrant women can live free from discrimination, oppression and violence in all their forms. It is imperative that policies promoting comprehensive immigration reform also support fair and just policies that protect the rights of immigrant women. Millions of immigrant women's lives are at stake and we hope that this hearing is the beginning of a national dialogue that brings immigrant women's concerns out in the open and up for discussion.

For the record, there are 14.2 million foreign born women in the United States. Five and a half million are naturalized citizens, another five and a half million are documented and 3.2 million are undocumented. Women make up over 30% of the over 10 million undocumented immigrants in the United States today. Another 1.6 million are children under 18. And HALF of all undocumented immigrants originally came here with legitimate paperwork or visas and they have simply overstayed their time and are now undocumented, many lined up to renew their paperwork while they work at our colleges, in our businesses and pay taxes in our communities

Each year, half of all immigrants entering the United States are female - women and girls. However, public policies regarding immigrants do not reflect the impact that being female has on immigrants' lives in the United States. This applies to both documented and undocumented women.

The economic issues affecting undocumented immigrant women are basic: their work is not valued or counted. That is why NOW strongly supports the inclusion of provisions in any immigration reform legislation that would offer a path to residency and citizenship for the undocumented living in the United States. Undocumented women will benefit significantly economically, and be less subject to exploitation, if they can come out of hiding, apply for residency and seek employment in the general labor market, earn at least the federal minimum hourly wage and be eligible to contribute to and receive social security and unemployment benefits as other workers do.

The economic reality of immigrant women and children today is disheartening. According to the Pew Hispanic Center, 31% of family households headed by foreign-born women live in poverty today as compared to 27% of native born women-led households. 16% of all those who are foreign born live in poverty compared to 11.8% of the native born. One of the reasons for the higher number of foreign-born women in poverty is the fact that foreign-born women who are full time workers make less than their native born counterparts. For example, the median income for foreign-born women age 16 and over who are year-round, full time workers is \$22,106 while the median income for native born women is \$26,640.

Among the factors affecting low wages is the high percentage of immigrant women, both documented and undocumented, working in the service industry, primarily in domestic work. Forty-two percent of private household services are provided by immigrants under arrangements that are often informal, prone to abuse and exploitation. Domestic workers are the lowest paid of all major occupational groups tracked by the US Census. The true numbers are unknown for the most part due to the fact that many of these workers are not reported by employers, are not on anyone's official payroll, and are paid "under the table."

Protections for domestic workers must be included in any immigration reform legislation. Domestic workers, in particular undocumented immigrant women, are faced with extremely low wages, working 60-70 hours per week or more for as little as \$200 per week. This is exploitation, sometimes amounting to servitude or even slavery, under the most hostile conditions.

And yet, domestic service, in particular for those living in private households, remains excluded from and unregulated by our country's employment protections and labor laws. These women do not have the right to organize, strike or bargain for wages. The protections against sexual harassment in the workplace (through Title VII which applies to employers of 15 or more employees) are not available to domestic workers. They are similarly excluded from the Fair Labor Standards Act overtime provisions and from the Occupational Safety and Health Act. These omissions must be corrected through comprehensive immigration reform legislation. Domestic service is a category of work that must be addressed, not ignored and excluded from labor standards and protections afforded to other workers.

H.R.750's alternatives to detention programs, exempting certain individuals based on age, health, children, victims of trafficking and sexual abuse is a good step towards bringing some humanity to what is undeniably an unjust and reckless approach to resolving the issue of illegal immigration.

On the whole, as you discuss H.R. 750 and other proposed immigration reform, we urge you to consider the following:

- * An end to discriminatory, militaristic and inhumane immigration enforcement practices that destroy the families, homes and communities of immigrant women
- * Freeing immigrant women from mental, physical and emotional violence at the hands of traffickers, smugglers, intimate partners, employers, family members and others who exploit immigrant women's legal and economic vulnerability. Our immigration and criminal justice systems must ensure that immigrant women and their children are protected from gender-based violence, and must not perpetrate the cycle of violence by failing to provide adequate remedial measures that promote their safety and physical integrity.
- * A responsible path to citizenship, which must allow immigrant women to obtain work permits, to travel internationally and access higher education and federal financial aid. Immigrant women must have viable options that will permit them to be full contributors to the U.S. economic and societal landscape. We can no longer afford to lose these valuable contributions.
- * Protections for all immigrant women workers from exploitation and abuse in the workplace by providing fair wages and safe working conditions.
- * Acknowledgement of the need for public awareness, education, and understanding of the fundamental and pivotal role immigrant women play in the familial, cultural and social spheres of the United States.
- * The elimination of all forms of human trafficking through a survivor-centered advocacy model that opposes all forms of exploitation.

In closing, NOW and our coalition partners thank you for your consideration and hope that you will carefully consider our request to address the rights of immigrant women, help ensure their safety and a responsible path to legalization and citizenship and create a humane system of law enforcement that does not rely on illegal and immoral raids, inhumane detention and deportation without legal redress.

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