

Madame Chairwoman, Ranking Member King, and members of the Subcommittee, thank you for the opportunity to testify today about the role of family in the immigration process, specifically the problem of chain migration. I introduced legislation last year after learning about some of the severe problems of our current system of legal immigration that frankly put more emphasis on genealogy than skill, English proficiency, and overall contribution to the United States.

While our borders still need security, our border patrol agents still need support, and, dare I say, we still need to find a solution to the 12 million illegal aliens currently residing in the United States, an often overlooked problem is our flawed system of legal immigration and how it may contribute to illegal immigration, drive population growth --especially our poor population--, and add to our assimilation problems. Furthermore, this flawed system adds to our nation's financial problems considering that Family-based immigrants tend to be the

most impoverished and on average have the lowest skill levels and earning potential.

What is even more distressing is that most of these legal immigrants are admitted entirely because of their familial relation to other legal immigrants. This problem is called Chain Migration and it is one of the fundamental reasons why our businesses have problems sponsoring legal immigrants, why our federal caseworkers have problems with paperwork backlogs, and why our system has become so frustrating that individuals outside the United

States would rather risk immigrating here illegally than wait forever in line. For example, one immigrant may qualify for an immediate visa as an adult brother or sister of a naturalized U.S. citizen, yet depending on the country of application it could be 10 to 40 years or more before that visa is available under regular skill-based circumstances. As a result, a third of current legal immigrants told a “new immigrant” survey that they first came here as illegal aliens until their visa came up and they then went home to process the paperwork.

From 1776 to 1976 our immigration tradition allowed an average of 250,000 foreign workers and dependants every year. However, the 1965 immigration preference system, and subsequent modifications, including the 1990 Immigration Act, expanded immigration levels far beyond traditional levels, mostly by prioritizing extended family members. Our immigration system is obviously out of kilter when one immigrant can yield upwards of 273 other legal immigrants in as short as 15 years, assuming the average birthrate of the developing world. It is hard to believe one immigrant of skill or

humanitarian need could yield so many dependants under our laws of family reunification, yet the only limits on our current “chain” system are age and death. Assuming everyone in an immigrant’s family wants to immigrate to the United States and they are all alive, this 273 number is a real possibility. It may not be the norm, but even a fraction of that is a real problem.

The chain migration categories actually encourage more illegal immigration by creating a sense of entitlement to come to the United

States. Once an extended family member applies for an immigrant visa and then is put in the visa waiting list because the categories are oversubscribed, the applicant is more likely to decide to come here illegally to await the visa. Receipt of the immigrant visa becomes a technicality, rather than a prerequisite to entering the United States.

Furthermore, these numbers do not account for children who become citizens through birthright interpretation of our 14th Amendment, which can further complicate the problem. In this case,

don't just do the math, but do the multiplication.

For example, in the City of Gainesville in Hall County, Georgia, growth in the foreign-born population is actually surpassing the natural increase. This is an extraordinary rate of immigration. The average level of legal immigration into the U.S. since 1990 is over 1,000,000 a year. This is equivalent to importing the entire population of Dallas, Texas -- or Atlanta, Augusta, and Savannah, Georgia combined. This translates into backlogs, an overwhelming immigration bureaucracy, and immigration employees incentivized to cut

corners and put volume over scrutiny. Instead, we need to restore our traditional system and levels of immigration with emphasis on skill, English proficiency, and the nuclear family.

The U.S. Commission on Immigration Reform, a bipartisan body chaired by the late Congresswoman Barbara Jordan, recognized and documented the harms caused by chain migration in the 1990s. The commission found that America's national interests would be best served by the elimination of extended family-based immigration categories as well as the visa

lottery; and it urged that nuclear family members --spouses and minor children-- become the sole family-based priority. In other words, one of the top priorities for immigration reform is to restore emphasis on nuclear families and away from the adult children, uncles, aunts, cousins, and distant relatives of the original immigrant without regard to job skills or the needs of our country.

To quote the commission report: *A properly regulated system of legal immigration is in the national interest of the United States. Such a system enhances the benefits of immigration*

while protecting against potential harms. Unless there is a compelling national interest to do otherwise, immigrants should be chosen on the basis of the skills they contribute to the U.S. economy. The Commission believes that admission of nuclear family members and refugees provide such a compelling national interest. Reunification of adult children and siblings of adult citizens solely because of their family relationship is not as compelling.

With this in mind and in response to our growing immigration problem, both legal and

illegal, I have introduced H.R. 938, the Nuclear Family Priority Act. With passage of my legislation, we can reduce a chain of 273 --or more-- to a chain of 37. That's an 87 % decrease in our current system of immigration. The formula is simple: the original legal immigrant can only bring his or her spouse, dependant children, and parents. Our system of family reunification will still remain generous and open, but with enough restraint to keep the system fair and balanced for everyone.

I appreciate your time and consideration. Thank you and I would be happy to take any questions from the Committee.