



## Defending Family Unity as an Immigration Policy Priority

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**ABSTRACT** *In this article, I make a policy argument defending family-based immigration preferences in U.S. immigration law given recent calls by some labor economists, political philosophers, and now, the Trump Administration to move from a family-based immigration system to a skills and education based selection process. I begin by tracing historical policy arguments for limiting family-based immigration. I then challenge the view that family-based immigration is a fiscal burden on the nation as a whole and acts against the interests of disadvantaged U.S.-born workers. Finally, I respond to objections to family-based immigration by disadvantaged citizens who believe that they are suffering from competition with immigrants not selected for their education or skills, including those sponsored by family members.*

**KEYWORDS** family; immigration; labor; race; class; intersectionality

### Introduction

In this article, I make a policy argument to current U.S. citizens and legal permanent residents in defense of family-based immigration programs. Family-based immigration programs currently allow citizens to sponsor a non-citizen spouse, children, parents, and siblings to enter and live in the United States as legal permanent residents. Legal permanent residents can sponsor their spouse or minor children to enter and live in the United States. These sponsorship claims are controversial, especially when they extend beyond the sponsor's immediate family to include the siblings, adult children, and elderly parents of citizens. The Trump administration has recently proposed scaling back these extended family-based immigration programs (Miroff, 2018). All family-based immigration programs are politically contentious because they have potential costs for immigrants and citizens

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ISSN: 1911-4788



who are already in the U.S. (Galston, Pickus & Skerry, 2009, pp. 4-5, 10-14). Public policy restrictionists who self-identify as progressives affiliated with the Center for Immigration Studies (CIS) and the Federation for American Immigration Reform (FAIR), with a prominent role in immigration policymaking in the Trump administration, want to both cut legal immigration levels and escalate enforcement (Kulish, 2017). They argue that immigrants not specifically selected for their high levels of education and training – including family-based migrants – undermine the wages and working conditions of disadvantaged citizens (Briggs, 2003).

There is also a vigorous academic debate among political theorists and economists about the impact of family-based immigration on the well-being of U.S. citizens. Political theorist Stephen Macedo (2011, p. 305), political philosopher Philip Cafaro (2015) and labor economist George Borjas (1999, p. 193) have expressed concerns about the impact of family immigrants who are not selected for their education or skills on the relative economic standing of the poorest Americans. They support limiting extended family immigration to address these problems.

In response, I contend that family-based immigrants contribute to the vitality of U.S. cities, provide support to and receive support from their sponsors, and strengthen the U.S.-born working class by investing in businesses that hire U.S. workers, and by acting in solidarity with U.S.-led labor organizing efforts. To this end, I argue for extending existing family immigration quotas to allow more relatives of current immigrants to enter or adjust to legal status, including those who are currently in the country without authorization. To support this view, I counter claims that extended family members are a drain on public resources and that they pose unfair competition to American workers. I first trace the historical sources of the policy arguments for increasing skills based immigration at the expense of family immigration, and show how minority families would be impacted by this change. Second, I scrutinize the economic arguments that are being made to cast the existing family-based immigration program as a threat to the employment opportunities of disadvantaged U.S. citizens. Finally, I argue that since perceptions are as important as economic evidence in political debates about immigration reform, the beliefs of citizens that there is zero-sum competition between immigrants and disadvantaged citizens must also be combated through efforts by organized labor groups to mobilize immigrants and citizens to work towards shared wage gains and labor protections.

### **Family Immigration in the Context of Recent U.S. Immigration Policy Debates**

Most new immigrants to the United States obtain legal permanent resident status because they are sponsored by an eligible U.S. citizen or legal

permanent resident family member. Legal permanent resident status allows an immigrant the right to live and work in the United States with few restrictions. To provide some context into the issue of legal family-based immigration, in 2015, 64.6% of all persons obtaining lawful permanent resident status did so through direct sponsorship from a U.S. resident or citizen family member. By comparison, 13.7% of new lawful permanent residents obtained their status through employment-based preferences (U.S. Office of Immigration Statistics, 2016, p. 18). These latest figures are consistent with a pattern stretching back to the 1965 U.S. Immigration and Nationality Act which made family-based immigration the cornerstone of U.S. immigration policy (Gubernskaya & Dreby, 2017, p. 418). It is difficult to separate legal and unauthorized family migration in either the U.S. policy debate or the lived experiences of family migrants. A complete account of family immigration to the U.S. also includes unauthorized immigrants deported and barred from returning to the U.S., resulting in family separation, and those who fall outside the narrow categories of relatives (child, parent, sibling) that can be sponsored by a U.S. citizen for lawful permanent residence (Sullivan, 2016, pp. 265-267; Boehm, 2017, pp. 409-411; Gubernskaya & Dreby, 2017, pp. 421-423).

To simplify the U.S. policy debate regarding legal family-based immigration, I will begin by breaking it down into two poles along a continuum: restrictionists who favor decreasing legal family-based immigration quotas and more rigorous enforcement of immigration laws, and inclusivists who favor a pathway to citizenship for unauthorized immigrants and maintaining or increasing legal family-based immigration quotas. Restrictionist interest groups have many reasons for advocating for less legal immigration and more enforcement. These range from the desire to protect a traditional conception of U.S. national identity that is often associated with the U.S. right, to a concern for the impact of low-skilled immigration on wages and working conditions associated with the U.S. center-left (Tichenor, 2002, p. 276).

There are three U.S. major national public policy groups that are devoted exclusively to the project of lobbying for lower immigration levels: the Federation for American Immigration Reform (FAIR), the Center for Immigration Studies (CIS) and NumbersUSA (Freeman & Tendler, 2012, pp. 333-334). Key personnel from FAIR and the CIS are shaping the Trump administration's immigration policies. In April 2017, President Donald Trump appointed CIS legal policy analyst Jon Feere as an adviser on enforcement within the Bureau of Immigration and Customs Enforcement. Trump also appointed FAIR's former executive director Julie Kirchner as adviser to the Customs and Border Protection (CBP) (Kulish, 2017).

These interest groups share many of the same policy objectives as current restrictionists in Congress (who now tend to be conservative Republicans). However, the broader political ambitions of restrictionist public policy groups and their underlying motivations for reducing both legal and unauthorized

immigration levels are in tension with U.S. social conservative views (on population policy) and some U.S. business conservative views (on economic growth and environmental protection). In particular, the founders of FAIR are committed to zero population growth by curtailing legal family immigration, deporting unauthorized immigrants, and limiting the birth rate among U.S. residents, the latter stance deviating from current social conservative Republican policy priorities (Cafaro, 2015, pp. 136-141, 168, 173). The higher fertility rates and traditional family values of family-based immigrants were deemed as a threat to the goal of zero population growth espoused by FAIR's founding generation, including John Tanton (1986).

Concerns about environmental degradation and overpopulation remain a key component of the self-described "progressive" critique of current immigration levels. In keeping with this view, philosopher and CIS writer Philip Cafaro (2010, 2015) urges that as part of a "comprehensive solution" towards "defusing America's population bomb," "we will need to continue to have small families, fund family planning services, and keep abortion safe and legal. And we will need to reduce excessive immigration rates" (Cafaro, 2015, p. 173). This view has critics on the political left who argue that the "anti-immigrant movement has a clear goal: to reduce the fertility of immigrant women of color," given the "eugenic origins and population control history of the anti-immigrant movement" (Huang, 2008a, p. 386). Meanwhile, U.S. nationalist social conservatives who otherwise self-identify as "pro-life" are willing to overlook FAIR, NumbersUSA, and CIS's population control policies, bringing together these strange bedfellows to oppose inclusive immigration reforms (Lopez, 2012; Derrick, 2013).

The mix of ideological motivations in the restrictionist camp is politically useful for Congressional Republican leaders, who regularly call on witnesses from FAIR, NumbersUSA or the CIS for "progressive" talking points on issues such as civil rights, labor rights, and environmental protection in hearings on immigration policy, while overlooking their disagreements about family planning policies (DeParle, 2011). FAIR, CIS and NumbersUSA's immigration policy preferences can be summarized as follows: by controlling the scope and character of immigration, citizens, powerful interests and legislators can control the growth of the population and resource utilization, slow cultural, ethnic and social change, enhance the nation's human capital and drive economic growth. Representatives of FAIR argue that even *legal* family-based immigration allows too many migrants into the United States who are not selected specifically for their educational attainment and skills (Garling & Mehlman, 2010, pp. 10-14). NumbersUSA describes the impact of current U.S. legal family-based immigration policies as a "chain migration process" that multiplies the number of new immigrants, encourages unauthorized immigration by family members ineligible for a visa, and attracts newcomers who compete with less educated citizens for work (NumbersUSA, 2015). President Trump and Attorney General Jeff Sessions

have joined Numbers USA in condemning “chain migration” as a “threat to American workers and national security” (Miroff, 2018, n.p.).

In contrast to Trump and Sessions’ view, other U.S. policymakers, including conservative Republicans like Jeb Bush, favor an approach to comprehensive immigration reform that legalizes unauthorized immigrants who are already here, and trades lower family-based immigration visa quotas for higher employment-based quotas (Bush & Bolick, 2013, pp. ix, x, 13, 20-23). However, this policy position is difficult to maintain in the face of U.S.-specific evidence that migrants will take greater risks and are more likely to attempt to reunite with family members in the U.S. than to migrate without authorization to find a job there, absent previous connections (Cardoso, Hamilton, Rodriguez, Eschbach & Hagan, 2016, p. 207). The U.S. immigration policy context – with the largest unauthorized immigrant population in the world, and where anti-immigrant policy groups oppose both legal family and unauthorized immigration as a source of “low-skilled” competitors for American workers – makes it difficult to uncouple the issues of addressing family immigration quotas and unauthorized immigration (NumbersUSA, 2015; Cafaro, 2015, pp. 136-141; Akbari & MacDonald, 2014, pp. 809, 817). If one’s goal is to decrease unauthorized immigration to the U.S., it is easier to do so by raising family immigration visa levels than by raising employment visa levels.

#### *Setting the Terms of Recent Debates Regarding U.S. Family Immigration*

In the United States, the terms of the debate about family immigration levels occurring today has been shaped by an unresolved debate about the impact of the expansion of family immigration levels provide for by the Immigration Act of 1990. The Immigration Act of 1990 capped a decade of expansive immigration reforms, raising annual legal immigration quotas by 40% (Tichenor, 2002, pp. 244-245). The 1990 Immigration Act also authorized a Commission to investigate the impact of these reforms (U.S. Commission on Immigration Reform, 1997, p. ii).

Under a new Presidential administration, the U.S. Commission on Immigration Reform called the expansive 1990 family immigration quotas into question. President Bill Clinton appointed former Congresswoman Barbara Jordan (D-TX) to chair the Commission in December 1993 (Martin, 2011, p. 255). Two of the Commission’s issues of concern had a bearing on the principle of family unity in U.S. immigration law and policy. First, the Commission had to respond to charges that inclusive immigration policy reforms undermined the position of disadvantaged U.S. citizen workers (Simpson, 1988, pp. 224-225). The work of the U.S. Commission on Immigration Reform came to be identified with Barbara Jordan’s leadership, and it is often also referred to as the Jordan Commission. The Jordan Commission’s reports repeatedly expressed serious concerns about the employability and skills profile of family-based immigrants to the United

States. Its commissioners argued that provisions for family-based immigration require humanitarian or compassionate exemptions from the general idea that immigration should serve the national economic interest. The Commission's recommendation to scale back family-based immigration continues to be an influential part of the immigration debate. A "Nuclear Family Priority Act" limiting family migration to spouses and children has been introduced in every session of Congress since 2001 (NumbersUSA, 2015). Two major comprehensive immigration reform proposals in Congress in 2007 and 2013 incorporated this recommendation (Pallares, 2015, pp. 28-29). Today, influential policymakers continue to question whether extended family-based immigration is in America's economic interest, raising concerns that need to be addressed by those who seek to retain or expand the current preference system (Bush & Bolick, 2013, pp. 21-24; Duleep & Regets, 2014, p. 825).

Second, the Commission's mandate required its members to address the lengthening waiting list for family members of U.S. citizens and lawful permanent residents (LPR) to immigrate to the United States. The Commission was charged with the task of considering whether the 1990 expansion of family-based immigration was in the national interest (Immigration Act of 1990, para.141). Critics of the extended family unity principle in U.S. immigration policy have long argued that America's economic interests would be better served by reallocating visas from non-citizen family members of U.S. citizens and LPR's to skills-based immigrants (Simpson, 1988). The Commission's members were clear elsewhere that they wanted to both reduce the absolute number of immigrants admitted to the United States each year, and distribute the remaining visas to skills-based employment immigrants. To redistribute LPR visas to skills-based migrants and clear the backlog of spouses and children of LPR's awaiting visas, the Jordan Commission recommended ending the practice of allowing citizens to sponsor their adult children and siblings for a spot in the queue for a permanent residence visa. In its final report, the Commission briefly acknowledged the "valuable assistance provided by many extended families in setting up businesses and providing child care and other supportive services" (U.S. Commission on Immigration Reform, 1997, p. 65). But ultimately, its members agreed that "whatever the cultural and economic values attached to each family relationship, however, the far stronger responsibilities to one's spouse and minor children are well established in the U.S." (U.S. Commission on Immigration Reform, 1997, p. 65).

### **Reassessing the Skills and Contributions of Family-Sponsored Immigrants**

The Jordan Commission's view that immigrants must set aside their economic and emotional ties to their extended family members to better

integrate into American society is in tension with the elder and child care arrangements and family life of minority groups that are deeply rooted in U.S. society, including Latinos and Asian-Americans. As a result, Latino and Asian American interest groups that view adult children, siblings, cousins and grandparents as essential family-care providers and recipients have united in opposition to policy initiatives aimed at eliminating extended family reunification provisions in the U.S. Immigration and Nationality Act (Huang 2008b; Pallares, 2015, pp. 23-37). Incidentally, the three leading countries of origin of family-based immigrants as listed in the 2015 U.S. Yearbook of Immigration Statistics by country of birth are Mexico (20.5% of all family-based immigrants to the U.S.), the Dominican Republic (7.4% of all family-based immigrants to the U.S.), and the Philippines (6.7% of all family-based immigrants to the U.S.) (U.S. Office of Immigration Statistics, 2016, pp. 27-30). The prevalence of family immigration from these source countries also helps to explain why some Latino and Asian communities in the U.S. advocate for higher family immigration levels.

Here, it is important to fully consider what we mean by “skilled immigration,” and what “skills” are needed by U.S. employers. First, the common use of narrow “low-skilled” and “high skilled” worker classifications in the labor economics literature devalues the capabilities and on-the-job experience of many workers. Further clarification about what separates these narrowly defined categories is rarely analyzed in any detail in the labor economics literature, although there are occasionally perfunctory discussions about educational attainment (i.e., a bachelor’s degree) and occupational status separating “high-skilled” and “low-skilled” workers (Card & Peri, 2016, p. 4; Islam, Islam & Nguyen, 2017, pp. 465, 481). However, so-called unskilled immigrants who do not possess high levels of education can be very productive in their area of specialization based on their work experience, life skills, and occupational training (Hagan, Hernández-León & Demonsant, 2015, pp. 9, 202-203). A restaurant server or warehouse worker with substantial experience in their profession may be very proficient with practical skills that are difficult to replicate or replace by an employer or in a broader economic niche, despite their lower levels of formal education (Draut, 2016, pp. 43-46).<sup>1</sup> Thus, they are more accurately and humanely defined as mixed-skilled workers.

The term “unskilled worker” unfairly devalues the occupational experience and economic contributions of manual workers and service-sector laborers with a limited formal education. It understates the contribution that home-care providers – including both paid caregivers who work outside the home

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<sup>1</sup> Some countries explicitly reward educational attainment and occupational status with preferential status for immigration purposes (i.e., Canada’s points system). In absence of Canadian job market experience, social capital, and acceptance of foreign credentials by employers, these “highly skilled” immigrants experience difficulties obtaining employment and contributing to economic growth in Canada (McMahon, 2013; LaRochelle-Côté & Hango, 2016, pp. 2, 7).

and unpaid kin caregivers – are providing to society at large. Home-care providers perform essential services on behalf of families that allow more affluent, educated “skilled” immigrants and citizens to spend more time working and earning outside the home (Tronto, 2013, pp. 110-113; Poo, 2015, pp. 84-99). Immigrant women who are working outside the home support the re-entry of female workers into the labor market following periods of parental leave, though their care work is not recognized as “highly skilled” for the purposes of immigration policy (Boucher, 2016, pp. 28, 70). Women who are sponsored as family-based immigrants are less likely to be employed in the paid workforce (Sainsbury, 2016, p. 429). Instead, these family-sponsored immigrants occupy roles as caregivers for dependents in low-income immigrant families who could not afford to hire an outside caregiver, allowing other family members to work longer hours to support their households and businesses (Hyde, 2014, pp. 378-384; Boucher, 2016, p. 70). In short, many “unskilled” immigrants – including family-sponsored immigrants – play a necessary supporting role in increasing the productivity of citizen workers.

The common presumption among those who want to replace family immigration preferences with skills or employment preferences is that “immigrants selected by job matching criteria are more likely to be successful than family immigrants” (Jasso & Rosenzweig, 1995, p. 86). In a series of studies from 1996 to 2014, Harriet Duleep and Mark Regets have found that family-based immigrants initially enter with lower educational levels, occupational status, and incomes than their employment-selected counterparts. However, kinship based immigrants experience higher skills acquisition and earnings growth than their employment-selected counterparts within 10 years of entry (Duleep & Regets, 1996, p. 586; 2014, pp. 829-831). One reason why family-based immigrants are able to increase their earnings and integrate into the U.S. labor market at a greater rate than their employment-selected counterparts is that family-based immigrants are more likely to invest in human capital, for instance, by hiring workers, than employment-selected immigrants who enter to perform a specific job with skills that may fall out of demand in a changing job market (Duleep & Regets, 2014, p. 832). Their U.S. citizen family members, who made a contract with the government to support the immigrants they sponsored, have a vested interest in their success over time (Gubernskaya & Dreby, 2017, p. 424). Unlike unrelated employers, family members are less likely to simply hire and fire their sponsored immigrants as market conditions dictate, and the enduring nature of this relationship of trust means that they are more likely to invest in their acquisition of U.S. specific skills (Duleep & Regets, 1996, p. 578; Duleep, 2015, pp. 138-139). This finding in labor economics is supported by sociological research suggesting that family immigrants are able to rapidly acquire U.S. specific training and employment through close family social networks (Waldinger & Lichter, 2003; Hagan, Hernández-León & Demonsant, 2015, pp. 91-97).

Less educated immigrants are not perfect substitutes for unemployed blue-collar U.S.-born American citizens, who have advantages over immigrants in the job market. In a 2013 study, Ethan Lewis found that on average, there is up to a 21% wage premium for speaking English fluently in the United States, providing U.S. English speakers with an advantage in most U.S. job markets (Lewis, 2013, p. 67). However, in a Spanish-speaking work force or bilingual labor market in the U.S. (e.g., Miami), immigrants with occupational experience and language proficiency in Spanish can be more qualified to serve as supervisors than monolingual citizens with equal or greater education (Lewis, 2013, p. 72; Holzer, 2011, pp. 5-7). U.S.-born citizens without specialized skills and training also have an advantage over immigrants in the public sector of the mixed-skilled labor market since they can more readily obtain security clearances to work at government jobs with citizenship restrictions (Apetkar, 2015, pp. 71). U.S. citizens do not always compete for non-U.S. citizens for work, and U.S.-born citizens have advantages based on their citizenship for government work that requires security clearances.

### **Addressing Perceptions of Competition**

Despite evidence that U.S. citizens are not competing with non-U.S. citizens for the same jobs, the *perception* of economic competition between U.S.-born citizens and mixed-skilled immigrants persists. Labor economists George Borjas, Jeffrey Grogger and Gordon Hanson (2010) suggest that less educated African-American U.S. citizens are more vulnerable to labor market competition with all immigrant categories that are not selected for skill than other U.S. citizens. Using data from the 1960 to 2009 censuses, they found that “a 10% immigration-induced increase in the supply of workers in a particular skill group reduced the black wage of that group by 2.5%,” lowered the employment rate by 5.9%, and increased the incarceration rate by 1.3% (Borjas, Grogger & Hanson, 2010, p. 256).

Other labor economists, led by David Card (2009) dispute whether the employment prospects of African-American U.S. citizens would have been any different in the absence of unskilled competition from abroad. Card (2009, pp. 18-20) emphasizes that immigrants and U.S.-born workers are not perfect substitutes for one another in the workplace, owing to the differences between immigrants and U.S.-born unskilled workers in their linguistic and vocational skills, cross-cultural capacities and mobility. Card’s study also finds that immigration can only account for a small share (four to six percent) of the overall rise in wage inequality over the past 25 years, with the remainder accounted for by technological change and global trade (Card, 2009, pp. 1, 5, 21). This facet of Card’s study can also be used to substantiate the argument that outsourcing has done more than increased “low-skilled” migration to diminish job opportunities for U.S.-born workers. Giovanni Peri

finds that immigration had a poverty-reduction effect between 0.07 and 0.12% for U.S. citizens overall, and a more significant 0.20% reduction for African-Americans and 0.24% reduction for Black women in particular (Peri, 2013 p. 43). A further study by sociologists Martha Crowley, Daniel Lichter and Richard Turner (2015, p. 80) finds that opportunities arising from U.S. citizenship status and English-language ability protect Black U.S. citizens from low-wage immigrant labor market competition.

With respect to the Borjas, Grogger and Hanson (2010) study, we should note that they aggregate all immigrants of a given skill group together to arrive at the conclusion that “low-skilled” immigrants reduce citizen wages and employment rates. But there are different subsets of immigrants within any “skill” group, each of whom have different vulnerabilities by law, in the labor market, and in terms of their connections to citizens or lack thereof. Immigrants who are not pre-selected for skills are a diverse group in terms of their legal status and bargaining power. The subset of immigrants who are most susceptible to being hired for a wage lower than what U.S.-born American citizens will accept are unauthorized immigrant workers. Employers exploit their status-based vulnerability and pay them less than legal immigrants and citizens. They are also less capable of negotiating for raises or leaving for a higher-paying job (Hall, Greenman & Farkas, 2010, pp. 495, 499).

By contrast, as compared to other immigrants, legal family-based immigrants enjoy a base cushion of financial support. Their sponsor is required to file an affidavit of financial support that is binding until the family member either becomes a U.S. citizen, or can be credited with 40 quarters of work (USCIS, 2015). The affidavit of support requires the sponsor to have an income exceeding 125% of the U.S. poverty line, unless the U.S. sponsor is active-duty military, where the threshold is lowered to 100% of the poverty line (USCIS, 2015). This income requirement is a serious burden on legal residents and citizens who want to sponsor family members to come to the U.S. (Waters & Pineau, 2015, p. 129-130). It is particularly onerous for the 37% of Hispanic families in households that do not earn enough income to sponsor a family member to come to the United States under current laws (as compared to 20% of immigrants overall) (Enchautegui & Menjivar, 2015, p. 43).

From the perspective of citizens fearful of the costs to taxpayers of family-based immigration, the sponsorship requirement makes legal family-based immigrants less likely to be a financial burden on their fellow citizens than other immigrants. Moreover, the objection that family-based and other immigrants who do not require a job offer or specific educational qualifications to come to the U.S. are a burden on means-tested social services is moot in light of changes in the law that have taken place since the mid-1990s. Most new family-based immigrants to the U.S. are no longer eligible for means-tested benefits since the enactment of the affidavit of support provisions and social benefit restrictions in the 1996 restrictionist

immigration legislation signed into law by President Clinton (Martin, 2011, pp. 265-269). Instead, most immigrants have to wait at least five years after they become a permanent resident to receive sources of federal social assistance including food stamps, children's health insurance (CHIP), and Medicaid. Veterans and their families are a notable exception to this rule (U.S. Department of Health and Human Services, 2009).

*With Legal Status, More Family Immigrants Can Build Businesses that Employ Citizens*

Those who oppose prioritizing family unity in immigration policy contend that it burdens the country with a "surplus of low-skilled workers, increasing job competition and driving down wages and conditions to the detriment of American workers" (Ruark, 2011, p. 1). According to President Trump, the current "low-skilled" family immigration system places substantial pressure on American workers, taxpayers, and community resources (Trump 2017). Conversely, former Mexican American Legal Defense and Education Fund (MALDEF) President Antonia Hernandez argues that family migration helps to establish strong economic networks (Hernandez, 1995, p. 104). These networks transmit both seed capital and labor from the sending country to the United States, which allows for the formation of new businesses that contribute to the local economy and create employment opportunities for U.S.-born and immigrant workers (Bankston, 2014, p. 81). By eliminating extended family preferences and making it difficult for poor families to sponsor their relatives to come to the U.S., the country would lose immigrant entrepreneurs and employers, and family-based businesses would be forced to close down. Unauthorized immigrants also occasionally start family businesses in the U.S., which is a perilous undertaking when one can be removed from the country at any time (Brosher, 2017; Washington, 2017). Expanding the legal family immigration system to include more contributing family members who cannot currently be sponsored and are in the country without authorization would help to address this challenge.

The network-building aspect of family-based immigration has been studied in considerable detail by sociologists of immigration led by Waldinger and Lichter (2003, pp. 100-120), Massey (2008), and Hagan, Hernández-León and Demonsant (2015, pp. 91-97). Massey (2008, p. 5) argues that chain migration is a key catalyst for network building, both between immigrants and their countries of origin, and between immigrants and their adopted communities. Immigrants who follow kinship networks to the U.S. rarely make use of state assistance even when it is available to them, as they rely on members of their extended family who are already established in the U.S. to find employment, transitional economic support, and assistance in navigating an unfamiliar cultural and linguistic environment. Kinship-based hiring and social support networks diminish the possibility that family-based immigrants

will be public charges, easing their integration into the broader community (Van Hook & Bean, 2009, p. 440).

Opportunities for family-based immigration facilitate immigrant investment, which is often concentrated in economically depressed urban centers owing to legal incentives, a lack of competition and low start-up costs (Min & Kolodny, 1999, pp. 131-144; Bogan & Darity, 2008, p. 2010). Unlike immigrants with advanced degrees or specialized vocational training, who tend to live and work among middle and upper-class U.S. residents, family network-based immigrants often initially settle and invest in low-income urban centers alongside U.S.-born minority residents (Thorp, 2004, pp. 3-10). At the outset, immigrant entrepreneurs rely on their own ethnic and kinship networks for seed capital and labor (Sanders & Nee, 1996, p. 233; Valdez, 2016, pp. 1620-1621). But once their businesses expand to serve customers outside their ethnic community, immigrant family-owned businesses often hire U.S.-born workers from the communities they serve to act as “cultural brokers” with their clientele (Lee, 2001, p. 185; Skrentny, 2007, pp. 126-130). This strategy has been especially important for Korean entrepreneurs who have sought to defuse tensions with their inner-city U.S.-born African-American customers and neighbors, which escalated into violence in New York and Los Angeles during the early 1990s (Yoon, 1997, pp. 176-179).

In this manner, family-based immigration and investment has created job opportunities for U.S.-born African-Americans in economically depressed urban areas, which would not have existed otherwise. Family-based immigrant investment and settlement has also been responsible for reversing the depopulation and abandonment of inner-city neighborhoods in Chicago, New York and Boston, which resulted from deindustrialization and “white flight” a generation earlier, thereby improving the living standards of the U.S.-born minority residents who remain there (Thorp 2004, pp. 5-7). Detroit’s failure to attract new immigrants (until very recently) is still being blamed for the lack of economic growth and continued depopulation of this African-American majority urban center, which has the smallest immigrant population of the nation’s 25 largest cities (Tobocman, 2014, pp. 5-6). To head off further urban decline and support the region’s aging population, the Southeast Michigan Council of Governments is actively working to attract working-age immigrants and their families to settle in Detroit (Tobocman, 2014, pp. 2, 10).

In her 2004 report for the Welcoming Center for New Pennsylvanians, Evangeline Thorp argued that Philadelphia’s and Detroit’s failure to attract new immigrants was the main reason why these urban centers failed to grow as fast as other post-industrial U.S. cities (Thorp, 2004, pp. 5-6). One of the main reasons that she cited for Philadelphia’s failure to attract immigrant settlement and investment was “the elephant in the living room: the sometimes tense relationship between immigrants and African-Americans” (Thorp 2004, pp. 34, 39). This trend appears to be reversing in recent years, as impoverished neighborhoods in North and West Philadelphia experienced

rapid growth in immigrant settlement through the establishment of ethnic community bases that encourage subsequent family-based settlement and investment. In majority African-American neighborhoods, immigrant settlement and investment is being facilitated by religious, civic and economic groups, fostering social and economic ties between the U.S.-born and immigrant populations (Osirim, 2010, pp. 246-249).

***Mixed-Skilled Immigrants and Citizens Are Achieving Gains by Organizing Together***

The Center for Immigration Studies claims that if “low-skilled” immigration were curtailed, American businesses would offer higher wages and increase labor standards in order to attract U.S.-born workers (Camarota, 2008). But in the absence of trade barriers, U.S. businesses will still outsource labor-intensive manufacturing operations to non-citizens living abroad when faced with rising domestic labor costs. Conversely, in occupational sectors that are not readily outsourced because they need to be provided to U.S. residents by workers in the United States, like home care, multiracial coalitions of immigrant and citizen workers must organize together to demand higher wages and benefits. Immigrant workers have played a critical role in organized labor’s resilience in the service sector. They helped to secure one of the only major victories for organized labor during the 1990s through the successful Justice for Janitors campaign in Los Angeles, a multiracial and transnational movement that brought immigrants and citizens together to organize for better wages and working conditions (Milkman, 2015, pp. 165). The Justice for Janitors movement’s victory helped consolidate union support for comprehensive immigration reform during the 1990s (Milkman, 2015, pp. 166-167). A vanguard of service workers (SEIU), hotel workers (HERE) and home health care workers (SEIU and AFSCME) is continuing to organize workers in the service and manufacturing industries without regard to their legal status, to improve wages and labor conditions for immigrants and U.S.-born workers alike (Fine & Tichenor, 2009, pp. 106-107).

But organized labor still faces challenges in convincing rank and file members that inclusive immigration reform is in the best interests of both immigrant and citizen workers (Milkman, 2015, p. 172). And organized labor’s influence is limited in areas of the U.S. Southeast where union density is low and Latino immigrant settlement is on the rise. There, economic tensions persist between Black U.S. citizens and new Latino immigrants competing for low-wage “dangerous, dirty and dead-end” work (Crowley, Lichter & Turner, 2015, p. 80). In this context – as in earlier eras of mass immigration to the United States – employers and labor contractors are using racial stereotypes and encouraging intergroup competition to quell organized workplace dissent and mobilization (Steusse, 2009, p. 104). In sum, working-class African-Americans are still receptive to the view that immigrants take blue-collar jobs from U.S. citizens and drive down wages in those

occupations. This perception has an exaggerated influence in the immigration policy debate (Hero & Preuhs, 2013, p. 204; Zamora & Osuji, 2014, p. 441).

Progressive African-American leaders have attempted to move the debate beyond economic self-interest, arguing that their community has a moral obligation to improve the lot of all disadvantaged minority groups as leaders and heirs to the U.S. struggle for civil rights (Wong, 2006, pp. 33-38). Black Congressional leaders like Sheila Jackson-Lee (D-TX) do not dispute that high levels of “low-skilled” immigration may have somewhat undermined the position of their constituents (Jackson-Lee, 2007). African-American immigration inclusivists also want to highlight that anti-immigration voices do not speak for their community or represent the majority opinion of their constituents (Hero & Preuhs, 2013, pp. 202-204). Rather, they argue that an undue focus on this factor distracts attention from the many other challenges that Black policymakers need to address, and on the whole provides little in exchange for the high cost of dividing African-Americans from their allies in the Latino and Asian communities.

Civil rights leaders who advocate for legalization and inclusive family immigration policies continue to argue that their community’s interests are best served by working alongside other disadvantaged U.S. residents regardless of their immigration and nationality status, to improve labor conditions. For this reason, National Association for the Advancement of Colored People (NAACP) President Cornell William Brooks supported President Obama’s Immigration Executive Actions “to establish an immigration system that protects all U.S. workers and guarantees the safety and security of our nation without compromising fundamental civil rights, human rights and civil liberties” (NAACP, 2014). Brooks also urged other African-Americans to see family immigration as their community’s issue, in that “from Haiti to Honduras, from Senegal to St. Croix, family members hoping to reunite with loved ones and refugees working to build a new life in the United States deserve our attention” (NAACP, 2014). The NAACP’s message is consistent with the American Federation of Labor-Congress of Industrial Workers’ immigration policy objectives in this regard (Minchin, 2017, pp. 299, 309).

The dichotomy between family immigration and economic protections for vulnerable citizen workers is misleading. Instead, immigrants and citizens need to organize together on the job to demand fair wages and labor standards for all workers regardless of immigration or nationality status.

## **Conclusion**

In this article, I have considered why the family reunification provisions in U.S. immigration policy are controversial, and how defenders of the principle of extended family unity in immigration policy might respond to economic and demographic arguments against current admissions and appeals

provisions. In public policy debates, the principle of family unity is often framed in a way that sets the interests of mixed-citizenship status families against the interests of citizens without immigrant family members whom they wish to sponsor to enter the United States. Policymakers argue that it is in the best interests of citizens without immigrant family members to sponsor to enforce existing immigration laws and prioritize legal immigration policies that will attract individuals who can immediately and directly contribute to economic growth.

I have called into question the restrictionist view that there is a necessary tension between an inclusive family-based immigration policy and the economic interests of the community of citizens at large. The most persuasive argument in favor of curtailing family-based and other so-called “unskilled” immigration inflows to the United States is that this is a necessary step towards fulfilling the nation’s moral obligations to historically disadvantaged U.S. citizen communities. This includes the duty to provide Black U.S.-born citizens greater access to employment and fair working conditions. This moral obligation is compelling, but the economic evidence offered by Duleep and Regets (2014, pp. 831-833) suggests that restricting family or other forms of mixed-skilled migration is unlikely to lead to this desired outcome.

As a pressing social justice issue, the task of building coalitions between immigrants and racialized U.S.-born citizens has become all the more imperative with President Trump’s simultaneous attacks on family immigration and the countries in Central America, the Caribbean and Africa that he described disparagingly (Davis, Stolberg & Kaplan 2018). Advocates for shifting the quota of family-based immigration visas to employment or skills-based visa categories have long argued that their proposal was about economic prosperity for all Americans, rather than the latest in a century-old effort to limit immigration from certain racial or ethnic groups. President Trump’s recent language, which describes sources of family and diversity-based immigration as “shitholes,” echoes the views of racially motivated advocates of national origins quotas in the early twentieth century like Madison Grant (Yee, 2018). President Trump has established a racist argument against family and diversity immigration along with temporary protected status categories, preferring workers to family members and those seeking shelter. This is not just a social justice issue for the United States. The United Nations Human Rights Office condemned President Trump’s attacks on family and diversity-based migrants as racist and xenophobic, asserting that “it legitimizes the targeting of people based on who they are . . . against the universal values the world has been striving so hard to establish since World War II and the Holocaust” (Schmidt, 2018). As a matter of social justice, it is important that we resist attacks on any immigration program that are motivated by racial and ethnic animus, like the Trump Administration’s attacks on family and diversity immigration as well as temporary protected statuses.

All citizens who want to sponsor an immigrant family caregiver or recipient will suffer if legal family-based immigration is restricted. Instead of advocating new immigration restrictions and more enforcement, a diverse coalition of political, labor, and civil rights leaders are increasingly choosing to join forces to argue for progressive labor and social welfare reforms that will benefit disadvantaged citizens and immigrants alike. Disadvantaged U.S.-born workers have little to gain from decreased legal immigration and increased immigration enforcement. They have more to gain by standing in solidarity with Asian and Hispanic-Americans in an area of key concern to their communities, and gaining new allies that can in turn help them when their interests are at stake. Beyond self-interest, the communities in question feel that they have a moral obligation to stand up for the civil and human rights of other disadvantaged minority groups. This type of coalition shows great promise as a means of defending and extending the principle of family unity in U.S. immigration policy in a way that serves the interests of existing members of the community. These coalitions of mutual interests can also challenge the zero-sum arguments that pit humanitarian interests against economic interests in the formation of U.S. immigration policy.

### Acknowledgements

I would like to thank Elizabeth Cohen and Cyril Ghosh for their helpful comments on an earlier conference draft of this paper, as well as Suzan Ilcan, David Butz, and the anonymous reviewers for *Studies in Social Justice* for their constructive feedback, which I have incorporated into this article.

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