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POLICY BRIEF

Divided Families: New Legislative Proposals Would Needlessly Restrict Family-Based Immigration

by Stewart J. Lawrence*

New legislative proposals to drastically restrict family-based immigration practically ignore the social and economic benefits of the family-based admissions system for both immigrants and the native-born.

As Congress deliberates a new comprehensive immigration-reform bill, lawmakers are considering legislative proposals that would make it harder—in some cases impossible—for legal immigrants, and even U.S. citizens, to sponsor their relatives for legal residency. This sponsorship system, known as “family reunification,” has been the cornerstone of U.S. immigration policy for decades, accounting for nearly two-thirds of all immigrant admissions to the United States.¹ Now, for the first time in two decades, this pro-family policy is being questioned. Under the new legislative proposals, the adult children of both U.S. citizens and legal permanent residents (LPRs), as well as the brothers and sisters of U.S. citizens, would no longer qualify for admission into the United States based on their relationship to the sponsoring family member. In addition, the parents of U.S. citizens, who are currently not counted against the numerical limit on immigration, would be subject to restrictions for the first time. The practical impact of these changes would be to restrict family reunification.

Advocates of this more restrictive approach suggest that family-based immigrants have no vital economic or social role to play in the United States—that they

are, in effect, simply family “appendages”—in contrast to employment-based immigrants, whose entry into the country is based upon formal skills or labor-market requirements. Opponents of family-based immigration imply that by subjecting more and more prospective immigrants to skill or employability requirements, the U.S. economy would be better off—and so would sponsoring immigrants, who would no longer be “burdened” with having to support a host of relatively unproductive relatives. In fact, the best available research from economists, family psychologists, and public-health specialists clearly indicates that opponents of family-based immigration are not only overstating the relative advantages of skill-based admissions, but are also vastly underestimating—indeed, practically ignoring—the numerous social and economic benefits of the family-based admissions system for both immigrants and the native-born.

Family-Based Immigrants As Productive Workers

Although superficially compelling, the arguments of those who want to restrict family-based immigration turn out to be based on a limited snapshot of immigrant earning potential at the time of their

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admission, rather than on a more complete analysis of immigrant incomes as they evolve over time. Research conducted by economists such as Harriet Duleep and Mark Regets, based on 1960-1990 decennial Census data and admissions data from the former Immigration and Naturalization Service (INS), confirms that family-based immigrants often lack the initial earning potential of employment-based immigrants. However, this same research shows that the incomes of family-based immigrants tend to grow more rapidly than the incomes of employment-based immigrants. In fact, the incomes of the two groups tend to equalize over time.²

There are a number of possible reasons why this occurs. However, the most important appears to be that family-based immigrants possess human-capital skills from their countries of origin that are undetected at admission, but which prove highly useful in helping them to navigate the U.S. labor market, learn English, etc. Research has also shown that, because of their unique backgrounds and abilities, family-based immigrants are more likely to adapt to the evolving demands of the labor market and less likely than employment-based immigrants to compete with the native-born for jobs.³

Family-Based Immigrants As Entrepreneurs

In addition to their dynamic role as workers, family-based immigrants often contribute vitally to the U.S. economy in another way—as entrepreneurs. Evidence suggests that immigrants, especially family-based immigrants, have played a key role in reversing the decline in self-employment in the non-farm sector of the U.S. economy over the past three decades.⁴ In fact, according to data from the Small Business

Administration, immigrant women in particular “are one of the fastest-growing segments of small business owners in the United States.”⁵ Broad family linkages are critical because they provide immigrants with the “social capital” to pool financial resources and to start and manage a wide range of small- and medium-sized businesses that would otherwise not be economically viable. These businesses range from “mom-and-pop” outfits like grocery stores and restaurants to larger enterprises such as community banks, clinics, supermarkets, and food-manufacturing operations.⁶

Like other small businesses, those created by immigrants are not just a source of employment and income for their owners and families, but also have wider social and economic benefits. A growing number of studies demonstrate that immigrant-owned family businesses are a driving force behind inner-city revitalization and job growth in nearly every major metropolis, from New York and Miami to Chicago and Los Angeles.⁷ Immigrant small businesses employ not only immigrants, but also increasing numbers of native-born workers. Moreover, these businesses have the potential to contribute to wage equalization and social cohesion in otherwise depressed and troubled urban areas. If family-based immigration were to be sharply curtailed, this important “force multiplier” for the U.S. economy and society would be greatly diminished.

Immigrant Family Networks

Beyond their economic role as a source of social capital, immigrant families are also vital emotional, psychological, and cultural resources that shelter and sustain family members, as well as entire immigrant communities, during the difficult and

stressful integration into U.S. society. Research conducted by public-health specialists and family psychologists supports the idea that family-based networks are a major “protective” factor that reduces the exposure of family members to, and helps them deal more effectively with, a wide range of health and social problems, from asthma, substance abuse, and teen pregnancy to suicide and gang violence. To take just one example, a seminal study of foreign-born Latinos in Chicago conducted in 2006 found that asthma rates were substantially lower for Hispanics living in immigrant enclaves with high densities of foreign-born Hispanic residents accompanied by their immediate families. Asthma rates for Hispanics in these neighborhoods were even lower than the rates for non-Hispanic whites and African Americans. By contrast, foreign-born Hispanics living in more culturally isolated settings with minimal family support had the highest asthma rates of any population group in the city.⁸

Immigrants need the same kind of family-based support they enjoy in their countries of origin in order to gain a stronger foothold in U.S. society. Stripping away this support by eliminating or drastically restricting family-based immigration would foster social isolation and disconnection among immigrants rather than acculturation. Immigrants without families are more prone to get sick, get sick faster, and not seek or obtain the healthcare they need. They are also more likely to be less productive workers.

Foreign-Born Children More than Hold Their Own

Foreign-born children, like their parents, make important contributions to U.S. society. For example, a major study by

the National Academy of Sciences published in 1998 found that both the health status and academic achievement of foreign-born children was equal to or greater than that of children in native-born families—despite the greater exposure of children in immigrant families to socioeconomic risks, racial/ethnic discrimination, and other psychological factors that tend to produce negative outcomes for children generally.⁹ Moreover, a recent study found that 60 percent of the top science students in the United States and 65 percent of the top math students are the children of immigrants, many of them foreign-born. In addition, foreign-born high-school students regularly win between 25 percent and 50 percent of the most prestigious awards for young scientists and mathematicians in the United States. Approximately 25 percent of these award winners—the nation’s rising intellectual superstars—entered the United States through the family-based immigration system.¹⁰

A Misguided Attempt to Undermine Family Values

If successful, current efforts to drastically restrict family-based immigration would undermine the cornerstone of U.S. immigration policy, which since its inception has been predicated on a strong defense—and indeed a celebration—of family values. In a March 13, 2007, speech, President Bush noted that “it’s important for the American citizens to understand that family values do not stop at the Rio Grande River, and that it’s in our nation’s interests to have a comprehensive immigration law, so we can uphold the great values of America, values based on human dignity and the worth of each individual.”¹¹

Critics suggest that because family-based immigration is not formally

predicated on skill or employment criteria, it must inevitably be dysfunctional for the U.S. economy and for the interests of the native-born. However, nothing could be further from the truth. The best available evidence indicates that family-based immigrants are making vital contributions to the U.S. economy as productive workers and, even more so, as entrepreneurs. The United States derives the greatest economic and social benefits from immigration when the employment-based and family-based systems are functioning together in a well-balanced fashion. Bill Ong Hing, Professor of Law and Asian American Studies at the University of California, Davis, explains that the two systems are “complementary ways of achieving and reflecting our goals and values as a society” since “we use immigration to help our economy, to promote the social welfare of the country, and to promote family values.” As a result,

portraying immigration reform as a choice between employment-based and family-based immigration is, in fact, a false choice.¹²

Without the current broad-based family-preference system, some of the major economic and social benefits of immigration for native-born Americans might well disappear. Rather than undermining one of the most important sources of immigrant strength and vitality—their broad-based families—Congress needs to formulate policies that build upon these family strengths to ensure that future generations of immigrants continue to fulfill their extraordinary potential and track record of success. The legal avenues by which immigrants enter the country through both family-based and employment-based channels must be sensible, fair, and effective.

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Endnotes

¹ Carolyn Lochhead, “Immigrant Plan Puts Job Skills Ahead of Family,” *San Francisco Chronicle*, May 9, 2007. For a more comprehensive breakdown of admissions by visa category, see Ruth Ellen Wasem, *U.S. Immigration Policy on Permanent Admissions*. Washington, DC: Congressional Research Service, February 18, 2004.

² See Harriet Orcutt Duleep & Mark C. Regets, “Immigrants and Human-Capital Investment,” *American Economic Review* 89(2), May 1999: 186-191. See also Testimony of Harriet Duleep, Professor, Thomas Jefferson Program in Public Policy, The College of William and Mary, before the U.S. House of Representatives, Committee on the Judiciary, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, regarding “The Role of Family-Based Immigration in the U.S. Immigration System,” May 8, 2007.

³ See, for example, Elaine Sorenson, “Measuring the Employment Effects of Immigrants with Different Legal Statuses on Native Workers,” in Harriet Duleep and Phanindra V. Wunnava, eds., *Immigrants and Immigration Policy: Individual Skills, Family Ties, and Group Identities*. Greenwich, CT: JAI Press, 1996.

⁴ “Immigrant Entrepreneurs,” *Migration Perspectives* 1(2), January/February 1997.

⁵ See Elizabeth Kelleher, “Immigrant Women Fuel Small Business Growth in the United States,” at www.usinfo.state.gov, March 2, 2007. Since 2004, start-up rates for immigrant women were 41 percent higher than for native-born women. The disparity in the rates for immigrant men and native-born men were somewhat lower.

⁶ See Pyong Gag Min & Mehdi Bozorghemr, “Immigrant Entrepreneurship in the United States: Trends, Research and Theory,” in Robert Kloosterman & Jan Rath, eds., *Venturing Abroad: Global Processes and National Particularities of Immigrant Entrepreneurship in Advanced Economies*. Oxford & New York: Berg Publishers and New York University Press, 1998.

⁷ One of the most recent is *A World of Opportunity*, published by the New York-based Center for an Urban Future in April 2007. See Edward Wiata, “Study Shows Immigrants A Real Engine for Growth, *USA Today*, May 4, 2007. See also the National Public Radio interview with Jonathan Bowles, one of the report’s authors: <http://www.npr.org/templates/story/story.php?storyId=7618733>.

⁸ Kathleen A. Cagney & Christopher R. Browning, “The Latino Paradox in Neighborhood Context: The Case of Asthma and Respiratory Illnesses,” *American Journal of Public Health* 97(5), May 2007: 919-925. Effective daily asthma care requires support from parents, spouses, and siblings who can help maintain an appropriate health regimen for family members who are prone to asthma. Moreover, in dense communities of Spanish-speaking families, information about how and where to seek healthcare is shared more readily.

⁹ Donald J. Hernandez & Evan Charney, eds., *From Generation to Generation: The Health and Well-Being of Immigrant Children*. Washington, DC: National Academy Press, 1998.

¹⁰ Stuart Anderson, “The Multiplier Effect,” *International Educator*, Summer 2004.

¹¹ The White House, Office of the Press Secretary, “President Bush and President Calderón of Mexico Exchange Dinner Toasts,” Hacienda Xcanatún, Mérida, Mexico, March 13, 2007.

¹² Testimony of Bill Ong Hing, Professor of Law and Asian American Studies, University of California, Davis, before the U.S. House of Representatives, Committee on the Judiciary, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, regarding “The Role of Family-Based Immigration in the U.S. Immigration System,” May 8, 2007.