

**House Judiciary Subcommittee on Immigration, Citizenship, Refugees,
Border Security, and International Law Oversight Hearing**

An Examination of Point Systems as a Method for Selecting Immigrants

**Tuesday, May 1, 2007
2237 Rayburn House Office Building
3:00 p.m.**

**Senator Jeff Sessions
Statement For The Record**

I. INTRODUCTION –THE BIG ISSUES OF IMMIGRATION

Thank you, Mr. Chairman, for having this hearing. If we are going to have comprehensive immigration reform, as ultimately we should since the current system is certainly broken, we have to move from just debating border security and how to deal with those here unlawfully.

We must focus on the great, long term issues. To an amazing degree, those issues have not been discussed. But, a mature nation, we must grapple with them and make critical decisions. For example, we have had little or no discussion on these following issues:

- How many immigrants can we let in each year?
 - Many more people want to come to the U.S. than we can accept -- Professor George Borjas of the Kennedy School of Government at Harvard illustrated that point when he testified last year before the Senate.
 - He noted that in 2005, 5 million people applied for 50,000 visa lottery spots. In the last lottery before 9/11 (2000), 11 million applications were filed.
- What set of rules should we use to pick and choose from the many applicants?
- How can our immigration policy benefit our nation to the maximum degree?
- How do we create an immigration policy that selects the people who are going to be most successful here?
- How do we ensure that immigrants will contribute more to the government in taxes than they will take out in services?
- How do we use immigration policy to improve the economic well being of

our people -- not reduce their incomes?

These are the great issues of immigration. They are questions that I do not believe we have adequately discussed.

II. SENATE JUDICIARY COMMITTEE HEARING ON THE BIG ISSUES OF IMMIGRATION

During last year's debate, the Senate Judiciary Committee – upon my request – had just one hearing focused on these questions. (*Immigration: Economic Impacts*, April 18, 2006) It was held just weeks before the full Senate voted on S. 2611 (on May 25th, 2006).

At that hearing, economic experts were in agreement that:

- The U.S. must limit annual immigration numbers – “...we are not ready to open the floodgates on immigration. We will continue to have controls on immigration, and we need to find cost-effective and humane ways to limit those immigrants.” Professor Harry Holzer (Associate Dean and professor of public policy at Georgetown):
- They agreed that recent low skilled immigrants have had a negative impact on the wages of low-skilled native workers -- *[the] large increase in low-skilled immigration, [] has had the effect of decreasing the wages and employment opportunities of low-skilled workers who are currently resident in the United States.*” Dr. Barry Chiswick (Head and research professor at the Department of Economics at the University of Illinois in Chicago);
- And they agreed that the U.S. needs to alter its immigration policies to focus more on high-skilled immigration -- “*[T]wo thirds of the immigrants coming in [to the U.S. annually] come in under kinship criteria. What we want to do is attract those immigrants who would have the largest positive contribution to the American economy, and they will be highly skilled immigrants, immigrants with high skills in literacy, numeracy, scientific knowledge, [and] technical training. Current immigration law pays very, very little attention to the skills that immigrants bring to the United States.*” Dr. Barry Chiswick (Head and research professor at the Department of Economics at the University of Illinois in Chicago)

Despite the advice we received, the Senate Immigration Bill gave virtually no attention to these issues and continued to prioritize low-skilled immigration over

high-skilled immigration.

III. RATIO OF SKILLED / EMPLOYMENT BASED IMMIGRATION TO OTHER TYPES OF IMMIGRATION IN THE U.S., CANADA, AND AUSTRALIA

After the *Economic Impact* hearing in the Senate Judiciary Committee, I became increasingly interested in the immigration policies of other developed nations.

I began to study the Canadian and Australian permanent immigration systems. [See Chart – “Three Approaches to Immigration”]. Indeed, there are dramatic differences in the ratio of skilled immigrants to non-skilled and family based immigrants that occur in the United States and the ratios in Canada and Australia.

Of the more than 1.1 million permanent immigrants the United States admitted in 2005, only 22% were skill based (and 1/2 of these were the family members of the employment based immigrants); 58% were family based; 16% were humanitarian based; and a 4% were given out *randomly* through the visa lottery. For the large majority of immigrants to the U.S. only 1 variable really mattered – whether they had a family member in the U.S.

In both Canada and Australia, the percentages are quite different. They make skilled migration the top priority. In Canada, 60% of immigrants are skilled; 24% are family, and 16% are humanitarian. In Australia, 62% of immigrants are skilled; 29% are family; and 9% are humanitarian.

IV. SENATE HELP COMMITTEE HEARING ON THE POINT SYSTEMS USED BY CANADA AND AUSTRALIA

Canada and Australia use “point systems” to choose the best applicants for their skilled migration programs. Early last fall, I asked the Senate Help Committee to hold a hearing to examine these point systems. (*Employment-based Permanent Immigration: Examining the Value of a Skills Based Point System, September 14, 2006*)

Before the hearing, the Canadian and Australian embassies came to the hill to brief us. I met personally with Monte Solberg, who was then Canada’s Minister of Citizenship and Immigration. He told me how pleased Canada was with their point system, and how they had worked to refine it over the last 30 years.

I learned that Canada accepts three major categories of permanent immigrants – an economic class, a family class, and a refugee class. The “economic class” immigrants are what we would call “employment based” immigrants, and Parliament intended for them to account for around 60% of Canada’s annual immigrant admissions.¹ In Canada points are awarded for:

Education	25 possible points
Language proficiency	24 possible points
Employment experience	21 possible points
Age	10 possible points
Arranged employment	10 possible points
(and) Adaptability ²	10 possible points

After speaking with Australian embassy officials, I learned that Australia employs a very similar point system to evaluate their skilled worker applicants.

At the HELP hearing (September 14, 2006), we heard from several experts familiar with the U.S. immigration system, and the Canadian and Australian systems.

Mr. Charles Beach, Professor of Economics at Queens University in Ontario, Canada, was an expert on the Canadian plan. According to Beach, since 1980, Canada has increased the number of immigrants coming in under the point system from 35% to more than 60%. His advice to U.S. policy makers was that *“bringing in a skill-based point system means that you gain useful policy tools that can ... rais[e] average skill levels of arriving immigrants.”*

Mr. George Borjas, the Scrivner Professor of Economics and Social Policy at the Kennedy School of Government at Harvard University made the economic case for reforming U.S. immigration policy to focus more on skills – *“high skilled immigrants earn more, pay higher taxes, and require fewer services than low-skilled immigrants.”* He pointed out how current U.S. immigration policies have resulted in a steep decline in the skills of immigrants over the last 40-50 years, and stated that the net economic benefits to America of immigration could increase substantially if incoming immigrants were more skilled than they are today.

Mr. Massey, that Bryant Professor of Sociology and Public Affairs at Princeton University, [the Democratic minority witness] described how U.S. immigration policy has given *“the family side [of immigration].. more emphasis than it*

1 *Id.* and <http://www.cic.gc.ca/english/pub/facts2005/permanent/index.html>

2 <http://www.cic.gc.ca/english/skilled/qual-5.html>

needs...the brother and sister provision ... is the single most important factor for the immigration chaining – the creation of networks that bring more migrants.” He supported eliminating the brother/sister provisions to make U.S. immigration policy more balanced.

I understand that New Zealand also has a point system similar to Australia, and that the United Kingdom will soon be expanding the point system they implemented in 2002. Focusing on nuclear families and implementing point systems is how other countries with comparative economies have prioritized skilled migration. Surely, we should consider the ideas of other developed nations -- especially when they are happy with what they have done.

V. THE SENATE AND THE WHITE HOUSE ARE CONSIDERING IMPLEMENTING POINT SYSTEM AND REDUCING CHAIN MIGRATION CATEGORIES

A few weeks ago, a power point that the White House was using in bipartisan negotiations with Senate Judiciary Committee was given to the press. It includes a proposal for a point system for merit based immigrants. It also [and] proposes eliminating the diversity visa lottery and chain migration categories so that more high-skilled immigrants can be accepted without raising the total annual immigration levels. These reforms clearly represent steps in the right direction.

VI. CLOSING:

It is a simple fact that the United States can not admit every applicant, and it is indisputable that our policies should serve the national interest. As a whole, we must enact an immigration policy that serves as a net plus to our nation's economy, not a net drain.

In choosing between the many applicants that want to come here, it makes good sense to choose persons who are educated, young, and fluent in English. Statistically, immigrants with those characteristics will assimilate quickly, and contribute more than they consume in federal benefits and services.

I congratulate you for holding this hearing and I look forward to working with you on these issues.