



DREAMers and Chain Migration: MPI Methods for Estimating Future Family Immigration

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This document explains the methods used by the Migration Policy Institute (MPI) to estimate family migration, referred to by some as “chain migration,” that could result from passage of legislation that would legalize qualified unauthorized immigrants brought to the United States as children (a group referred to as DREAMers). These estimates were outlined in a November 2017 commentary, “[Legalization for DREAMers: A Realistic Appraisal of Potential Chain Migration](#).” In brief, MPI finds that each person legalized under one of the five key DREAM Act-type bills pending in Congress could over their lifetime help 0.65 to 1.03 family members on average obtain green cards, depending on which legislation is modeled. The MPI estimates are well shy of the 3.5 to 6.4 relatives per DREAMer numbers cited by critics, which rely on older data and cover different populations.

To develop these estimates, MPI researchers first looked at the demographic characteristics of DREAMers to determine which groups of relatives could immigrate, building upon previous MPI work modeling the sizes of the populations that could legalize under each of five key DREAM Act-type proposals pending in Congress.¹ Next, the researchers obtained data to help them estimate how many in each family group would be available to be sponsored—and how many could immigrate—after each legalizing DREAMer obtains legal status and later becomes a U.S. citizen. They also calculated how long it would take family members to become eligible to immigrate.

¹ For more on the provisions of these bills, see Jeanne Batalova, Ariel G. Ruiz Soto, and Michelle Mittelstadt, *Protecting the DREAM: The Potential Impact of Different Legislative Scenarios for Unauthorized Youth* (Washington, DC: Migration Policy Institute, 2017), www.migrationpolicy.org/research/protecting-dream-potential-impact-different-legislative-scenarios-unauthorized-youth. For estimates of how many people could benefit under each bill, see Jeanne Batalova, Ariel G. Ruiz Soto, Sarah Pierce, and Randy Capps, *Differing Dreams: Estimating the Unauthorized Populations that could Benefit Under Different Legalization Bills* (Washington, DC: Migration Policy Institute, 2017), www.migrationpolicy.org/research/differing-dreams-estimating-unauthorized-populations-could-benefit-under-different.



Sponsorship rates were modeled for five bills: the *Recognizing America's Children Act*; the *DREAM Act of 2017*; the *American Hope Act*; the *Solution for Undocumented Children through Careers, Employment, Education, and Defending our Nation Act* (SUCCEED Act); and the *Border Security and Deferred Action Recipient Relief Act*.

I. Which Groups of Family Members Could Obtain Green Cards, and When?

Because they entered the country at a young age, DREAMers are unlikely to have children who need to be sponsored; most of their offspring generally are U.S. citizens by birthright. Some might have spouses, parents, or siblings eligible for a green card; the constraints on immigration for each of these three groups of family members is discussed in this section.

A. Spouses

Three opportunities and challenges were considered in estimating the number of spouses who could receive a green card, assuming the DREAMer would obtain legal status under the terms of an eventual law and become eligible to sponsor the spouse.² Second, the DREAMer must be married to someone who is not a U.S. citizen, legal permanent resident (LPR, or green-card holder), or another DREAMer—i.e., married to someone who would need to be sponsored. Third, the spouse must not be barred from getting a green card for a period of three or ten years because she or he spent an extended amount of time in the United States without authorization, or must receive a waiver to overcome that bar on re-entry.³

The assumption used here is that no relative would find it preferable to wait outside the country for years, separated from family, instead of continuing to reside in the United States without authorization; as a result, it is assumed those subject to three- or ten-year bars would not seek green cards unless they were able to receive a waiver of the bars or adjust their status without leaving the United States.⁴

² Under the SUCCEED Act, DREAMers would have to become U.S. citizens before being eligible to sponsor a spouse for immigration.

³ Congress in 1996 restricted the ability of most immigrants staying in the United States unlawfully for a period of months or more to legalize their status. They are now required to leave the country and wait for three or ten years (three if in the United States for less than one year without authorization; ten if resident for a year or more) before applying for immigrant visas to re-enter. See *Immigration and Nationality Act* (INA), *U.S. Code* 8 (as amended in 1996), §1182(a)(9)(B)(i)(I).

⁴ It is theoretically possible that some family members could avoid the three- or ten-year bars by processing their applications abroad and claiming that they never lived unlawfully in the United States. Given the scrutiny that green-card applications receive, however, any paper trail they may have left in the United States—including information submitted by DREAMers in pursuit of their own legalization—could jeopardize their applications. They also face permanent



Spouses being sponsored by a green-card holder cannot adjust their status within the United States.⁵ They would need to leave the country and apply from abroad, thus triggering the three- or ten-year bars. However, if they could demonstrate that separation would cause extreme hardship to the spouse, they could potentially obtain a 601/601A waiver and avoid the bars.⁶ Some of the spouses of DREAMers obtaining U.S. citizenship would have a clearer path to immigration; those who overstayed legal visas rather than crossing the border illegally could obtain a green card within the United States and avoid the bars.⁷

So, after first legalizing, DREAMers' only possibility for helping spouses obtain a green card would be if the spouse could obtain a 601/601A waiver. After DREAMers obtain U.S. citizenship, their spouses could immigrate without a waiver if they overstayed a legal visa, rather than crossing the border illegally.

B. Parents

For the purposes of ensuring as complete estimates as possible, MPI assumes that all DREAMers have two parents and that they would sponsor both parents. But they face two general constraints before being able to do so. First, the DREAMers must become U.S. citizens, and the historical record suggests that some would naturalize, while others would not. Second, parents living without authorization in the United States would be unable to gain legal status due to the three- or ten-year bars.⁸ Those who overstayed visas would be eligible for green cards because they can adjust status within the United States, without triggering the bars.⁹ Parents who entered the country illegally would need to leave the country to apply, but are not eligible for extreme hardship waivers on the basis of hardship to their children.¹⁰

For purposes of this analysis, MPI assumes that parents living outside the United States would not be subject to the three- or ten-year bars and could be sponsored as soon as DREAMers become citizens, although it is quite possible that some parents have prior periods of unauthorized U.S. residence and would face such bars.

inadmissibility from the United States if found to have provided false information on their applications. Because of these factors, MPI did not include this potential population in its estimates.

⁵ See INA, *U.S. Code* 8, §1255(a).

⁶ See INA, *U.S. Code* 8 (as amended in 1996), §1182(a)(9)(B)(v).

⁷ See INA, *U.S. Code* 8, §1255(a), (c)(2).

⁸ See INA, *U.S. Code* 8 (as amended in 1996), §1182(a)(9)(B)(i)(I & II).

⁹ See INA, *U.S. Code* 8, §1255(a), (c)(2).

¹⁰ Parents of DREAMers could potentially be eligible for extreme hardship waivers if they had a legal permanent resident (LPR) or U.S.-citizen parent or spouse themselves. See INA, *U.S. Code* 8 (as amended in 1996), §1182(a)(9)(B)(v). But in such cases, MPI assumes that the LPR or citizen parent or spouse would be the sponsor rather than the DREAMers themselves.



C. *Siblings and Their Spouses and Children*

DREAMers would have to first become citizens before they could sponsor their siblings. Siblings living in the United States without authorization likewise would have to leave the country to apply for a green card, also triggering the bars on re-entry.¹¹ And there is no 601/601A waiver based on hardship to a sibling.¹² Therefore, DREAMers could only sponsor siblings living outside the United States. As with parents, MPI assumes for purposes of this analysis that siblings outside the United States have never lived in the country illegally, and are therefore not subject to the bars.

Unlike spouses and parents, siblings given permission to immigrate to the United States may bring their spouses and minor children.¹³ These immediate family members are included in sibling sponsorship rates.

II. Available Data Sources to Help Calculate Family Sponsorship Rates, and Related Factors

MPI researchers used a combination of U.S. government administrative data, surveys of immigrant populations in the United States, and unique MPI assignments of legal status to noncitizens in the U.S. Census Bureau's annual American Community Survey (ACS)¹⁴ to estimate the rates in this section. To the extent possible, separate rates are calculated for DREAMers from Mexico, the Northern Triangle of Central America,¹⁵ and other countries:

- Naturalization rates for DREAMers (as citizenship is a requirement for sponsoring parents and siblings and allows for easier sponsorship of some spouses).
- Shares of DREAMers who are married or likely to marry unauthorized immigrants ineligible to apply for DREAM legalization (to calculate the number of spouses needing to be sponsored).
- Shares of family members who overstayed valid visas as opposed to entering the United States illegally (to calculate the number of spouses and parents who can and cannot obtain green cards).
- Rates of receipt of extreme hardship waivers that would allow spouses who entered the country illegally to apply for a green card without waiting three or ten years outside the country.

¹¹ INA, *U.S. Code* 8, §§1255(a), 1182(a)(9)(B)(i)(I & II).

¹² INA, *U.S. Code* 8 (as amended in 1996), §1182(a)(9)(B)(v).

¹³ See INA, *U.S. Code* 8 (as amended in 1990), §1153(d).

¹⁴ MPI analysis of U.S. Census Bureau data from the 2014 American Community Survey (ACS) and the 2008 Survey of Income and Program Participation (SIPP), with legal status assignments by James Bachmeier of Temple University and Jennifer Van Hook of The Pennsylvania State University, Population Research Institute. For more detail on the assumptions and mythology underlying MPI estimates of the populations that could receive legal status under the DREAM Act-type bills pending in Congress, see Batalova, Ruiz Soto, and Mittelstadt, *Protecting the DREAM*.

¹⁵ The Northern Triangle includes El Salvador, Guatemala, and Honduras.



- Shares of DREAMers with U.S.-citizen siblings (as these citizens could otherwise sponsor family members in the absence of DREAM legislation).
- Average number of parents of DREAMers living inside and outside the United States.
- Average number of siblings of DREAMers living outside the United States.
- Average number of spouses and children that siblings bring when they migrate to the United States.

Naturalization rate. According to data from U.S. Citizenship and Immigration Services (USCIS), the average ten-year naturalization rate for those becoming LPRs in 2004 was 28.6 percent for Mexicans, 40.4 percent for Central Americans, and 62.7 percent for those from other world regions.¹⁶ Even though most DREAMers have origins in Mexico or Central America, which have lower naturalization rates generally, for purposes of this analysis MPI expects DREAMers' naturalization rates to be relatively high compared to other immigrants from the same part of the world. This is because DREAMers are a relatively well-educated population with deep ties to the United States and relatively weak ties to their birth countries. As a result, MPI uses here the naturalization rate for all other regions: 62.7 percent, creating a relatively high share of DREAMers who in the event of legalization could sponsor their parents and siblings—thus increasing the overall sponsorship rate above what it would be had the naturalization rates for Mexicans or Central Americans been used.

Marriage rate to unauthorized immigrants ineligible for DREAM-type legislation. The researchers used the MPI dataset with legal status imputations to estimate the marriage rate for DREAMers in the 35-to-44 age range (peak marriage age): about 50 percent for those from Mexico and the Northern Triangle of Central America, and about 40 percent for those from other countries, with some minor variations depending on the age range eligible for legalization in the different bills. Next, assuming the marriage patterns of younger DREAMers are more representative of the overall population than patterns for older DREAMers, the researchers calculated the shares of married DREAMers ages 15-34 who were married to U.S. citizens, LPRs, other DREAMers, and non-DREAMer unauthorized immigrants. They estimated that the share of DREAMers married to unauthorized immigrants ineligible for DREAM-type legislation would vary by bill. But for the *DREAM Act of 2017*, for example, the rate was about 20 percent for recipients from Mexico and Central America, and about 9 percent for those from other countries. The share of Mexican DREAMers married to DREAM-ineligible unauthorized immigrants was lower for the other four bills than for the *DREAM Act of 2017*.

Visa overstay rate. The Center for Migration Studies of New York (CMS), using overstay reports from the Department of Homeland Security (DHS), estimated overstay rates by

¹⁶ U.S. Citizenship and Immigration Services (USCIS), *Trends in Naturalization Rates: FY 2014 Update* (Washington, DC: USCIS, 2016), www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/static_files/Trends-in-Naturalization-Rates-FY14-Update.pdf.



nationality for the unauthorized immigrant population in 2014.¹⁷ These overstay rates are 18.4 percent for Mexicans, 10.8 percent for Northern-Triangle Central Americans (Guatemalans, Honduras and Salvadorans), and 87.7 percent for all other countries.

Shares of unauthorized immigrants whose three- and ten-year bars are waived on grounds of extreme hardship. To estimate how many family members of DREAMers entered the United States illegally and might be eligible for an unlawful presence waiver, MPI drew upon the best available data about who has been eligible for the waiver in the recent past, and how many people have received such waivers. Many unauthorized immigrants who may be waiver-eligible are not aware of their eligibility. Further, obtaining such a waiver can be expensive, as it usually involves hiring legal counsel and incurring travel outside the United States. Based on the MPI dataset with legal status imputations, the researchers estimated that 1.3 million unauthorized immigrants are married to U.S. citizens or LPRs, and thus potentially eligible for a waiver based on hardship to a spouse. Next, they obtained data on the number of 601 and 601A waivers approved in recent years, from tables published by USCIS and data obtained through the *Freedom of Information Act* by the American Immigration Lawyers Association.¹⁸ Over the past three fiscal years, roughly 50,000 601/601A waivers were approved annually. Using this annual average, MPI estimates that about 500,000 relatives of legalized DREAMers would apply for and receive such a waiver over a ten-year period. Dividing the estimate of 1.3 million spouses eligible to be sponsored by the 500,000 waivers over ten years, MPI derives a waiver receipt rate of roughly 40 percent. Increasing or decreasing the assumed 601/601A waiver approval rate has little impact on MPI's final sponsorship estimates, because these rates only affect the sponsorship rates of the small share of DREAMers who are married to unauthorized immigrants ineligible for DREAM-type legalization.¹⁹

Shares of DREAMers with U.S.-citizen siblings. Using MPI's dataset with legal status assignment permitted a look at data on the share of U.S.-citizen siblings for DREAMers under age 18—those still living at home with their parents. Reliable legal status information about siblings is not available for DREAMers over age 18 because they are

¹⁷ Robert Warren and Donald Kerwin, "2,000 Mile Wall in Search of a Purpose: Since 2007 Visa Overstay Rates have Outnumbered Border Crossers by a Half Million," *Journal on Migration and Human Security*, vol. 5, no. 1 (2017): 124-36, <http://jmhs.cmsny.org/index.php/jmhs/article/view/77>.

¹⁸ USCIS, "Number of Service-wide Forms by Fiscal Year To-Date, Quarter, and Form Status," various years, www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/Quarterly%20All%20Forms%20FY17Q3.pdf; www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/all_forms_performancedata_fy2016_qtr4.pdf; www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/all_forms_performancedata_fy2015_qtr4.pdf; www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/all_forms_performancedata_fy2015_qtr4.pdf; USCIS, "Domestically Filed Application for Waiver of Grounds of Inadmissibility (I-601) Receipts, Approvals, Denials, Approval Rate, Denial Rate, Request for Evidence Rate," (April 2015) provided to AILA through the *Freedom of Information Act*, on file with MPI.

¹⁹ This share is roughly 20 percent for DREAMers from Mexico and the Northern Triangle under the DREAM Act of 2017, and roughly 9 percent for those from other countries under that bill.



likely to have moved out of their childhood homes and no longer be residing with siblings. Instead, MPI assumes that the share of DREAMers under age 18 having U.S.-citizen siblings also holds for those over age 18. Among under-18 DREAMers, 67 percent from Mexico, 63 percent from Central America, and 39 percent from other world regions have U.S.-citizen siblings. Relatives for DREAMers with U.S.-citizen siblings are not counted in MPI's family immigration rates under the assumption that the U.S.-citizen siblings would be able to sponsor family members with or without DREAM legislation.

Parents living inside and outside the United States. MPI's legal status assignments in the ACS also allow for estimation of the average number of parents living in U.S. households with DREAMer children under age 18. It is not possible to estimate parents living in the United States in other households because the ACS data do not link individuals across households; MPI observes that many DREAMers age 18 and older are no longer living with a parent. The average number of parents inside the United States who can be sponsored is calculated by the number of parents in each DREAMer household that does not also contain a U.S.-citizen child divided by the number of DREAMers under age 18 in that household. The number of parents is necessarily between one and two and is 1.47 in Mexican DREAMer households, 1.29 in Central American households, and 1.65 in households with DREAMers from other world regions. MPI assumes that these average numbers of U.S.-based parents calculated for DREAMers under age 18 hold for those over 18 as well.

For all one-parent households, MPI researchers assume that the other parent resides outside the United States. As a result, the number of parents outside the United States is equal to two minus the number inside the United States. This number is also divided by the average number of DREAMers in each household, to yield average parents per DREAMer living outside the country.

Siblings living outside the United States. Very few surveys have data on transnational families—immigrant families with members both inside and outside the United States. MPI analyzed data from two such surveys: (1) the Mexican Migration Project (MMP), a binational, longitudinal survey of migrant households in sending communities mostly in rural Mexico and receiving communities in the United States, from which data was used for 2000 through 2016; and (2) the Los Angeles Family and Neighborhood Survey (LAFANS), a representative survey of immigrant families in Los Angeles County conducted in 2000 and 2001.²⁰ In the MMP, MPI researchers looked at households surveyed in the United States with at least one unauthorized immigrant who entered the United States under age 16—and who would likely therefore qualify for DREAM legislation. On average, these unauthorized immigrants had 0.93 siblings living in Mexico. In the LAFANS, MPI researchers examined two-parent households with at least one unauthorized parent and

²⁰ Mexican Migration Project, "What's the MMP?" accessed November 29, 2017, <http://mmp.opr.princeton.edu/home-en.aspx>; RAND Corp., "The Los Angeles Family and Neighborhood Survey," Wave 1 (2000–2001), <http://lasurvey.rand.org/>.



added up the number of children that both parents reported having outside the United States. They on average reported a total of about 0.5 children outside the country per unauthorized household. Because these are both small-scale surveys that only represent immigrants living in small geographic areas within the United States, MPI used the range of 0.5 to 0.93 for its estimate of the number of children outside the country who could potentially be sponsored.

Family members of DREAMer siblings. According to the most recent DHS *Yearbook of Immigration Statistics*, in 2015, newly arriving siblings brought 1.9 spouses and children with them on average.²¹ MPI assumes this multiplier would apply to siblings sponsored by DREAM Act recipients.

III. Likely Rates of Green-Card Receipt for Sponsored Family Members

The equations that derive MPI's estimates of the numbers of spouses, parents, siblings, and family members of siblings likely to gain a green card for each DREAM Act recipient who legalizes are presented below. Each of these equations was repeated for DREAMers from Mexico, the Northern Triangle, and other world regions, and a weighted average generated. These equations were also calculated separately for the five key bills before Congress.

A. Spouses

- 1) Spouses eligible to be sponsored and obtain a green card when DREAMers obtain legal status:

Average number of spouses per DREAMer =

DREAMer marriage rate *

Share of DREAMer spouses who are unauthorized and not DREAMers *

Share of spouses receiving a 601/601A extreme hardship waiver =

0.03 to 0.07, depending on the bill

- 2) Spouses eligible to be sponsored and obtain a green card when DREAMers become U.S. citizens:

Average number of spouses per DREAMer =

(DREAMER naturalization rate *

DREAMer marriage rate *

²¹ DHS, Office of Immigration Statistics, *2015 Yearbook of Immigration Statistics* (Washington, DC: DHS, Office of Immigration Statistics, 2016), www.dhs.gov/immigration-statistics/yearbook/2015.



*Share of DREAMer spouses who are unauthorized and not DREAMers *
Share of spouses who overstayed visas) -
Spouses already sponsored by DREAMers as LPRs =
0.00 to 0.01, depending on the bill*

Total spouses eligible to be sponsored and obtain a green card (either during the LPR or citizen stage) = 0.04 to 0.08, depending on the bill.

B. Parents

- 1) Parents living in the United States eligible to be sponsored and obtain a green card if DREAMers become U.S. citizens:

Average number of parents per DREAMer =

*DREAMER naturalization rate *
Share of DREAMers with no U.S.-citizen siblings *
Share of parents who overstayed visas *
Average number of parents per DREAMer in DREAMer households =
0.15 to 0.16, depending on the bill*

- 2) Parents living outside the United States eligible to be sponsored and obtain a green card if DREAMers become U.S. citizens:

Average number of parents per DREAMer =

*DREAMER naturalization rate *
Share of DREAMers with no U.S.-citizen siblings *
Average number of parents per DREAMer not in DREAMer households and assumed to be living abroad =
0.12, in all bills*

Total parents, inside and outside the United States, eligible to be sponsored and obtain a green card: 0.27 to 0.28, depending on the bill.



C. *Siblings and Their Spouses and Children*

All living outside the United States, eligible to be sponsored, and obtain a green card when DREAMers become U.S. citizens:

Average number of siblings per DREAMER =

*DREAMER naturalization rate **

*Share of DREAMers without U.S.-citizen siblings **

*Average number of siblings living abroad **

Average number of spouses and children per sponsored sibling =

0.34 to 0.67, depending on the bill, and which estimate is used for siblings abroad.

Taken together, the total number of relatives who could obtain a green card on average over a DREAMer's lifetime would be the sum of these three groups, with a range offered depending on the bill and estimate of siblings modeled:

Spouses	0.04 to 0.08 persons
Parents	0.27 to 0.28 persons
Siblings and their spouses and children	0.34 to 0.67 persons
TOTAL	0.65 to 1.03 persons <i>(depending on which estimate is used for siblings abroad)</i>

IV. How Long Would It Take for DREAMers' Relatives to Get Green Cards?

Family immigration would occur over an extended period of time. Below are timelines for DREAMers family members to obtain green cards:

Spouses: The timeline for sponsoring spouses depends greatly on the bill. Under the *DREAM Act of 2017* and *American Hope Act*, which have the fastest timelines, some DREAMers could sponsor their spouses as soon as they receive legal status. In the other bills, they would have to wait several years before becoming LPRs or U.S. citizens. But in all of the measures, it would take at least two years after DREAMers legalize for their spouse to obtain a green card, given the two-year backlog for spousal green card applications. Legalizing immigrants would have an easier pathway to sponsor some spouses once they



obtain U.S. citizenship, but this would take an additional five years to first become U.S. citizens.

Parents: DREAMers could sponsor parents only after gaining U.S. citizenship. The fastest timeline to citizenship, in the *DREAM Act of 2017* and *American Hope Act*, is five years. In the other bills, the timeline to becoming citizens is longer, because recipients must first pursue lengthy paths to permanent residence and then wait five additional years to qualify for U.S. citizenship.

Siblings and their spouses and children: DREAMers could also only sponsor siblings once they become U.S. citizens, with the fastest possible time to citizenship at five years under the *DREAM Act of 2017* and *American Hope Act*. In addition, current backlogs for sibling visas stand at 23 years for siblings from the Philippines, 20 years for those from Mexico, and 13 years for siblings of most other countries.²² Therefore, the fastest timeline to get green cards for their siblings would be 18 years (13 years plus 5 years) for DREAMers from most countries under the *DREAM Act of 2017* and *American Hope Act*, but 25 years for DREAMers from Mexico and 28 years for those from the Philippines. These timelines do not consider the processing time once a visa becomes available, which can stretch from six months to more than a year.

²² U.S. Department of State. "Visa Bulletin for December 2017," <https://travel.state.gov/content/visas/en/law-and-policy/bulletin/2018/visa-bulletin-for-december-2017.html>.



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