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May 20, 2013

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The Honorable Patrick Leahy

Chairman

Senate Committee on the Judiciary

224 Dirksen Senate Office Building

Washington, DC 20510

The Honorable Chuck Grassley

Ranking Member

Senate Committee on the Judiciary

224 Dirksen Senate Office Building

Washington, DC 20510

Dear Chairman Leahy and Ranking Member Grassley:

As Members of the Congressional Asian Pacific American Caucus (CAPAC), we thank you for your tireless leadership and commitment to forging a bipartisan consensus on immigration reform in the Senate. We are encouraged by the introduction of S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act, and its measures to enhance the employment visa system, increase the pool of green cards available to foreign-born science, technology, engineering, and mathematics (STEM) graduates, address the family visa backlog, forge a path to citizenship for undocumented communities, and incorporate the DREAM Act.

However, we are very concerned that S. 744 significantly shifts the focus of our immigration system away from family ties. For example, the new merit-based system does not adequately prioritize family and the bill eliminates the ability of U.S. citizens to sponsor their brothers, sisters and adult married children over 31 years of age, among other provisions. The family is the basic unit of our society, and limiting avenues for family reunification runs counter to our nation's values. Immigrant families are critical to the social and economic integration of newcomers into our country.

Family-based immigration drives and strengthens our economy. Family ties facilitate the formation of immigrant communities which, in turn, offers a fertile environment for the development of businesses. In cities like Baltimore, Boston, Detroit and Dayton, immigrant families have helped revitalize rundown neighborhoods. Family admissions are critical for the "care economy," which is fundamental for the well-being of household members, helps sustain the current and future workforce, and facilitates labor force participation for women.

That is why we write to urge you to support Senator Mazie Hirono's amendments to bring families together in S. 744 in the Senate Judiciary Committee, including:

- Hirono/Franken Amendment #6 to restore F3 (Married Children over 31) and F4 (Siblings) categories.
- Hirono Amendment #7 to restore F3 and F4 categories after ten years.
- Hirono Amendment #9 to give equal access to V-visas for all those with approved petitions for family-based visas, including siblings and children over age 31.

- Hirono Amendment #5 to provide choice in reunifying immediate relatives by creating a one-time use family-based visa allowing a citizen to petition no more than 2 family members that do not fit the definition of family in other categories.
- Hirono Amendment #1 to reunify Filipino Veterans of World War II with their children.
- Hirono Amendment #8 to increase the age of Adult Married Children eligible for family-based immigration to 39, consistent with the merit-based system.
- Hirono Amendment #10 to create a new visa for family members based on needed assistance when suffering extreme hardship.
- Hirono Amendment #13 to allow RPIs to adjust to a family petition if they qualify.
- Hirono Amendment #14 to allow the dependent spouse and child of an RPI to be designated as an RPI as long as they meet eligibility requirements other than physical presence.
- Hirono Amendment #11 to require GAO to study the impact of the merit-based immigration system on families and those from diversity countries.

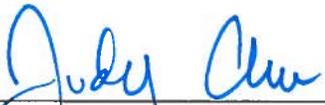
While all of these amendments would strengthen the family immigration system and ensure that loved ones can reunite, we are particularly concerned with the elimination of the F4 category and the F3 category over age 31. Siblings and adult married children of all ages are important to the family unit, as they enhance opportunities to start a small business, raise and provide for their families, establish roots in their communities, and prosper together. Empirical research shows that fourth preference immigrants tend to have higher initial earnings than family-admitted immigrants in general and immigrant groups with more fourth-preference admissions appear to experience higher earnings growth over time.

We worry about the shift in S. 744 from an immigration system that prioritizes family-ties to one that gives greater preferences to skill-based immigration. If we adopt a less-family friendly immigration system, we risk becoming less attractive to highly skilled immigrants, who also have families. We must maintain an immigration system that reflects our American family values.

We applaud Senator Hirono for her leadership to preserve family-sponsored immigration as the cornerstone of the immigration system, and we strongly urge that you support her amendments in committee.

We look forward to working with you and our colleagues in the Senate and House to ensure that family reunification is prioritized and that the definition of family is truly comprehensive as the bill moves through the legislative process. A practical and well-functioning family-based immigration system is the key to growing our communities and our economy by honoring our values and reuniting families.

Sincerely,

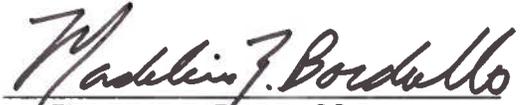

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