



Statement of
Asian Americans Advancing Justice | AAJC

Submitted to:
The House Judiciary Subcommittee
Subcommittee on Immigration and Citizenship
for
Hearing Titled
“The U.S. Immigration System: The Need for Bold Reforms”

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Asian Americans Advancing Justice | AAJC appreciates this opportunity to submit a statement for the record of today’s hearing on “The U.S. Immigration System: The Need for Bold Reforms.” We write to express our strong support for a path to citizenship for (1) 11 million undocumented immigrants currently living in the U.S. including DACA recipients and for those with temporary status including people with Temporary Protected Status; and (2) Rep. Judy Chu’s Reuniting Families Act, which would update and modernize our immigration system.

Advancing Justice | AAJC works to advance the human and civil rights of Asian Americans through advocacy, public policy, public education, and litigation. Founded in 1991, Advancing Justice | AAJC is one of the nation’s leading experts on civil rights issues of importance to the Asian American community including immigration and immigrants’ rights, census, hate incidents, language access, technology, and telecommunications, and voting rights. We are part of the national affiliation, Asian Americans Advancing Justice comprised of five leading organizations advocating for the civil and human rights of Asian Americans and other underserved communities to promote a fair and equitable society for all. The affiliation's members are: Advancing Justice | AAJC (Washington, DC), Advancing Justice - Asian Law Caucus (San Francisco), Advancing Justice - Los Angeles, Advancing Justice - Atlanta, and Advancing Justice - Chicago.

Asian Americans Advancing Justice co-convenes the Value Our Families campaign. The Value Our Families Campaign exists to protect, preserve, and strengthen the family immigration system and promote an immigration system that is informed by love, empathy and justice. We are a network of local and national community-based and advocacy organizations who reject attacks and proposed harmful changes to our current family-based immigration system. We see to build public support for an immigration system that protects and promotes family unity and contributes

to the American social and economic fabric. Value Our Families also supports passage of Rep. Judy Chu's Reuniting Families Act. See valueourfamilies.org for more information.

Legalization

Immigration is an important issue to Asian Americans. 92% of Asian Americans are immigrants or the children of immigrants. According to AAPIdata.com, there are around 1.7 million undocumented Asian people living in the U.S. Advancing Justice | AAJC supports a path to citizenship for the 11 million undocumented immigrants, including DACA recipients and TPS holders. We were very pleased to see the pathways to citizenship outlined in President Biden's factsheet on the US Citizenship Act. The over 120,000 Asian DACA-eligible population and close to 15,000 TPS recipients from Nepal would be eligible for the faster pathway to citizenship. So many of the 11 million undocumented immigrants are essential workers, small business owners or their family members who care for children, the elderly and the disabled so their family members can work. Like the 1965 Immigration and Nationality Act, President Biden's US Citizenship Act.

The Reuniting Families Act

Our current predominantly family-based immigration system was established by the Immigration and Nationality Act of 1965 (INA of 1965) to end the previous racist national origin quotas that began with the Chinese Exclusion Act of 1882 and which heavily favored immigrants from Northern and Western Europe. Today, the vast majority of immigrants coming to the U.S. through the family-based system, diversity lottery and refugee program are underrepresented people of color.

While our immigration system that centers family while promoting diversity has worked well for the U.S., it is outdated and long overdue to be updated. Years of bureaucratic processing delays and Congress's inability to act and keep up with population growth and labor market needs has resulted in extreme backlogs in the green card programs and a large undocumented population prohibited from being sponsored by harsh bars and decades-long waits. There are close to 4 million family-members in line to be sponsored through the family-based preference categories.¹ Some families wait for decades to be reunited with their loved ones. Nationals from Mexico, the Philippines, India, Vietnam and China have the longest wait times. It is past time for Congress to fix these problems and improve our immigration system.

The majority of Asian Americans have come to the U.S. through the family-based system. The expected inclusion of much, if not all, of Congresswoman Chu's bill in President Biden's bill presents a major victory for the Asian American advocates and activists who have worked for four years to defend the family-based system under the Trump administration and the Asian American voters who turned out in record numbers in the election. The Reuniting Families Act would resolve these problems. It would:

¹Annual Report of Immigrant Visa Applicants in the Family-sponsored and Employment-based preferences Registered at the National Visa Center as of November 1, 2019, https://travel.state.gov/content/dam/visas/Statistics/Immigrant-Statistics/WaitingList/WaitingListItem_2019.pdf

- clear the family-based and employment-based backlogs, raise the country caps and reclassify lawful permanent residents as immediate relatives, provide relief for orphans, widows and stepchildren and protect the families of H-4 visaholders from losing work authorization or status;
- promote and preserve diversity by increasing diversity visas;
- provide equality for same sex partners in our immigration laws; and
- provide enforcement relief in our immigration system through eliminating the 3 and 10 year bar and providing family unity waivers of inadmissibility and deportability grounds.

When considering visa reforms, it is important to highlight the aging demographics of the U.S. In 2060, nearly one in four Americans will be 65 or older – double the number today.² Natural population growth is slowing and immigrants fill gaps in essential industries. The pandemic has elevated the importance of family as people have relied on extended family to help with childcare and care for elderly, sick or disabled family members so that others can continue to work.

While our employment-based system serves particular and important needs in our economy, our family-based and diversity visas along with our humanitarian programs have allowed immigrants to fill shifting labor market needs as they arise. This is particularly the case for jobs that do not require an advanced degree. Jobs in growing fields such as care work and health care as our population ages and growing service sector jobs in food preparation delivery such as the workers who have brought us and our loved ones food and other essentials during this pandemic.

Many immigrant families are also entrepreneurs. This point sticks out when we compare our system to Canadian immigration system. In the U.S., immigrants started 28% of all new U.S. businesses in 2011, despite accounting for just 12.9% of the U.S. population. Together, families pool capital to start businesses and build homes. Many immigrant business owners came through our family-based immigration system. A person's educational attainment is not the sole measure for the creativity, entrepreneurial spirit, or grit to open a small business or create innovation.

Reuniting families through the immigration system is not only humane - recognizing that for many people, families are a source of love and support - but also contributes to stability, prosperity and stronger communities: having support networks increases the odds of people succeeding and contributing to their communities. This focus on family unity is one reason the United States has been able to attract talented immigrants, and that family-based immigration encourages dynamism, learning and flexibility.

As we rebuild our economy after the COVID-19 pandemic, immigrant workers will continue to play pivotal roles in filling essential jobs and jobs where there are labor shortages. Those workers deserve the opportunity to become full and equal members of our society. Immigrant

² National Immigration Forum, "Room to Grow: Setting Immigration Levels in a Changing America." <https://immigrationforum.org/wp-content/uploads/2021/02/Room-to-Grow.pdf>

workers and New American citizens too deserve to be able to reunite with family members abroad to provide emotional and tangible support.

Advancing Justice | AAJC urges Congress to include the legalization and Reuniting Families Act in the COVID relief budget reconciliation package. We note that according to the 2013 Congressional Budget Office (CBO)'s [cost estimate](#) for the Senate's comprehensive immigration reform bill (S.744), found that the bill would yield \$197 billion in deficit reduction over the first 10 years, and \$690 billion in deficit reduction during the following period between 10-20 years. This is largely due to the provisions clearing the green card backlogs and increasing permanent immigration, thereby increasing the working age population who in turn increase tax revenue and GDP. This is the year for Congress to finally pass legislation that offers the 11 million undocumented immigrants a path to citizenship and reforms and modernizes our visa system prioritizing family unity and diversity.