

“Promoting Family Values and Immigration”

**Testimony of
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Introduction

The current family-based immigration system should be retained, its numbers should be expanded, and a re-orientation of the manner of family visas should be instituted so that backlogs are reduced. Why?

- Family reunification promotes strong family values for our nation.
- Family immigration has been the backbone of economic contributions made by immigrants in the last century.
- Reunification with family members gives new Americans a sense of completeness and peace of mind, contributing not only to the economic but also the social welfare of the United States. Society benefits from the reunification of immediate families, especially because family unity promotes the stability, health and productivity of family members.
- Family immigrants generally are working age who immediately become productive taxpayers who immediately begin supporting institutions like the Social Security system.
- Immigrant families often pool their resource to start small businesses that provide new jobs for native workers.
- We risk sending a strong anti-family message if we reduce rather than expand family immigration opportunities.
- The attack on family immigration categories sends a wrong message to communities of color—Asian and Latinos—who rely on the family categories to complete family reunification and stabilize their families.

- Our families make us whole. Our families define us and human beings. Our families are at the center of our most treasured values. Our families make the nation strong.

Promoting family reunification has been a major feature of immigration policy for decades. Prior to 1965, permitting spouses of U.S. citizens, relatives of lawful permanent residents, and even siblings of U.S. citizens to immigrate were important aspects of the immigration selection system. After the elimination of the racist national origins quota system in the 1965 reforms, family reunification became the cornerstone of the immigration admission system.

Like his predecessors, Harry Truman and Dwight Eisenhower, President John Kennedy assailed the national origins quota system for its exclusionary impact on prospective immigrants from southern and eastern Europe and Asia. Although President Kennedy's reform goals (ultimately pushed through by President Lyndon Johnson after Kennedy's assassination) initially envisioned a first-come, first-served egalitarian system, the reform effort evolved into a category-oriented proposal that was enacted. The 1965 immigration amendments allowed twenty thousand immigrant visas for every country not in the Western Hemisphere. Of the 170,000 immigrant visas set aside for Eastern Hemisphere immigrants, about 80 percent were specified for "preference" relatives of citizens and lawful permanent residents, and an unlimited number was available to immediate relatives of U.S. citizens. The unlimited immediate relative category included spouses, parents of adult citizens, and minor, unmarried children of citizens. The family preference categories were established for adult, unmarried sons and daughters of citizens (first preference), spouses and unmarried children of lawful permanent resident aliens (second preference), married children of citizens, and siblings of citizens (fifth preference). Third and sixth preferences were established for employment-based immigration.

As Asian and Latin immigrants began to dominate the family-based immigration system, somehow the emphasis on family reunification made less sense to some policy makers. Since the early 1980s, attacking family reunification categories—especially the sibling category—has become a popular sport played every few years. Often the complaint is based on arguments like, "shouldn't we be bringing in *skilled immigrants*," or "wouldn't a point system" be better, or a system based on family relationships is "nepotistic," or in the case of the sibling category, brothers and sisters "aren't part of the nuclear family" or the category represents "vertical as opposed to horizontal immigration."

By 1976, a worldwide preference system (which included Western Hemisphere) quota of 270,000 was in place that continued to reserve 80 percent for kinship provisions, and the category of immediate relatives of the United States citizens remained numerically unlimited. The effects of this priority were demonstrated vividly in the subsequent flow of Asian immigration, even though nations such as those in Africa and Asia, with low rates of immigration prior to 1965, were handicapped. In other words, the nations with large numbers of descendants in the United States were expected to benefit from a kinship-based system, and in 1965, less than a million Asian Americans resided in the

country. Although the kinship priority meant that Asians were beginning on an unequal footing, at least Asians were on par numerically, in terms of the per country quotas. Gradually, by using the family categories to the extent they could be used and the labor employment route, Asians built a family base from which to use the kinship categories more and more. By the late 1980s, virtually 90 percent of all immigration to the United States—including Asian immigration—was through the kinship categories. And by the 1990s, the vast majority of these immigrants were from Asia and Latin America.

Attacking Families

Once Asian and Latin immigrants began to dominate the family immigration categories, the kinship system was assailed. Consider the following attack in 1986:

Nowhere else in public policy do we say not “who are you and what are your characteristics?” but ask rather, as we do in immigration, “who are you related to?” Current policy says: “if you have the right relatives, we will give you a visa; if you don’t have the right relatives, well, it is just too bad.”¹

Arguing that the system was nepotistic or that the country would be better off with a skills-based system became popular. The following like-minded statement also from the mid-1980s about undocumented migration reveals the racial nature of the complaint:

If the immigration status quo persists, the United States will develop a more unequal society with troublesome separations. For example, some projections indicate that the California work force will be mostly immigrants or their descendants by 2010. These working immigrants, *mostly nonwhite* will be supporting mostly white pensioners with their payroll contributions. *Is American society resilient enough to handle the resulting tensions.*

...
The American economy will have more jobs and businesses if illegal alien workers are allowed to enter freely and work in the United States. But the number of jobs and businesses alone is not an accurate measure of the soundness of economic development or *quality of life*. Tolerating heavy illegal immigration introduces distortions into the economy that are difficult to remedy, while imposing environmental and *social costs* that must be borne by the society as a whole.²

Apparently, this perception of a good “quality of life” without “environmental and social costs” is one with minimal tension from the presence of “nonwhite” “immigrants or their descendants.” As an observer at the time recognized, “It may be fair to conclude that the

¹ Testimony of Barry R. Chiswick before the Joint Economic Committee, Congress of the United States, S. Hrg. 99-1070, May 22, 1986, p. 236. Of course this statement was factually incorrect; even under the system at the time, prospective immigrants with skills needed by an employer could qualify for a labor employment category.

² Martin, Philip, *Illegal Immigration and the Colonization of the American Labor Market*, Center for Immigration Studies, 1986, at 45. (emphasis added)

problem masquerading as illegal immigration is simply today's version of a continuing American—in fact, human—condition, namely xenophobia.”³ As in the Asian exclusionary era, the complaints were not simply about the economy; they were about keeping people out who did not fit the right image.

From the early 1980s to 1996, the leading voice attacking family immigration, especially the sibling category, was Republican Senator Alan Simpson of Wyoming. Simpson had been a member of the Select Commission on Immigration and Refugee Policy that issued a report in 1981 calling for major changes in the immigration laws. After IRCA was enacted in 1986 to address issue of undocumented migration through employer sanctions and legalization, Simpson turned his attention to legal immigration categories. At the time, although 20 percent of preference categories were available to labor employment immigrants (54,000), when the unrestricted immediate relative immigration categories were added to the total number of immigrants each year, less than 10 percent of immigrants who were entering each year were doing so on the basis of job skills.

In fact, soon after the Select Commission report, Senator Simpson proposed the elimination of the sibling immigration category. At the core of what became a long crusade, Simpson's complaint was that brothers and sisters are not important relatives for immigration purposes; that in U.S. culture, the sibling relationship is simply not close enough to justify providing an immigration preference. He ignored the many experts who testified in hearings before the Select Commission stressing the importance of family reunification over employment-based visas, including the sibling category. Demographer Charles Keely testified that:

We, as a nation, cannot only accept, but are enriched in countless ways, by traditions which honor the family and stress close ties not only within the nuclear family of spouses and children but also among generations and among brothers and sisters. Attacks on family reunification beyond the immediate family as a form of nepotism are empty posturing.⁴

The Mexican American Legal Defense and Education Fund, the League of United Latin American Citizens, the U.S.-Asia Institute, and others testified in favor of retaining the category. One organization opposing Simpson's proposal, The American Committee on Italian Migration, noted:

For Italians and for many other ethnic groups, brothers and sisters, whether or not they are married, are an integral part of the family reunion concept. Elimination of this preference category would violate a sacrosanct human right of an American citizen to live with his family according to his own traditional life style.⁵

³ Annelise Anderson, *Illegal Aliens and Employer Sanctions: Solving the Wrong Problem*, Hoover Essays in Public Policy, The Hoover Institution, Stanford, Ca., 1986, at 21.

⁴ SCIRP 1981d:48.

⁵ U.S. Senate Committee on the Judiciary 19a: 19, 170.

Arizona Democratic Senator Dennis DeConcini, also a member of the Select Commission, added his voice to the debate:

Proposals have been offered to eliminate the [sibling] preference. It is felt by some to be too generous, as it refers to horizontal rather than a vertical family concept. . . . But to deny that brothers and sisters are an integral part of the family is to impose upon many ethnic groups a narrow concept of family and one that especially discriminated against the Italian-Americans. We also should stress the rights of U.S. citizens by allowing them to bring their families to America. This view should precede the technical notion that we need certain types of specialist and skilled workers.⁶

In fact, the Select Commission overwhelmingly endorsed the policy of keeping brothers and sisters as a preference category.⁷ Proposals to eliminate family categories created by the 1965 amendments were to be rejected.

The reunification of families should remain one of the foremost goals of immigration not only because it is a humane policy, but because bringing families back together contributes to the economic and social welfare of the United States. Society benefits from the reunification of immediate families, especially because family unity promotes the stability, health and productivity of family members.⁸

Simpson did not relent and in the late 1980s at a time when legal immigration continued to be dominated by Asians and Latinos even after “diversity programs” were being implemented to aid non-Asian and non-Mexican immigrants, he wanted the family immigration numbers reduced or at least managed. S. 358 was approved by the Senate in July 1989, which would establish a ceiling of 630,000 legal immigrants for three years. Of the total, 480,000 would be reserved for all types of family immigration and 150,000 would be set aside for immigrants without family connections but with skills or job related assets. Yet after numerous markups and hearings, the House of Representative passed Congressman Bruce Morrison’s H.R. 4300, a rather different bill, on Oct. 3, 1990. The bill actually would reduce family immigration more dramatically—thereby reducing the number of Asian and Latino family immigrants, providing 185,000 family-based visas and 95,000 employment-based visas annually.

The bill was attacked for its wholesale elimination of temporary work visas for professionals. The concern was that the spigot actually might be closed on foreign workers. Also, the possible elimination of H-1 nonimmigrant status for certain professions outraged immigration lawyers, who called it a “must-kill” provision. Another one of Morrison’s more controversial suggestions was to tax employers who use alien employees. One early proposal required businesses to pay 15 percent of an alien’s salary into a federal trust fund used to train U.S. workers. As introduced, the bill would impose

⁶ Address in 1978 to the American Committee on Italian Migration, reported in Immigration Update National Symposium, New York, 1980.

⁷ SCIRP 1981a: 119.

⁸ Select Commission on Immigration and Refugee Policy Report (SCIRP): 1981b: 357.

a flat user fee dependent on the size of the company. After furious negotiations, especially with fellow Democratic Congressman Howard Berman from Los Angeles, Morrison agreed to drop proposals that would have reduced the number of family based visas, persuaded by Berman who argued: “To cut back on the ability of new Americans to be with their family members betrays the core American value and tradition of emphasizing the integrity of the family.”⁹

As passed, H.R. 4300 would increase the number of legal immigrants to 775,000 a year from the prior 540,000. It would also speed the process of uniting families, attract more skilled workers and create a new diversity category for immigrants from countries whose nationals have largely been excluded in the past. After passing the bill, the House changed the bill number to S. 358 to enable it to go to a joint House-Senate conference. However, many were opposed to the more liberal House bill and negotiated to cap legal immigration and place new measures to control illegal immigration, including tougher provisions against criminal aliens. The House conferees insisted on a sunset cap in the bill and wanted extra visas to go to relatives rather than to skilled workers. But Senator Simpson refused to agree.

Enacted on Oct. 26, 1990, the compromise bill would allow 700,000 immigrants from 1992-94 and 675,000 annually in subsequent years.¹⁰ For the time being, proposals to cut back on family immigration were defeated, and the Immigration Act of 1990 had responded to lobbying efforts by American businesses. The Act was a significant, and to some a revolutionary, revision of the focus of U.S. immigration law. After passage of the Act, although the main thrust of immigration law continued to be family immigration, highly-skilled immigrations would be deliberately encouraged to resettle in the United States more than ever before. In the long run, the number of employment based visas would nearly triple from 54,000 to 140,000 per year.

While the Asian- and Latino-dominated family categories were not reduced in 1990, an overall numerical cap was installed. Furthermore, in the words of Senator Simpson, through the new employment categories and expanded diversity programs, “we [now] open the front door wider to skilled workers of a more diverse range of nationalities.”¹¹

Up to his retirement in 1996, Senator Simpson fought to eliminate the sibling category. On the eve of the 1996 Presidential election, Congress reached a compromise on immigration reform relating to deportation, asylum, and procedural issues. Until the late spring of 1996, however, the chance that the immigration legislation would include revisions to legal immigration categories was real. Senator Simpson again took aim at the siblings-of-U.S.-citizens category and the category available to unmarried, adult sons and

⁹ Stewart Kwoh, *Los Angeles Times*, Sept. 14, 1989.

¹⁰ The compromise included portions of S. 3055 sponsored by Simpson, which would speed deportations of criminal aliens. Section 501 expanded the definition of “aggravated felony” to include illicit trafficking in any controlled substance, money laundering, and any crime of violence with a 5 year imprisonment imposed. The bill also included both federal and state crimes. Aliens convicted of aggravated felonies would have expedited deportation hearings and would not be released from custody while in deportation proceedings. 67 IR. 1229-31.

¹¹ 136 Cong. Rec. S17,109 (daily ed. Oct. 26, 1990) (statement of Sen. Simpson).

daughters of lawful resident aliens (category “2B”). The efforts ultimately were not successful, and the 1996 legislation did not reduce family immigration.

The False Choice between Family and Employment Visas

As comprehensive immigration reform is debated today, some commentators once again seek to place the family immigration categories on the negotiating table. This attack on family immigration is a variation on the wouldn't-it-better-to-choose-immigrants-based-on-skills theme, by positioning family visas in opposition to employment-based visas:

There is an *inherent tension* in the immigration system between job and family-based admissions. In allocating visas between family and employment criteria, the goal of family reunification cannot be entirely reconciled with the problem of visas as a scarce resource. The answers here are either to accept persistent family migration backlogs or limit the scope of family migration to nuclear, instead of extended, family relationships.¹²

Inherent tension? Of course there is only an “inherent tension” between employment and family-based visas if we choose to accept the premise that visas are a “scarce resource,” or if we insist on pitting the two types of visas as oppositional. If instead we view the two systems as complementary ways of achieving and reflecting our goals and values as a society, then we don't have a problem of “tension.” In other words, if, for the sake of argument, we use immigration to help our economy, to promote the social welfare of the country, and to promote family values, then family and employment categories together can meet those goals.

The Labor Force Picture

Another problem with placing employment visas in opposition to family visas is the implication that family immigration represents the soft side of immigration while employment immigration is more about being tough and strategic. The wrongheadedness of that suggestion is that family immigration has served our country well even from a purely economic perspective. The country needs workers with all levels of skill, and family immigration provides many of the needed workers.

A concern that the current system raises for some policymakers is related to the belief that the vast majority of immigrants who enter in kinship categories are working class or low-skilled. They wonder whether this is good for the country. Interestingly enough, immigrants who enter in the sibling category actually are generally high skilled. But beyond that oversight by the complainants, what we know about the country and its general need for workers in the short and long terms is instructive.

The truth is that we need immigrant workers of all skill levels today, and we will need them in the future. As of 2004, 21 million immigrants were in the U.S. labor force, representing 14.5 percent of the total labor force. A majority of the immigrant workforce

¹² Memorandum from Doris Meissner, Nov. 30, 2005 (emphasis added).

is Mexican or from other Latin countries; foreign-born Asians are one-quarter of the immigrant workforce. Roughly 6.3 million (30 percent of all foreign-born workers) are undocumented workers. This represents about 4.3 percent of the total U.S. labor force.

In the last few years, the employment of immigrants actually grew while that of native workers was stagnant. This trend is expected to continue because without immigrants, demographers project that the number of workers between the ages of 25 and 54 over the next few decades will decline. This suggests a strong demand for immigrants in a broad variety of industries. Immigrants represent 20 to 22 percent of farm and non-farm laborers. Mexican-born workers are much more likely than native workers to be found in food preparation, building and grounds maintenance, construction, and production jobs. The 2001-2003 recessionary period also represented a restructuring period; immigrants were favored in the declining manufacturing industry, as well as in the leisure/hospitality and construction areas. Professional business services also hired a large number of immigrants, likely due to increased global competition.

Most projections of future immigration suggest that foreign-born workers will play a significant role in the growth and skill composition of the U.S. labor force. The Bureau of Labor Statistics (BLS) projects that the labor force will grow 12 percent (17.4 million) between 2002 and 2012, reaching a total of 162.3 million.

Given projections of slow growth of the native workforce, the levels of immigration used in BLS and other projections imply that immigrants will remain significant drivers of labor force growth. The BLS' most recent projections assume that total immigration, both legal and unauthorized, will continue to bring between 900,000 and 1.3 million people to the country each year until 2012. Barring truly restrictionist policy, it is likely that immigrants will continue to comprise a significant supply of workers under any legislation that is passed. In fact, immigrants have been an important source of labor source growth in the recent past, making up 48.6 percent of the total labor force increase between 1996 and 2000, and as much as 60 percent of the increase from 2000 to 2004.

These projections imply that an immigrant workforce of 19 million is projected to grow to 25 million by 2010, 29 million by 2020, and to 31 million by 2030. Likewise the share of immigrants in the total labor force is predicted to climb from 13 percent in 2000 to 18 percent by 2030, and then remain little changed through 2050. After 2030, the projections indicate little further growth of the immigrant workforce, while much of the ongoing growth of the native workforce is implicitly being driven by the children of immigrants or the second generation.

Calculations by the Urban Institute suggest that if no immigrants entered the country after 2000, the labor force would be nearly 10 million workers smaller by 2015 than if immigration follows current projections. By 2050, the difference between the size of the labor force with immigration and without would be 45 million.

The skill levels demanded by occupations projected to grow over the next several years parallel the educational profile of the labor force, suggesting ongoing demand along the

skill spectrum. Every two years, the BLS publishes projections about the future size and shape of the U.S. labor force, and the number of net jobs that will be created or lost in each occupation. The latest projections are for the years 2002 to 2012, and they forecast a slowing in the rate at which the total labor force is growing. However, there is substantial variation in the fortunes of various occupational workforces.

Tomorrow's economy will generate demand for jobs that are different from today's and the skills that workers need will likewise change. The BLS separates out 15 occupations that are projected to have the largest numerical growth and another 15 that are projected to experience the fastest rate of growth. Immigrants make up a significant share of the labor force in many large and fast-growth occupations. Important, the BLS further classifies occupations by the degree of skill required for the job, showing that there will be a demand for both low and high-skilled immigrant workers.

For the forecast large-growth occupations, 11 out of the 15 require only short or moderate-term on-the-job training, suggesting lower-skilled immigrants could contribute to meeting the demand for these types of jobs. According to the 2000 Census data, immigrants were overrepresented in 4 of these occupations. Immigrants made up 20 percent of janitors and building cleaners, 17 percent of nursing, psychiatric, and home health aides, 13 percent of waiters and waitresses, and 13 percent of cashiers. On the high skill end, 3 large growth occupations--general and operations managers, other teachers and instructors, and postsecondary teachers--require a bachelor's degree or higher and immigrants are especially well poised to contribute to these.

Immigrants are also found in jobs that are expected to be important in serving tomorrow's aging population. Seniors are expected to increasingly generate demand for medical, home care, and other services, many of which require workers with only on-the-job training. According to analysis of BLS data, 8 of 15 occupations projected to grow most rapidly and several of the occupations projected to have largest absolute growth are medical support occupations including medical records technicians, nursing and home health aides, registered nurses, occupational therapist assistants and aides, personal and home care aides, and the like.

In summary, forecasts of occupational growth suggest that there is likely to be continued strong growth in occupations requiring better educated workers. There will also be a substantial growth of jobs requiring little training and in which immigrants are already well represented. Educational forecasts suggest that throughout the next decade, immigrants are likely to play an important role in restructuring the U.S. labor force.

The aging of the baby boomer generation will slow labor force growth, increase the burden of older, retired persons on younger workers, and create a potential drag on productivity growth. Between 2002 and 2012, persons aged 55 and older are estimated to grow an average of 4.9 percent per year, or nearly quadruple the growth rate of the overall labor force. The number of workers aged 25-54, in contrast, will grow by only 5.1 million workers, or at a rate of 0.5 percent per year. These demographic trends slow the rate of growth of the total prime-age labor force.

The aging of the population will change the dependency ratio--the number of non-working dependents compared to economically active workers. That ratio is expected to rise as the baby boomer generation enters retirement and as U.S. fertility rates remain low, leaving a greater number of elderly to be supported by each worker. The decreasing number of taxpaying workers supporting each retiree will strain public assistance programs for the elderly including Social Security and Medicare. An infusion of young taxpaying immigrants can help address future shortfalls in these programs.

While the evidence suggests that greater immigration could aid elderly assistance programs, it should not be expected to solve the problem. Increased immigration can temporarily lessen the Social Security and Medicare burden on native workers, but in the longer-run, permanent immigrants will also age into retirement. Further, immigrants are only 12 percent of the U.S. population and current rates of immigration add about 1 million immigrants yearly to an existing base of about 34 million.

Immigration also may boost productivity, because immigrant workers tend to be younger and therefore generally more productive than older workers, but it is unclear how greatly immigration would need to be expanded to significantly enhance productivity. A National Academy of Sciences report in 1997 concluded that immigrants generate a small but positive boost to the gross national product by generating increased returns to capital that are greater than their adverse wage impacts. Some evidence suggests that innovation thrives when human capital is agglomerated in areas with many specialists and skilled migrants. The booming economy of the late 1990s was fueled by historic productivity gains, one-third of which came from information technology (IT), and foreign workers fueled one-quarter of the IT labor force growth. Also, immigrants started about one-third of Silicon Valley's high-tech start ups.

Potential problems created by the aging of the U.S. labor force cannot simply and entirely be solved by more immigration, but budget and productivity shortfalls at least will generate demand for generous numbers of skilled immigrant workers.

Some might argue that strategies other than immigration could be used to meet the country's coming economic needs. For example, the need for high-skilled labor could be met in ways other than increasing the numbers of high-skilled immigrants allowed into the country. High technology jobs could be outsourced to rising centers of technological expertise such as Bangalore or other growing hot spots around the world. Or the United States could devote greater resources to raising the skill level of residents, retraining workers from sunset industries and improving the teaching of skills most relevant to the future economy of the country's youth.

Given the dynamic nature of the economy, the uncertainty of any attempts to predict the needs of tomorrow's economy, and the limited control any government can exert over demographic changes, it is difficult to say with any certainty how immigration can or should be used to meet the needs of the country's coming labor markets. However, it is quite clear that immigration has been an important source of labor force growth in the past, and that the skills required of the occupations important to the future, in both

technology and healthcare industries, will likely match reasonably well with the skill profiles of immigrants today and the projected skill profiles of future immigrants. Immigrants currently play a large role in several of the occupations expected to have most growth both in terms of the rate of growth or growth in numbers of workers, and can therefore be expected to contribute to meeting the future demand of these industries. Immigration is not the only answer to the country's future economic needs, but it could, and likely will, play an important part in a more comprehensive solution.

The Competition Charge

Immigrant workers have long contributed to the power behind the motor of the U.S. economy. However, concerns that immigrants compete with native workers to the latter's detriment still abound in the public mind. A review of the literature about immigration's impact on native wages and job displacement is a starting place to resolve this question. But before doing so, any serious observer has to acknowledge that immigrants affect the economy in ways that are not reflected by wage and job displacement studies. Immigrant entrepreneurship may create jobs; immigrants are increasingly associated with further openings to trade and other forms of exchange; high-skilled immigrants innovate in key sectors of the economy; immigrants make tax contributions and receive public services; the presence of significant numbers of immigrants in a sector helps make that sector's products and services cheaper--and thus more affordable by all consumers; and immigrant workers both produce and, in turn, consume goods and services--thus having much wider ripple economic effects, including creating jobs.

Most economic competition discussions generally focus on the short- and medium-term impacts of immigration. When immigrant workers enter a labor market, there may be initial pains to accommodate them, and in response to those difficulties, the labor market may adjust, perhaps by creating more jobs that immigrants and/or natives could fill, or inducing natives to move. However, in the long-term, the impact of an immigrant cohort depends on the degree to which immigrants assimilate into U.S. society (i.e., become like native workers in terms of the skills they have). If they, or perhaps more importantly their children, assimilate economically, a given immigrant cohort will tend to make the economy larger without putting downward pressure on natives' wages. Also, keep in mind the possibility that immigrant employment often complements that of native workers.

Immigrants are an important and growing part of the U.S. labor force. Estimates indicate that one of every two new workers in the 1990s was foreign-born. As a result of these flows, from 1990 to 2002, the immigrant share of the workforce rose from 9.4 to 14 percent. Immigrants are also disproportionately low-wage workers, comprising 20 percent of the low-wage population, though they also make up much higher proportions in several high-skill occupations and sectors.

In 1997, the National Research Council concluded that immigration had a small effect on the wages of native workers. Evidence showed that immigration reduced the wages of competing natives by only 1 or 2 percent. Effects were also weak for native black

workers, a group often assumed to be in competition with immigrant workers. Earlier immigrant cohorts were more significantly affected: they could expect 2 to 4 or more percent wage decline for every 10 percent increase in the number of immigrant workers. The report also noted that immigration, as a whole, resulted in a net benefit to the economy of between \$1 and \$10 billion annually, a small but still significant positive impact. Certain groups within the economy, such as those with capital or high-level skills or those consuming immigrants' goods or services, benefited from immigration, even if low-skilled natives stood to lose in the process.

While there is still general agreement that some native groups, particularly the high-skilled or those with capital, benefit from overall immigration flows, since 1997, the assertion that immigrants do not significantly affect natives' wages is now more broadly contested. Many studies continue to find no effect or only weak negative effects of immigration on low-skilled workers or workers in general. Others suggest that newly arriving immigrants do not have a statistically significant impact, but the degree to which immigrants substitute for natives increases with time spent in the United States. Still others contend that the negative wage effects are larger, perhaps on the order of a 3 or 4 percent wage decline for competing workers for every 10 percent increase in immigrants with similar skills. Other the other hand, some research found that immigration actually had a slightly positive and statistically significant effect on all natives' self-employment earnings.

Findings now are contested regarding immigrants' wage effects for highly-skilled native workers. Some researchers estimate that immigration during the last two decades depressed wages by 4.9 percent for native college graduates. In contrast, others have found that high-skilled immigrants actually raise native wages, for example that a 10 percent increase in high-skilled immigrants raised native skilled workers' earnings by 2.6 percent.

In essence, the literature indicates that the impact of immigration on native workers is an issue that is still up for debate, perhaps now more than ever. Some researchers have found divergent, large negative, small negative to non-existent, and positive impacts from immigration on native relative wages, even among the most vulnerable populations. Furthermore, most research has found some job displacement or native exclusion within given sectors or cities as a result of immigration, but the criticism that many of these studies have looked where they would expect to find impacts is a valid one to keep in mind when viewing this literature convergence. Certainly, immigration's impact on the most vulnerable native workers is increasingly contested ground, which makes predicting future impacts doubly difficult.

In the end, whether or not immigrants actually depress wages or displace some workers may be only one consideration within a larger policymaking context. Whether the effects are slightly negative, somewhat positive, or tend toward zero, they may be far outweighed by other effects that immigrants have on the United States. Over and over again, we hear the claim that immigrants definitely take jobs away from native workers

or that native wages are severely depressed by immigrant workers. But the empirical data supplies no smoking gun for those claims, and in fact, the opposite may be true.

Without an empirical foundation for attacking the entry of immigrants with low job skills, some critics of the current system simply argue that there is a better way of doing things. They are not satisfied that immigration fills needed job shortages and aids economic growth as a result of the entry of ambitious, hard-working family immigrants and their children, many of whom are professionals as well as unskilled workers with a propensity for saving and investment.

The Benefits of Family Immigration

The economic data on today's kinship immigrants are favorable for the country. The entry of even low-skilled immigrants leads to faster economic growth by increasing the size of the market, thereby boosting productivity, investment, and technological practice. Technological advances are made by immigrants who are neither well-educated nor well-paid as well as by white collar immigrants. Moreover, many kinship-based immigrants open new businesses that employ natives as well as other immigrants; this is important since small businesses are now the most important source of new jobs in the country. The current system results in designers, business leaders, investors, and Silicon-Valley-type engineers. And much of the flexibility available to American entrepreneurs in experimenting with risky labor-intensive business ventures is afforded by the presence of low-wage immigrant workers. In short, kinship immigrants contribute greatly to this country's vitality and growth. They are the "moms, pops, sons and daughters who open groceries and restaurants, who rebuild desolate neighborhoods and inspire America with their work ethic and commitment to one another."¹³

Beyond the obvious economic benefits of the current system, a thorough consideration of the benefits of the family-based immigration system must include the psychic values of such a system. The psychic value of family reunification is generally overlooked by empiricists perhaps due to difficulty in making exact calculations. Yet the inability to make such a calculation is no reason to facilely cast aside the concept or ignore the possibilities.

Perhaps as a first step in getting a sense of the unquantifiable psychic values of family reunification, we could begin by thinking of our own families and what each one of our loved ones means to us. How less productive would we be without one or more of them? How less productive would we be, having to constantly be concerned about their sustenance, safety, or general well being? How more productive are we when we know that we can come home at the end of the day and enjoy their company or share our days' events with them?

Ask Ming Liu, a design engineer for a U.S. telephone and electronics equipment company from China. Liu was doing fine, better than his boss expected, and always had his nose to the grindstone. But he became an even better worker after his wife and child

¹³ *Family Values, Betrayed*, NY TIMES, Editorial, May 4, 2007.

rejoined him following a two-year immigration process. Liu's productivity skyrocketed. His boss observed Liu's personality opening up after his family arrived, and Liu came up with a completely new, innovative concept that helped the company change direction and increase sales. In Liu's words, after his family immigrated, he could "breathe again."

Or ask Osvaldo Fernandez, a former pitcher for the San Francisco Giants. He had defected from the Cuban national baseball team, leaving his wife and child back in Cuba. After a mediocre first half of the 1996 season, his wife and child were allowed to leave Cuba and join Fernandez in the United States. Overnight, his pitching performance radically improved. He attributed this turnaround to reunification with his wife and child.

Consider the Ayalde sisters. Corazon became a U.S. citizen several years after she immigrated to the United States as a registered nurse to work in a public hospital devoted to caring for senior citizens. When her sister Cerissa, who had remained in the citizen, became widowed without children, they longed to be reunited—especially after Cerissa became ill. Corazon filed a sibling petition, and after years of waiting, Cerissa's visa was granted. Corazon felt her "heart being lifted to heaven" as the sisters reunited to live their lives together once again. I think of the Ayalde sisters often in the context of my own mother's inability to successfully petition for her sister's immigration out of mainland China to be reunited. First there was the paperwork for the application, complicated by the difficulty in obtaining documents from China. Then there were the backlogs in the sibling category, and finally the hurdles of getting travel documents out of China in the 1970s. When my mother received word that her sister had passed away, the tears she shed were only a fraction of the pain she had endured being separated from her sister for decades.

The truth is that the family promotes productivity after resettlement in the United States through the promotion of labor force activity and job mobility that is certainly as important—perhaps more important—than the particular skills with which individuals arrive. Family and household structures are primary factors in promoting high economic achievement, for example, in the formation of immigrant businesses that have revitalized many urban neighborhoods and economic sectors.

Those who would eliminate family categories contend that family separation is a fact of life (sometimes harsh) that we can get over or live with. Yes, most of us live without someone whom we love dearly either because of that person's death, or because the person lives across the country. Yes, we can get over this separation and perhaps become as productive as ever. Yet to take this ability to recover and place it in the context of immigration and say to someone who wants to reunify with a brother, sister, son, or daughter, "No, your relative cannot join you; you cannot reunify with this person on a permanent basis," is cruel. It visits the burden and challenge of recovery on the person unnecessarily. It prevents voluntary choice by adults who are capable of making life-affecting decisions relating to very private family matters. As such it can affect life-long circumstances that the individuals involved should have controlled.

Conclusion

I once had a friendly debate over lunch with a retired federal immigration judge about the sibling category. He could not understand the need for the category because, after all, he loves his sister just as much even though she lives in New York rather than next door in San Francisco. On further discussion, he acknowledged that he might feel differently if she was living in a different country where visa requirements made simple visits complicated. Family separation across national boundaries must be viewed differently from separation within the same country.

The opponents of the current system that favors many family categories contend that unending chain migration has resulted from this system. They present a picture of a single immigrant who enters, who then brings in a spouse, then each spouse brings in siblings who bring in their spouses and children, and each adult brings in parents who can petition for their siblings or other children, and the cycle goes on and on. Certainly for a period of time, family categories result in the arrival of certain relatives. However, the purveyors of the image of limitless relatives forget that throughout the course of immigration history to the United States, these so-called family chains are invariably broken. Thus, although virtually limitless numbers of western Europeans have been permitted to immigrate to the United States throughout the past two hundred years, at a given point, decisions are made—some slowly—by families about who is willing or wants to come to the new country and who does not. As a result, immigration numbers from western European countries have dramatically fallen off. For example, hundreds of thousands of immigrants from the United Kingdom, Germany, and Ireland immigrated to the United States in each decade of the first part of the twentieth century. The figures continued to be substantial for Germans and British nationals through 1970, but then the figures diminished significantly after that.

In reality, the proponents of the chain migration image are simply engaging in scare tactics that have serious racial overtones. Their proposal to cut off family categories comes at a time when three in four immigrants are Latino or Asian. Perhaps most reprehensible is the fallacy upon which these attacks are being made. In fact, the picture of ever-expanding immigration fueled by chain migration is a fabrication. Consider individual countries: the number of Koreans who entered in 1988 was 34,000, but by 1993, the figure was reduced by half, and in 2004 fewer than 20,000 Koreans immigrated. The number of Filipinos who immigrated in 1990 was over 71,000, but by 1993 the figure was about 63,000, and around 50,000 by 2004.

In further twisted reasoning, supporters of family category reductions argue that since the categories are backlogged many years (especially the sibling category), they should be eliminated because they are useless and do not achieve any family values. However, they categories certainly are not useless for those who have waited their turn and who are now immigrating. And if there is real sympathy for those on the waiting list, then providing extra visa numbers for awhile to clear the backlog is in order. In fact, that was the recommendation of the bi-partisan Select Commission more than a quarter century ago. Clearing the backlogs is not novel; in 1962, for example, extra visas were made available

to clear backlogs for Italian and Greek immigrants. Reducing backlogs are more consistent with the broad goals of immigration policy and democratic values of best practices in governance. Immigration policy helps define the United States in the eyes of the world, and relative openness sends a positive message about American values and also creates important linkages and opportunities for exchange.

Easing the worldwide backlogs by providing favored treatment for Mexican immigrants is also worthy of consideration. Expanded legal access for Mexican immigrants has a great capacity to reduce unauthorized flows to the United States by addressing the greatest source of migration demand. Expanding the number of legal immigrant visas to Mexicans or taking Mexican migration out of the worldwide quota would increase the number of available worldwide visas to other countries, thereby reducing backlogs per se. At a time in world history when we need to continue thinking regionally, such a gesture of goodwill and understanding to our contiguous neighbor and ally is important, giving the need for greater economic and security cooperation between historically-linked societies.

As to the attack on the sibling category in particular, for many citizens and residents of the United States, including those of Asian or Latin descent, the argument that brothers and sisters are a family relationship of limited importance is puzzling. The backlog in the sibling category is evidence itself that brothers and sisters are important to many families. Many U.S. citizens have filed immigration petitions for siblings rather than for their own parents. Parents, the older generation, are often deeply entrenched in the country of birth, more comfortable in their native surroundings, and reluctant to emigrate and face adjustments to a new society as seniors. On the other hand, contemporary siblings are more adventurous and eager to emigrate. Being of the same generation as the citizen sibling, they, more than the parent, often have a closer relationship because they tend to share the same goals, interests, and values. Siblings are among the easiest immigrants to resettle, and generally become immediate contributors to the economy.

The importance of the sibling category has been long recognized in U.S. immigration laws. Section 2(d) of the first quota act of 1921 stipulated that “preference shall be given as far as possible to wives, parents, brothers, sisters, and children under eighteen years” of U.S. citizens. Preference for brothers and sisters was included after World War II because siblings were in many cases the only surviving members of families. Thus, this preference for siblings was continued in the basic nationality act of 1952. Brothers and sisters of U.S. citizens were placed in the same category of importance as sons and daughters of citizens. And, of course, in the 1965 amendments, Congress signed the sibling preference the highest percentage of visas--24 percent.

The Select Commission on Immigration and Refugee Policy defended the family reunification system in its 1981 report:

The reunification of families serves the national interest not only through the humaneness of the policy itself, but also through the promotion of the public order and well-being of the nation. Psychologically and socially, the reunion of family

members with their close relatives promotes the health and welfare of the United States.¹⁴

After all, the system resulted in the entry of “ambitious, hard-working immigrants and their children” who provided a disproportionate number of skilled workers with a propensity for saving and investment.¹⁵

In an era of promoting family values, proposals to eliminate family immigration categories seem odd. What values do such proposals impart? What’s the message? That brothers and sisters are not important? Or (in the case of the proposal to limit children of lawful permanent residents) that once children reach a certain age, the parent-child bond needs not remain strong? Eliminating such categories institutionalizes concepts that are antithetical to the nurturing of family ties, that ignore the strong family bonds in most families, and that should be promoted among all families. Indeed, the proposals send a strong anti-family message.

There is a reason that the preamble to the Universal Declaration of Human Rights highlights the unity of the family as the “foundation of freedom, justice and peace in the world.” Our families make us whole. Our families define us and human beings. Our families are at the center of our most treasured values. Our families make the nation strong.

¹⁴ Final Report of Select Commission at 112.

¹⁵ Final Report of Select Commission at 103.