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**RESILIENCE AMIDST BARRIERS: UNDERSTANDING THE PLIGHT OF  
UNDOCUMENTED FILIPINO TNS IN THE BROKEN US IMMIGRATION SYSTEM**

**BY**

**EILEEN ROSE ENTERESO LINCHANGCO**

**SENIOR THESIS IN POLITICS**

**SUBMITTED TO SCRIPPS COLLEGE IN PARTIAL FULFILLMENT  
OF THE DEGREE OF BACHELORS OF ARTS**

**PROFESSOR OWEN BROWN**

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## Abstract

This thesis examines the plight of undocumented Filipino immigrants, referred to as “TNT” or “tago nang tago” (hiding and hiding), within the context of an increasingly restrictive US immigration system. I argue that two key factors have driven more Filipinos to pursue unauthorized entry into the US since the 1980s despite heightened risks. First, US immigration policy changes enacted in the 1980s and 1990s implemented stricter numerical caps that severely limited available visas for Filipino immigrants to use legal immigration pathways into the United States. Second, enduring sociocultural constructs propagate the notion that Filipinos represent immigrant desirability for US citizenship. Caught between rising anti-immigrant legislation and persistent narratives lauding Filipino immigrant desirability, Filipino immigrants have increasingly turned to irregular and riskier pathways, such as overstaying tourist visas, as a means to actualize their “American dream.” By analyzing immigration policy changes alongside ethnographic studies on Filipino immigrant discourse, I argue that conflicting forces of stricter immigration laws and enduring cultural narratives that promote Filipino immigrant desirability prompt more Filipino immigrants to opt for riskier unauthorized routes over recent decades, ultimately drawing attention to the resilience of Filipino TNTs amidst complex barriers in the US immigration system. I use this research as a platform to call out the broken system we live in, to advocate for immigration reform through policy change, and to bolster the need for community organizing efforts to foster a culture of resistance and empowerment for the undocumented Filipino TNT community.

Key terms: undocumented, Filipino, TNT, immigration pathways, immigration law, cultural narratives, immigrant desirability

I acknowledge that I currently reside on and wrote this thesis on the stolen ancestral lands of the Tongva-Gabrielino tribe in southern California. These lands, now occupied by Scripps College, carry the weight of a history marked by displacement and colonization. True empowerment of anti-colonial resistance efforts amongst marginalized communities in the United States starts with standing in solidarity with Indigenous struggle, history, and memory.

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Thank you to my huge family for all your love and support. Thank you to my sister, Evie, for the laughs and music we share. Thank you to all my friends who encourage me to stay authentic to who I am, and who challenge me to grow as a person. Thank you to my courageous Lolas and Lolo, who are radically honest with me and authentic in the time you spend with me. Your stories inspire me everyday in the work I do, and I hope to make you both proud in everything I do.

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## **Introduction**

The first time I learned the story of my family's migration journey to Southern California from the Philippines was the first time I began to think deeply about the ways in which larger systems, policies, and historical legacies shaped the course of their lives and mine. These stories are seldom discussed because of the stigma that comes with being an undocumented immigrant in the United States. Bits and pieces of our family history are marked by trauma, shame, and uncertainty, but also by unfettered courage, resilience, and perseverance. The duality of this experience is not unique to just my family. Our immigration story occurs alongside an entire diaspora, whose lives unfold against the backdrop of ongoing colonial legacies, the decisions of United States (US) policymakers, and the current state of immigration politics.

Becoming undocumented immigrants is not the intention of a family who decides to permanently migrate to an entirely new country, yet it is the reality for many. Commonly told narratives of undocumented immigrants are associated with criminality and illegality, stories that paint a picture of immigrants committing a wrong, or knowingly doing something they should not have done, rather than coming from a place of understanding the vulnerability, danger, and the possibility of deportation that comes with navigating an immigration system as restrictive as that of the United States. Media representations have a powerful influence at shaping mainstream political discussions about "illegal" immigration, an issue that has increasingly become contentious in the past forty years. Mental images of undocumented immigrants typically bring to mind unregulated border crossings, inhumane detention centers, violent deportations, and family separation. These associations of illegal immigration reinforce the common framing that the problem stems from the crisis at the US-Mexico border, typically vilifying Latino

immigrants. But when delving deeper into the topic reveals an immigration story less commonly told: the one of the undocumented Filipino.

In the Filipino-American community, the experience of being an undocumented immigrant is commonly known about, even if it is not talked about out in the open and is only whispered about at Filipino house parties full of family and friends. Filipinos have coined the term for those living unauthorized in the United States as “tago nang tago” (TNT), a Tagalog term that means “hiding and hiding” (Partolan 2020; Aquino 2017; Pido 1986). To live as a TNT in the United States means to hide - hide your status, hide from authorities, hide from others who may report your status, hide to avoid deportation. This group of immigrants are Filipinos who immigrated under tourist visas and overstayed, thereby becoming undocumented but with the hope of naturalizing in the US to stay permanently (Pido 1996; Montoya 1997; Guevarra 2016). It is important to examine the Filipino TNT population, as there is a sizable population of them in the US. With Filipinos being the oldest and largest ethnic immigrant group in the nation (Taggweg and Rodriguez 2022), and the fourth largest immigrant group with around 2 million Filipino immigrants residing in the United States as of 2021 (Davis and Batalova 2023), Filipinos are also the seventh-largest undocumented community with approximately 310,000 undocumented immigrants in the US, as of 2018 (Department of Homeland Security; Baker 2021). However, these estimates may not be entirely accurate due to TNTs who hide from the authorities, which means that there are most likely more Filipino TNTs than are accounted for. It may come as a shock that Filipinos are undocumented, since this phenomenon is not widely known for these reasons, including that Filipino TNTs cannot risk being discovered by the immigration authorities, as well as the shame that comes with being “undocumented” as it is. As a result, not many Filipino TNTs willingly come forward to speak about their experience.

Furthemore, the narratives of Filipinos who immigrate, become undocumented, and live their lives in the shadows are sorely lacking in current academic literature and political discussions. However, this issue should not remain silenced or in the shadows, as Filipino TNTs have the least number of institutional protections because they are undocumented. Through my research, I aim to expose the inadequacies of current US immigration policies and how they detrimentally impact the Filipino American and Filipino immigrant communities.

For many Filipino immigrants, being undocumented is not intentional, but occurs commonly. What happens is that they initially come to the US with legal status but lose it from overstaying tourist visas or entering with false documents, sometimes unknowingly (Advincula 2017; Vargas 2011; Montoya 1997). Approximately 42% of the undocumented population were visa overstayers in 2014 (Warren and Kerwin 2017), while 62% of the newly undocumented overstayed their visa (Warren 2019), even though the majority of undocumented immigrants initially immigrate with legal status. Many might wonder: why would Filipinos immigrate through this pathway if they will eventually face the consequence of being undocumented? And shouldn't they know this before immigrating to the US? While the answer to this question remained ambiguous for the last forty years, the answer is never cut and dry, and this is the puzzle I investigate. Even though immigrants before the 1980s were able to regularize their status, contemporary immigrants face institutional, political, and societal barriers to do likewise (Haas, Natter, and Vezzoli 2018). This means that the current immigration system leaves undocumented immigrants few alternatives to legalize their status (Logan, Walker, and Hunt 2009). In general, the immigration system makes it hard for Filipinos to become documented due to immigration policies after the 1980s. Therefore, it is imperative to know how Filipino



immigrants navigate the US immigration system as this helps us reach a deeper understanding of the transient nature of immigrants' legal status.

The research question I examine is: what leads Filipinos to immigrate to the US through immigration pathways that are not regularized through and supported by immigration law, and how does this pose challenges for undocumented Filipino TNTs navigating legal immigration pathways? As it stands, the reality of Filipino-US immigration does not currently reflect the experiences of Filipino TNTs that are written about, and research on this community is sorely lacking. I add to the current academic literature and political discussions through an analysis of how undocumented Filipino immigrants navigate the US immigration system from the 1980s to the present. In Section 1, I first contextualize the history of US immigration law before and after the 1980s to demonstrate the shift in policy, and to pinpoint how these legal restrictions that changed the green card system affected the legal pathways Filipino immigrants could or could not utilize. By analyzing specific immigration policies that significantly impacted the green card backlogs in family-based immigration, I piece together why Filipino TNTs had a difficult time transitioning out of undocumented status from the 1980s to the present. In section 2, I then situate my analysis in context of how the paradoxical perception of Filipino immigrant desirability strongly influences the irregular migration paths taken by TNTs, reflecting the lingering impacts of US imperial legacies in the current political climate regarding immigration. Overall, I argue that the combination of increased restrictions in US immigration policy after the 1980s and the sociocultural norms rooted in the construct of Filipino immigrant desirability majorly contribute to Filipino TNTs taking pathways to the US that are not supported by legal mechanisms, prompting them to opt for irregular and riskier immigration routes.

## Methodology

The methodology I adopt to answer my research question centers institutional, historical, network, and interpretive analyses. After providing background on theoretical frameworks from these approaches, I utilize these frameworks to explain the difficulty in navigating the US immigration system for Filipino TNTs after the 1980s, and to show why Filipinos end up immigrating through pathways that lead to them becoming undocumented. To fill in gaps from existing research, I combine these four approaches to address my research question in a new light that has not previously been argued, and to enhance the current discourse on this topic. Throughout my writing, I use the all-inclusive term “Filipino” to reflect the language usage of individuals from this community that refer to immigrants and children of immigrants who ethnically identify as Filipino, Filipina, Filipino-American, Filipinx, Pinoy, and Pinay.

Firstly, a historical analysis is useful to understand contemporary immigration patterns of Filipino immigrants that are rooted in historical colonial and imperial legacies of the United States. In the context of my research question, I apply the notion of immigrant desirability coined by Rosenberg (2022), who argues that the history of colonialism and legal racism in the international system produced the conditions that states now use as objective justifications for racist and restrictive immigration policies (p. 28). This is helpful for demonstrating why US immigration policy became increasingly restrictive from the 1980s to the present, and how it prevents Filipino immigrants from immigrating legally and taking riskier pathways that result in undocumented status. Additionally, I also center “empire” as a framework to understand migration theoretically within the Filipino immigrant experience in the United States (Tagguez & Rodriguez 2022, p. 119; Gonzalez 2022; Balce 2022). Drawing from the current discourse of critical Filipino-American studies, the theory of empire grounds my research in holding the

United States accountable for its history as an imperial power in the Philippines. In Filipino diasporic studies and Filipinx studies, Balce (2022) refers to the theory of empire as a critical concept that describes the realities of Filipino and Filipino immigrant life that originate in historical experience of trauma from American conquest and violent occupation of the Philippines as the first and only formal colony of the US, which remains unrecognized and forgotten. Seeing how the historical legacies were shaped by US imperial culture furthermore contextualizes the reality of being undocumented in the United States, highlighting the significance of empire as a foundational framework that explains why Filipinos immigrate through pathways that are supported by the neocolonial relationship between the US and the Philippines. Some concrete examples of how US imperial and colonial legacies shaped Filipino migration patterns and fluency in American culture include English language instruction in schools, US educational and professional training, consumer culture, internalized colonial mentality, and American military presence (Rodriguez 2010; San Juan Jr. 2011; Pila 2021). These show how the history of US imperialism in the Philippines distinguishes the immigration trajectory of Filipino immigrants from other diasporas when coming to the United States. Thus, my argument applies the framework of empire to construct a greater understanding of how the immigration pathways that Filipinos utilize are distinct from other immigrants.

To integrate the institutional analysis that examines the legal pathways that affect the legal status of Filipino immigrants, I employ “legal status fluidity theory.” Pila (2021) defines legal status fluidity as the ability of immigrants to maintain current legal status and to transition between another immigration status (p. 62). The theory of liminal legality challenges the binary constructions of legality and illegality, highlighting the gray areas of documented and undocumented statuses when immigrants move between immigration statuses (Menjívar 2006).

Unlike the current body of literature on immigration that implies legal status in immigrants' lives does not change, this framework provides a comprehensive overview of how Filipino TNTs have navigated the US immigration system into permanent residency, or transitioned from documented to undocumented status. Through Pila's theory of liminal legality, I illustrate why US immigration policies after 1980 caused visa backlogs in family-based immigration that make it difficult to immigrate legally as a Filipino, and transition out of undocumented status.

Additionally, I apply a network analysis to illustrate the significance of social capital in the Filipino-American immigrant community. Boyd (1989) utilizes the framework of networks in studying migration as a social product from relations between family members, friends, colleagues, and romantic partners rather than solely institutional barriers. It is imperative to understand how Filipinos utilize their networks through family and friends to enter the US, obtain legal documentation in the US, remain in a liminal legal status, and seek work opportunities. A network analysis works in tandem with the institutional analysis of immigration policy as a joint methodological approach to inform how undocumented Filipinos transition to legal status commonly through family reunification measures as a legal pathway after 1986.

Lastly, I apply interpretive methods to understand how Filipino immigrants make sense of their identities prior to and after immigrating to the United States, and to see what influences their decisions to immigrate to the US. This is relevant to understanding how Filipinos' conception of their immigrant desirability influences their decision to immigrate to the US, and what type of pathway they commonly take as a result of this. Somers (1994) explores this approach by looking at the idea of identity construction through narrative, arguing that our identities are not fixed but are continually shaped and formed through the stories we tell about ourselves. Moreover, the construction of identity involves individuals weaving together various

experiences, beliefs, and events constructed about them into a narrative framework which in turn influences how they make sense of their lives, understand their place in the world, and make decisions based on the identity they perceive themselves as having. Somers's approach serves as a central framework to understanding why Filipino immigrants immigrate through family-reunification and labor pathways through legal means, and how their perspectives of themselves as immigrants is inherently influenced by their positionality as former US colonial subjects. This approach also informs how Filipinos are thought of as desirable or undesirable as immigrants, and how this ultimately shapes their immigration decisions. Through interpretive methods in reference to interviews that have been done with Filipino TNTs, we can reach a more comprehensive understanding of how certain narratives about Filipino immigrant identity in relation to the US specifically impacts undocumented Filipinos.

Overall, my research contributes to the current conversation surrounding undocumented immigration in the United States through an analysis that combines institutional, historical, network, and interpretive approaches to the ways in which Filipino TNTs navigate the US immigration system and how immigration law has influenced the legal pathways they take. Combining these approaches allows us to see how both restrictive immigration policies after the 1980s and how the narrative interpretation of Filipino immigrant desirability lead Filipino TNTs to immigrate legally. While there is currently more research emphasizing a historical approach pertaining to the history of Filipino immigration and sociological approaches about the Filipino immigrant experience, my contribution fills the gaps in the literature through the interpretive and institutional analysis in relation to this particular community. It is important to understand the Filipino immigrant experience through a combination of multiple methodological approaches, as it helps inform how the root of problems involving undocumented immigration of Filipino TNTs

stems from a multitude of different factors that have not been used before. This is essential for being able to not only understand how policies have lasting consequences on vulnerable immigrant populations in the United States, but also how to work towards more ethical policy solutions that work in the interest of these populations.

## **Literature Review**

### *Undocumented Immigrants & US Immigration Policy*

The undocumented immigrant experience in America is currently under-researched generally in political science and policy circles. Current literature on undocumented immigrants in the United States predominantly focuses on the Latino immigrant experiences and communities (De Genova 2002; Abrego 2006; Menjívar 2006; Gonzales 2011; Chavez, Monforti, and Michelson 2015). Additionally, the majority of literature about US immigration policies that address undocumented immigration since the 1980s primarily centers Latino immigrants (Massey and Pren 2012; Bean, Edmonston, and Passel 1990). Spanning from policy to public discourse, undocumented immigration is heavily racialized as a Latino issue. However, this overlooks the diversity of the undocumented immigrant population in the US, and ignores the nuances they experience interacting with the immigration system depending on their racial and ethnic background.

At the time of this writing, there are few studies that focus on the Filipino immigrant experience navigating US immigration pathways, and conclusions from these may not apply to all of the thousands of Filipinos who immigrate to the US each year. For the community I am looking at, there is a huge stigma surrounding undocumented immigrants in political discussions. With the rising number of Filipino immigrants in the US in recent decades, I specifically focus on the undocumented Filipino TNT experience from the 1980s to the present. This draws attention to the risks and danger involved with the process of remaining in an undocumented or liminal legal status upon immigrating to the US, leading them into greater vulnerability and exploitation without state protection (Tagguez and Rodriguez 2022). While this phenomenon has been researched from the sociological perspective rooted in the lived experiences of how undocumented Filipino TNTs do not have legal status fluidity (Pila 2021) or how they

conceptualize their immigrant identities (Guevarra 2016; Brown, Karen and Campos 2016), there is limited literature that discusses how specific US immigration policies since the 1980s create barriers for the immigration pathways that undocumented Filipino TNTs take, or that lead them to immigrate by overstaying their tourist visas. This is the core of my research and contributes to a more comprehensive understanding of how these policies specifically restricted the legal immigration pathways that Filipino TNTs take since the 1980s. Understanding US immigration policies since the 1980s helps to contextualize the evolution of the contemporary landscape surrounding undocumented immigration, and how it has had a significant impact on the Filipino TNT community in the last forty years. I also draw on the existing literature to illustrate the racist foundations of US immigration law, which have bled into the contemporary moment. The IRCA Act of 1986 as well as the Immigration Act of 1990 will be particularly relevant to my research to illustrate the reasons why Filipino TNTs utilized family reunification immigration pathways, and why there was a dramatic increase in visa-family reunification backlogs since the 1990s.

Although existing research on undocumented Asian immigrants overlaps with Filipino TNT experiences (Buenavista 2018; Hsin and Aptekar 2022), it does not speak to the nuances between Asian immigrant communities. Imperial and colonial legacies distinguish the Filipino experience, and Filipinos thus hold a historical relationship to the US that is unique compared to other diasporas. My research focus on Filipino TNTs challenges the assumption that all Asian immigrants have the same experience navigating the US immigration system, or utilize the same legal pathways across the Asian immigrant population in the United States. While discussions on the Filipino American experience and Filipino immigrant community in the United States is laid out below, the research on this community remains limited, not because we lack knowledge



about this group but because of underrepresentation of Filipinos in policy circles, academia, and where this knowledge can be used to enact real change through institutions and social movements to support Filipino TNTs. Hence, scholars need to explore how this manifests in policy. My investigation contributes to the current academic and political discourse on contemporary migration and US immigration law by focusing on these under researched aspects, all of which are integral to generating a more comprehensive overview of the realities on undocumented immigrant experiences.

### *Neocolonial History of Filipino Immigration in the 20th and 21st Centuries*

Filipino immigration to the United States spans an extensive history throughout the twentieth and twenty-first centuries. There is a sizable amount of research that maps out the history of Filipino immigration during this time period, as well as the distinct factors that caused migration of the Filipino diaspora, and links this history with the legacy of US imperialism throughout the twentieth and twenty-first centuries (Ocampo 2016; Bonus 2000; Melendy 1974; San Juan Jr. 2000; Allen 1977; Liu, Ong, & Rosenstein 1991; Obligacion & Obligacion-Arboleda 1994). Historians have documented, studied, and periodized the migration of Filipinos into three waves: the first wave from 1901 to 1934, the second wave of immigration from 1946 to 1965, and the third wave of immigration from 1965 to the present (Lee 2015). Each wave is marked by a distinct period in the (neo)colonial history of the US in the Philippines, and patterns of Filipino immigration were influenced by a combination of US historical legacies and US immigration laws. Pido (1997) draws attention to the macro and micro dimensions of Filipino immigration to the United States, giving a broad overview of what migration scholars categorize into push and pull factors of migration. This approach, however, does not solely

explain the contemporary migration patterns of Filipinos in the third wave of US-Filipino immigration. In my argument, I emphasize the theory of empire posed by Tagguez and Rodriguez (2022) and Gonzalez (2022) to make sense of diasporic politics and immigration politics as part of Filipino American history, and to demonstrate how the colonial and imperial legacy of the US has concrete manifestations in how Filipinos conceptualize their identity in terms of immigrant desirability narratives. This provides context for the direction I take my research in, fills in the missing gaps from the existing literature, and shines a light on why Filipino immigration has significant implications for how Filipino TNTs navigate US immigration pathways from the 1980s to the present.

Much of the literature on Filipino immigration covers the first and second waves, informed through historical analyses of US colonial legacies in the Philippines (Pido 1997; Lee 2014; Baldoz 2004; Espiritu 1995). From the historical beginnings to the contemporary state of the US, it is no secret that US immigration law is rooted in racism. The evolution of US immigration law reveals the racist underpinnings of immigration policymaking (Daniels 2005; Jones 2021; Lee 2014; Rosenberg 2022; Ngai 2014). Immigration scholars have shown how domestic policies before 1980 were created to exclude groups of immigrants based on race. However, Filipino immigration was unregulated in the early twentieth century. With the first wave of migration from 1901-1934, the immigration of Filipinos to the US began in large numbers directly after the Philippine-American War in 1899 (Pido 1997; Lee 2014). This was because the colonial relationship between the US and the Philippines meant that Filipinos could travel to and from the US freely as US nationals (Pila 2021). Seeing that the Philippines became a colony of the US after the Philippine-American war, the US colonial influence on the Philippines facilitated the movement of Filipinos to the US for cheap labor. The second wave of

Filipino immigration to the US from 1946 to 1964 was after World War II. When the Philippines gained independence from the US in 1946, Filipinos lost their “US national” status, which restricted some migration pathways but not all (Pido 1997). Moreover, changes in legislation allowed more Filipinos to immigrate (Espiritu 1995). The major change was the Immigration and Nationality Act of 1952, which maintained national origin quotas but abolished racial restrictions, and allowed immigrants to adjust their status to lawful permanent residence on the basis of family unity (Mercer 2008). This marked the start of when Filipinos started using family reunification pathways to immigrate. However, in 1965, the Hart-Celler Act was instrumental in that it abolished nationality quotas, and prioritized family reunification over labor migration (Pila 2021). While this policy brought more Filipino immigrants into the United States, it also contributed to the growth of undocumented immigrant populations.

Existing research on the third wave of Filipino immigration from 1965 to the present mainly draws attention to the open migration through family reunification. This is important in my research, as this law still currently impacts the course of Filipino immigration today. The passage of the Immigration and Nationality Act of 1965 was a landmark immigration bill in that it abolished national-origin quotas, which allowed US citizen immigrants to sponsor their immediate family members without limitations for their relatives (Lee 2014). This policy allowed more immigrants from the Global South to immigrate. It especially increased and diversified Filipino immigration to the United States, particularly because of the two countries’ long-established history. Family reunification and labor-based pathways were the main legal channels through which Filipino immigrants utilize, which will inform my overall argument.

Overall, current literature provides explanations of how US colonial legacies and the history of imperialism in the Philippines shaped the course of Filipino migration to the United

States. The imperial connection between the US and the Philippines deeply influenced migration in the first and second waves, initially driven by labor demands during American colonization and later by policies allowing family reunification and skilled migration. What is missing in the literature is how this concretely affects Filipino TNTs in the third wave from 1965 to the present. Built on these past rounds of migration histories, I aim to establish that these different episodes inform the current reality for Filipino TNTs. With the rising number of Filipino immigrants in the US in recent decades, I specifically focus on the undocumented Filipino TNT experience from the 1980s to the present. Although it is known that this population has grown since then, little is known about how immigration policies created challenges for accessing legal immigration pathways available for Filipino TNTs during this time period. This historical colonial relationship still influences migration, notably seen in the third wave, particularly from the 1980s and after, which is where my research focus is concentrated.

The purpose of my thesis is to fill this gap in the literature by showcasing how Filipino TNTs in the US conceptualize their identity as immigrants in the contemporary moment, as well as navigate current immigration laws that are a continuation of the US neocolonial legacy. My goal in this research is to generate greater context when examining the challenges faced by undocumented Filipino TNTs who encounter obstacles in accessing legal immigration pathways increasingly in the third wave of Filipino-US immigration, often due to visa limitations and complex bureaucratic processes. Exploring the third wave of Filipino-US immigration sheds light on the need for more accessible and equitable pathways for undocumented individuals seeking legal status and citizenship.

## Section 1: Contemporary Filipino TNT Challenges with Legal Immigration Pathways

In this section, I delve into the evolution of US immigration policies during the 1980s and 1990s that introduced a wave of restrictions that significantly shaped the immigration pathways available to Filipinos immigrating to the US. The implementation of anti-immigrant policies targeting family reunification had far-reaching consequences on Filipino TNTs. These policies imposed formidable barriers for Filipinos trying to navigate the green card backlogs, hindering their ability to immigrate through established legal channels. As a result, many Filipinos found themselves compelled to overstay their tourist visas as an alternative pathway, leading to undocumented status. This, in turn, obstructed and delayed their capacity to adjust their legal standing upon immigrating to the United States, underscoring the significant hurdles posed by current US immigration policies that challenge the narrative of Filipino immigrant desirability.

While the Filipino TNT experience generally remains under the radar and discussions of these issues amongst Filipinos are not typically critical of the institutions at work, personal experiences of undocumented Filipinos are a direct testament to how this community faces deep-seated issues with US immigration policy. One media representation of the Filipino TNT reality was portrayed in the NBC show, *Superstore*. A short scene shows the Filipino character, Mateo, who works at a convenience store, discovering that his green card is fake after a conversation with his coworker (Superstore, 2016, Mateo Is Undocumented). Mateo rants to his coworker that he knows he is an American citizen from going to the “green card store” with his grandmother, only to be met with a puzzled reaction. The scene then cuts to Mateo on the phone with his grandmother, conversing in a mix of Tagalog and English: “So *yung* green card *ngayon*...counterfeit? So *ibig sabihin hindi ako* American citizen?” In English, this means, “So the green card is counterfeit? So you’re saying I’m not an American citizen?”. With humorous

intent, this scene captures the morbid reality of many Filipino TNTs. Lastly, the American Filipino musical-drama released in 2019, *Yellow Rose*, exposes the Filipino undocumented experience in a more horrific way (Green 2019). The plot follows Rose, a Filipina undocumented immigrant who puts her dreams of becoming a country musician on hold when her mother is taken by ICE. In these representations, the experience of the undocumented Filipino TNT is gradually coming to the forefront of immigration discourse, as Filipinos are telling their stories about navigating the difficulties of being undocumented in the United States. These various representations humanize a harsh reality that undocumented Filipinos face, and reveal a new perspective about the undocumented immigrant experience. The experience of Filipino TNTs realizing they are undocumented comes from the pathway that Filipino immigrants commonly take: overstaying tourist visas.

Before knowing how Filipino TNTs navigate difficulties from restrictive US immigration policies from the 1980s and onward, it is first important to track the typical immigration journey that a Filipino TNT family would experience in navigating the immigration pathways legally. The lack of viable legal pathways within the system inevitably leads Filipino immigrants to make difficult choices, influencing their trajectory by taking the riskier route of overstaying their visas and becoming undocumented. The typical trajectory of a Filipino TNT does not start with becoming undocumented but rather begins with someone who aspires to immigrate legally with their family but encounters numerous hurdles within the US immigration system (Montoya 1997). First, what normally happens involves a Filipino family who is eager to secure a better future in the United States, hoping to explore work and educational prospects, and who has the option of applying for a family-based immigrant visa to reunite with their relatives or networks who are lawful permanent residents (Posadas 1999; Lee 2014). However, the backlog for these

visas from the Philippines creates extensive delays (US State Department 2019; Choy 2003), stretching their wait time for legal entry into the US for several years, if not decades. The lengthy wait causes reasonable frustration, resulting in a member of this family applying for and receiving a tourist visa to the US as a short-term solution to long-term family separation (Pila 2021). Montoya (1997) notes that one interviewee, Eric, attests to this reality:

I came to this country when I was 6 years old. My dad was a student taking up his master's degree, and we decided to stay. My dad got a working visa and eventually applied for permanent residency. I could never really explain my immigration status while waiting for the petition. And this got harder when I applied for colleges. Many colleges were asking for green cards, and I did not have one. My parents told me to say that I was being petitioned - which was the truth. But what kind of papers could you show for that? The schools wanted something tangible such as a green card or a passport. I got accepted at an Ivy League college with a scholarship, but they withdrew the offer when I could not produce proper documentation. Things got worse when I turned 21 because I was now over the age limit for family petitions. You work hard, pay your taxes, study well, and then something happens in your life, and all of a sudden, you fall out of the immigration categories. Go figure... (Eric, 24 years old, p. 115).

As the expiration date of their tourist visa nears, Filipino immigrants like Eric's family face the reality of the prolonged backlog for their immigrant visa, with no immediate solution in sight. Faced with the fear of returning to limited opportunities in the Philippines and the desire to stay with their family, Filipino immigrants decide to overstay their visas, making them undocumented and leaving the rest of their family, like Eric, without papers. As a result, many Filipino TNTs grapple with the challenges of living without legal status, restricting their access to resources for stable employment, healthcare, education, and housing. While exploring options to rectify their undocumented status, this in turn causes greater stigma in seeking help for fear of being caught by immigration authorities, deterring them from pursuing support. This typical life trajectory underscores the interplay between aspirations of a better life in America and the limitations within the immigration system, leading to difficult choices that perpetuate the cycle of undocumented status.

In focusing on the changes in US immigration policy since the 1980s, the current political landscape of harsh anti-immigrant policies make it increasingly difficult for Filipino immigrants to navigate the US immigration system with restricted legal pathways. Changes in immigration laws over the past forty years have resulted in green card backlogs that contribute to the barriers created for immigrants, making lawful immigration difficult and sometimes impossible. The rise of undocumented immigration in the United States began in the 1980s and into the 1990s from the passage of legislation intended to regulate “illegal” immigration with obvious anti-immigrant sentiment (Bean, Telles, and Lowell 1987; Passel 1986). Starting with the Immigration Reform and Control Act (IRCA) of 1986 that resulted in a rise in undocumented immigrants, this legislation restricted the legal channels to gain green cards. “Illegal” immigration grew because the US government did not want to increase green cards and widen legal channels, making the law set up so that only a certain percentage of people could get green cards (Bean, Edmonston, and Passel 1990; Lowell, Teachman, and Jing 1995). The irony of the IRCA Act of 1986 lies in how its measures to control “illegal immigration” inadvertently led to an increase in undocumented migration due to the surge in unauthorized entries following the act’s implementation. This was also the point in time when increased visa backlogs in the green card system resulted in the unprecedented rise in Filipino TNTs. Further restrictions came with the passage of the Immigration Act of 1990, which limited the definition of family to only the immediate nuclear family and set caps for other family relationships such as unmarried children over the age of 21 and their siblings (US State Department 2019). These arbitrary caps on family reunification prolong family separation (Dreby 2015; Hagan, Eschbach, and Rodriguez 2008; Zayas and Bradlee 2014). These policies did not affect Filipino immigrants in the same way we might have expected them to impact other immigrants. Gubernskaya and Dreby (2018) point out



that the family backlog is due to the inadequacy of the generic 480,000 slots per country regardless of the country's population, meaning that high immigrant sending-countries such as the Philippines are hit with years of backlog since their applications are processed slower than countries with smaller populations. This backlog system since 1986 did not prioritize families, which explains why the Philippines - a country with a high number of applicants who want to come to the US - is backlogged. Hence, undocumented immigration for Filipinos drastically increased after the IRCA Act of 1986 and the Immigration Act of 1990 were passed, creating green card backlogs that blocked legal immigration pathways for aspiring Filipino immigrants.

For the Filipino community in the US, it is common to trace back family histories of immigration journeys where someone in the family had undocumented status from 1986 and after that most likely had to do with these provisions. With roughly 200,000 undocumented Filipinos in the US in 2000 (Department of Homeland Security), this number rose to 310,000 in 2019. According to a report published in 2019 by Asian Americans Advancing Justice, the Philippines is the second most-impacted country impacted by visa backlogs after Mexico, with around 300,000 aspiring Filipino immigrants on the waiting list (Asian Americans Advancing Justice 2019). Although the post-1965 immigration policies allowed immigrants to sponsor their families' immigration to the US, most Filipinos have to wait decades to be reunited with their families as a result of immigration caps from the Immigration Act of 1990, and these long waits are not new for the Filipino community (Choy 2003). With 71% of Filipinos who receive green cards through family reunification channels (Davis and Batalova 2023), this restricted Filipino immigrants attempting to migrate through legal pathways. As of 2019, the children of Filipino US citizens have had to wait between 12 to 24 years to receive their permanent residency while their siblings and married children of US citizens need to wait 22 to 24 years respectively (US

State Department 2019a). By the time they are able to reunite with their children, they may have missed many life events and important milestones. This poses a major challenge for Filipino immigrants, most of whom immigrate through family reunification channels. Pila (2021) articulates that even when Filipinos immigrate through family-based pathways, “undocumented Filipinos lose their legal status as a result of how immigration policies...make it impossible for undocumented immigrants to adjust their status” (p. 161). Furthermore, there are no straightforward mechanisms to apply for residency or visas from within the US if someone has overstayed a visa or entered illegally, and even when there is an attempt to resolve status through immigration courts, the huge backlogs of cases take years with low success rates (Asian Americans Advancing Justice 2019). As a result, Filipino TNTs are stuck in undocumented status long-term because they have virtually no route to adjust their status from illegal to legal while remaining in the US under current stringent laws and policies. In the case of Filipino TNTs, it is not that they proactively lose legal status, but rather that immigration restrictions make sure they have no way to gain legal status if they reside illegally to start from overstaying their tourist visas. Therefore, Filipino immigrants attempting to immigrate through authorized immigration avenues are unable to due to lengthy waits from green card backlogs, thus leading them to overstaying their tourist visas as a solution to long-term separation but resulting in undocumented status.

Despite these obstacles with restrictive immigration laws, Filipinos leverage their family and support networks not only to figure out ways to immigrate either through legal pathways or alternative pathways, but also to cope with the challenges of undocumented status in the US. Anyone familiar with Filipino culture and communities knows that their networks are strong, welcoming, and supportive, especially among new immigrants in the US. Filipino networks are

the backbone of the journey and ensure survival for Filipino TNTs, particularly in how they rely on established immigration pathways that have been used in the past associated with the neocolonial relationship between the Philippines and the US (Pila 2021). Because being TNT is a stigma in itself, Filipino TNTs likely lean on trusted social and family ties for support to help them navigate life despite barriers created by their undocumented status. The importance of Christian faith in the immigration and acculturation experiences of Filipino American youth is common, where Filipino church communities helped new Filipino immigrants ease their transition into mainstream American culture and feel a greater sense of connection with each other (Gabriel 2022). Gonzalez (2009) discusses how Filipino American church involvement offers opportunities for empowerment and civic engagement, illuminating how Filipino immigrants rely on social ties. Having a strong network, like Filipino American church communities do, would ideally shape the immigration pathways Filipino TNTs take from the knowledge they exchange with others who share from their own experiences, as well as provide them with employment opportunities that would help them integrate once they acclimate. Nonetheless, social networks with friends and family in the Filipino immigrant community explains why Filipino TNTs still overstay their visa despite the riskier possibility of becoming undocumented because having strong networks gives them the necessary information to pursue alternative pathways and overcome the barriers of restrictive immigration laws.

Overall, I argue that the lived experiences of Filipino TNTs expose how current US immigration policies create barriers for Filipinos to immigrate through legal pathways, yet Filipinos utilize strong social support networks that influence the pathways they immigrate through. This explains why Filipino TNTs make the choices they do. From the 1980s and 1990s, increased restrictions in immigration policies majorly affected Filipino immigrants and the

pathways they took to immigrate. Anti-immigrant policies on family reunification resulted in the separation of immigrant families that posed a significant barrier for Filipinos to immigrate legally from the green card backlogs after 1986. This leads them to overstay their visas and consequently fall into undocumented status, thus preventing and delaying their ability to adjust their status once they immigrate to the United States. As we can see with the Filipino American immigrant community, TNTs do not immigrate purely by the laws that attempt to restrict their immigration, but rather they immigrate to the US through familiar pathways used by strong social support networks from family, friends, and church communities.

## **Section 2: The Paradox of (Un)desirability for Filipino TNTs in the United States**

The immigration patterns of Filipinos to the United States is a subject of intrigue and complexity, often shaped by multifaceted sociopolitical factors. This section delves further into the context of why Filipinos overstay their visas as a common pathway to the US, exploring the paradoxical narratives that Filipino immigrant desirability has in shaping the choices of Filipino TNTs. By examining historical contexts, societal perceptions, and the reinforcement of dualistic narratives, this section aims to unravel the nuanced dynamics that drive Filipino immigrants towards the United States, shedding light on the intricate relationship between their perceived desirability and undesirability as immigrants that influences their chosen migration trajectories. Using Rosenberg's framework, I illustrate how the US as an imperial power created the conditions that produced a narrative of immigrant desirability that increasingly creates restrictions today. I also employ the theory of empire to show the enduring legacy of US imperialism and colonialism which influence the construction of narratives about Filipino immigrants, and ultimately shape their immigration choices. Central to my argument is the examination of how undocumented Filipinos TNTs are encapsulated in a dichotomous portrayal as both desirable and undesirable immigrants, and that their immigration choices and struggles are made as a result of how they internalize and navigate these paradoxical perceptions of their immigrant identities in context of US colonial legacies.

Throughout the twentieth century and into the twenty-first, Filipinos' distinct historical relationship with the United States sets their immigration trajectory apart from others, profoundly shaping their pursuit of legal status upon seeking permanent settlement in the country. Filipino immigrants are uniquely positioned in the sense that they can access legal immigration pathways through family reunification and labor-based channels due to the

neocolonial relationship between the United States and the Philippines even after formal Philippine independence from the US in 1946 (Lee 2014; Espiritu 1996; Pido 1997; Tagguez and Rodriguez 2022). These pull factors are what incentivize Filipinos to come to the US shaped by the familiarity of US culture rooted in colonial and imperial legacies. Espiritu (1996) illuminates this point saying:

Unlike European or other Asian immigrants, Filipinos come from a homeland that was once a US colony. The cultural, economic, and political relationships between the Philippines and the United States, imposed and maintained for more than ninety years of colonial and post-colonial rule, have provided and continue to provide the context within which Filipino immigrants have thus indirectly affected their process of group formation and differentiation in the United States...The US colonial policies, recruitment practices and labor conditions have affected the regional and class composition of Filipinos in the United States (p. 43)

Moreover, most of the immigrant pathways that encourage Filipinos to migrate to the United States are influenced by the ways in which Filipinos conceptualize their identity in relation to the US as former colonial subjects, and also how they are conceptualized in the US cultural imaginary. My research further adds to this argument by demonstrating how the pathways that Filipino TNTs utilize in the third wave of Filipino-US immigration are a manifestation of US colonial and imperial legacies, but challenges previous research by claiming that these pathways are not always consistent in allowing them to adjust their legal status due to restrictive immigration laws that create further barriers for Filipino immigrants and Filipino TNTs.

There are two general narratives that characterize Filipino immigrants in the context of the United States: the model immigrant and the model outlaw. Ngai 2004 notes that, “Filipino migrants were the corporeality of contradictions that existed in American colonial policy and practice” (97). In the present context, Filipino TNTs occupy a contradictory position, wherein they are viewed as “model workers” while also being seen as “outlaws” for being undocumented. On the one hand, their desirability as immigrants stems from their value as former colonial

subjects of the US, propped up as the “model migrant” who have the necessary background to integrate seamlessly into American society (Guevarra 2016). In contrast, Filipino TNTs are also made out to be outlaws, a narrative primarily relies on xenophobic tropes and focuses on the criminality of being undocumented immigrants (Vargas 2018; Rodriguez 2010). It furthermore challenges the notion of Filipino immigrant desirability and the narrative of the “model immigrant” by highlighting their marginalized status as undocumented immigrants, and the barriers they encounter in accessing rights and opportunities in the US. This paradoxical portrayal racializes Filipinos in America’s sociopolitical imaginary by rigidly boxing them into an overly-simplistic racial binary. These stereotypes may in turn influence Filipino immigrants to conform to racialized expectations that pigeonhole them to take certain immigration pathways.

The narrative of the “model” Filipino immigrant is constructed by both the Philippine state and US foreign employers, who reinforce the notion that Filipino cultural traits construct an identity of immigrant desirability that Filipino immigrants believe and willingly act on. At the institutional level, both the Philippine state and US foreign employers prop up Filipinos to be ideal immigrants that will benefit US society. From the Philippine perspective, the Philippine Labor Secretary stated in 2009 that foreign employers prefer overseas Filipino workers “because of their willingness to do any kind of work even for the smallest pay...and because of their positive attitudes such as their facility with the English language, their industry, flexibility, ability to learn easily, and their happy disposition” (Ubalde 2009). This same narrative of Filipino immigrant labor desirability is also reinforced by US employers who value cheap foreign laborers who are easy to work with. An example of this is seen with the hotel industry in Arizona that recruited overseas Filipino workers in 2007 because they are perceived to be “better than Mexican workers not only because of their English-language proficiency and high levels of

educational attainment, but more importantly, because they are perceived to be less likely to overstay their visas” (Paterik 2007). Both these contemporary narratives created by both the Philippine state and US foreign employers bring to light how Filipinos supposedly have greater access to immigration pathways as a result of high educational attainment, socioeconomic status, English language fluency, and compatible skills for a highly skilled labor market (Dumanig, David, and Symaco 2012; Feliciano 2005), or having family members with US citizenship or legal permanent residency (Enchautegui and Menjivar 2015). These examples also demonstrate the lasting effects that the cultural stereotypes of Filipinos rooted in US colonial and imperial history have on Filipinos even in the present day, and how they conceptualize their identities as immigrants in relation to the US. This perpetuates the supply and demand of Filipino workers (Rodriguez 2010; Tigno 2014), which furthermore facilitates both push and pull factors. These narratives draw attention to an important point being made: that the neocolonial history between the US and the Philippines positions Filipino immigrants at an advantage over others, as it helps prepare them to emigrate and benefits them once they immigrate to the US.

These cultural stereotypes are how Filipinos commonly view themselves as immigrants in the US, without giving much thought to criticizing the institutions that create barriers for them. Many Filipino immigrants see Philippine nationality as an asset for those wanting to immigrate due to the neocolonial history between the two countries. Interviews conducted between 2015 and 2018 in a sociological study by Pila (2021) with Filipino TNTs confirm these perceptions of Filipino immigrant desirability for the US. One interviewee, Regina, articulated the prevalence of US employers’ preference of recruiting Filipino workers:

The US wants to take them and have them work for them, especially knowing that Filipinos, we’re nice people. We treat people well. We’re very loving, I guess. I’ve heard employers say that so that’s why I’m gonna put that out there. I’ve got employers say, “Oh, do you know anymore Filipinos because I love Filipino workers” da da da da. So



that's why I'm gonna put that out there because I think they value that. So, I think they are more accepting in comparison to other races in the cities. (p.144)

This interview highlights how one Filipino believes that cultural traits such as being “nice” and “loving” are what US employers find desirable in Filipinos compared to other immigrants, and that the Philippine state also attempts to emphasize this as a way for Filipinos to migrate to the US. The belief that Filipinos are desirable as immigrants for these traits are reflected in the actions that Filipino immigrants take because of how they perceive their value in context of the US cultural imaginary. Regina's interview also showcases the enduring historical conception of ideal cultural traits of Filipinos in the contemporary moment. Another interviewee, Abby, indicated how the neocolonial relationship was beneficial and advantageous for Filipinos:

The US immigration system treats Filipinos really well. I think, being a Filipino is an advantage in terms of immigration, and - that's just kind of what I was told growing up. Especially with like the relationship between being a nurse and getting a work visa here. I remember even when I was at school in the Philippines, a lot of my cousins were like “oh, we're a shoo-in because we're doing nursing, the US needs nurses and we'll get in.” And it's true. They're all here now. So, I'd like to think from my family, being Filipino is an advantage (p. 142)

This interview moreover points to the assumptions operating on how Filipino immigrants fit the “model immigrant” framework that allows them access to legal immigration pathways to the US. While the assumption that “the US immigration system treats Filipinos well” is clearly false from the restrictive policies after the 1980s, it is true that the nursing profession provided a key avenue for Filipino immigration to the US due to high demand for nurses in the US healthcare system that was molded with the stereotype of Filipinos. Since the Second World War and the passage of the Immigration Act of 1965, the US has actively recruited Filipino nurses up to the present day, and has been a prime pathway for Filipino immigration for several reasons. First, nursing as a labor pathway became and remains a strategic choice to leverage labor needs into immigration eligibility for aspiring Filipino immigrants (Guevarra 2016), especially with less waiting time

compared to family applications. The Immigration Act of 1965 also highly preferenced nurse immigration, signaling to many Filipinos that healthcare careers provided more viable immigration potential and directed many to enter these fields (Lee 2015). Another important factor in the push for the outmigration of Filipino nurses through overseas contracts was the dictatorship of Ferdinand Marcos from 1972 to 1986, which brought remittances to support the Philippine economy (Rodriguez 2010; Espiritu 2003, San Juan Jr. 2011; Parreñas 2008; Guevarra 2009; Choy 2003). Most importantly, the cultural emphasis on caregiving roles as well as fluency with the English language - both of which are vestiges of American colonial rule - are seen as assets for recruiting Filipino nurses over other nationalities since American hospitals value Filipinos' educational training, work ethic, and communication skills that stem from US colonial influence (Espiritu 1995). With about 150,000 Filipinos now working in the US healthcare industry, American nurse recruiting patterns that originate from US imperial legacies opened a gateway for aspiring Filipino immigrants that remains influential into the present (Robredo, Ong, Eala, Naguit 2022). With these processes being highly gendered, the way in which Filipina migrant workers conceptualize their identity in relation to the US is both an economic push and pull factor due to narratives and legal incentives pushed forth by the Philippine state and the US. The significance of Filipina women's perception of their value as immigrants is shaped by the labor they produce, particularly within the global exportation of Filipina labor. This phenomenon informs the glorification of Filipina women as "model immigrants" in the US, thereby affording them greater access to immigration opportunities in the country through labor pathways.

From these interviews with Filipino TNTs, we notice the narrative of desirability that they identify their immigrant identities with that are in line with those reinforced by the Philippine state and US foreign employers. Informed by the framework posed by Rosenberg

(2022), it is clear that the imperial legacy of the US established circumstances that shaped a narrative of favoring desirable immigrants from the Philippines. This is true in that Filipinos have been conditioned to equate their value as desirable immigrants in the labor they produce or have to offer to the US, as well as the positive cultural traits that prop Filipinos as obedient and compliant workers who already possess the necessary cultural fluency to assimilate in the US. Their statements demonstrate how Filipinos' historical link with American culture and language showcases the advantage they have in attaining better job opportunities from having access to financial capital, social capital, and cultural competency to have legal status fluidity (Rodriguez 2010; San Juan Jr. 2011). Thus, many of these qualities found desirable in Filipino immigrants stem from the continuing US colonial legacy that binds Filipinos to the US as former colonial subjects, which indirectly incentivizes their migration to the US and points to an implicit racialized power dynamic and economic dependency at play despite post-colonial independence.

The idealization of Filipino immigrants being the “model migrant” is furthermore underlined in the model minority stereotype that applies more broadly to Asian Americans in the United States. This stereotype is relevant to the treatment of Filipino immigrants, as it positions them as hardworking, academically successful, and economically prosperous. This perception potentially increases their attractiveness to the US immigration system. Since Filipino TNTs fit the “model immigrant” who comes to the US already having high educational achievement or socioeconomic status, this helps Filipinos be read as culturally fluent with the American way of life that other immigrants may lack, and are therefore not associated with illegality even though they become undocumented. Compared to Latinos, undocumented Filipino immigrants receive less attention in mainstream discourse about undocumented immigration, as this issue does not conform with the model-minority stereotype that Asians face (Cho 2017; Chan 2010). As such,

Asian immigrants are not usually racialized as “illegal” immigrants, but rather as hardworking immigrants who achieve high socioeconomic status and high educational attainment, and utilize legal immigration pathways to gain legal status once in the United States. Under this premise, the model minority stereotype suggests another reason for the perceived high desirability associated with Filipino immigrants in the US cultural imaginary.

However, the reality for many undocumented Filipino TNTs contradict this stereotype of the model immigrant and model minority in the US, as this oversimplified narrative reveals a paradox. Despite the positive perception of the Filipinos as the model immigrant, Filipino TNTs still face major challenges in accessing legal pathways to immigration due to visa backlogs, bureaucratic complexities, or changes in immigration policies - all of which I discuss in Section 1. In fact, Filipino TNTs in the US are made out to be “outlaws” due to the stigma of being undocumented on top of being in the backdrop of xenophobic anxieties that have long existed in the US (Guevarra 2016). Ngai (2004) argues that undocumented Filipinos are constructed as “undesirable aliens,” challenging the framework that paints Filipinos out to be valuable and desirable as immigrants in the ways we have seen. The illegality of undocumented Filipino TNTs vilifies them as criminals for their undocumented status out of no choice of their own, but rather a product of restrictive immigration laws and negative connotations associated with undocumented status.

One of the first major figures in the Filipino-American community that exposed this reality was Jose Antonio Vargas, a Pulitzer Prize winning journalist and immigrant rights activist. In his memoir published in 2018, *Dear America: Notes of an Undocumented Citizen*, Vargas chronicles his personal account of navigating the challenges of living as an undocumented Filipino TNT living in the US as a teenager. The memoir delves into Vargas’s

internal struggles, his efforts to forge a successful career in journalism despite his undocumented status, and the emotional toll of living with the constant fear of being discovered and deported.

Vargas powerfully sheds light on the stigma attached to undocumented immigrants:

In the eyes of the law, I am no different from the worst criminals this country has ever known. In the eyes of the government, I am a threat, an outlaw, a person to be feared and shunned. But I am not a criminal. I have committed no crime except seeking a better life, a chance to contribute, to belong. I am not a problem. I am a human being. And like countless others who live in the shadows, I am not a statistic or a stereotype. I am a person with dreams, with hopes, with a story that deserves to be heard and understood, not dismissed as illegal or criminal (p. 50)

This starkly highlights the dehumanizing perception imposed on undocumented TNTs, not only challenging the narrative that emphasizes criminality and illegality, but also emphasizes their intrinsic humanity. Through his deeply moving personal account, Vargas disrupted the common discourse around illegal immigration that primarily centered Latino communities, and became a necessary voice whose story humanizes and represents the lived experiences of the Filipino TNT community. The narrative of Vargas brings to the forefront of the immigration debate a significant point about the immigrant desirability narrative: that despite their perceived desirability within the model immigrant framework, Filipino TNTs still face challenges with the US immigration system due to restrictive policies that stigmatize and equate undocumented status with “undesirability”.

The barriers encountered by Filipino TNTs within the US immigration system starkly contrast the narrative of their supposed desirability. Many Filipinos who have immigrated, consider immigrating, or have strong community ties with others who have immigrated attest to this. Many critical Filipino studies scholars support this point (Rodriguez 2010; Guevarra 2016; Ngai 2004). Despite being viewed as desirable, highly employable, and treated well under the current immigration system, the lived realities of Filipino TNTs in the US from the 1980s to the

present are counter to this argument. Contrary to being in the interest of Filipino immigrants, the narrative of the “model immigrant” is strategically reproduced through labor exploitation and cultural stereotypes that ultimately benefits the Philippine state and US foreign employers (Rodriguez 2010). The glorification of overseas Filipino labor demands ignores the fact that as US immigration policy becomes more restrictive, Filipinos are having greater difficulty accessing avenues to immigrate legally. Other interviews conducted by Pila (2021) from 2015 to 2018 show how Filipinos conceptualize the difficulty in utilizing legal immigration pathways. One interviewee, Jose, gave insight on the long process of applying for a visa: “it’s like now, Filipinos are forced to be TNT...I don’t know, I can’t say for sure that the system is unfair to Filipinos or if it is really just the system. It’s still vague for me” (p. 146). Regardless of the positive attributes associated with Filipino cultural stereotypes that convince people that Filipinos would be less likely to overstay their visas (Paternik 2007), the US immigration system appears to make it harder for Filipinos to immigrate legally in the last forty years. Limited legal avenues from visa backlogs, lengthy wait times for family reunification, less pathways for employment have in turn caused TNTs to choose the riskier pathway of overstaying their visa and becoming undocumented. Consequently, this status results in greater vulnerability from lack of access to rights and services and constant fear of deportation - all of which are painted out to be “undesirable” characteristics of immigrants by the system itself. This pushes Filipino TNTs into greater invisibility and further hiding for fear of getting caught by the immigration authorities, thus worsening the stigma of undocumented status and prevents productive solutions to help Filipino TNTs navigate restrictive US immigration laws. Therefore, the paradox comes from how the system’s restrictions create a dichotomy where the actual experiences of Filipino TNTs contradict the favored status they are purported to hold, drawing attention to the

discrepancy between their perceived desirability as immigrants and the way they are actually treated within the immigration system.

In this section, I argue that the paradox of immigrant desirability for Filipino TNTs shapes the immigrant pathways they take, and are a clear manifestation of US colonial legacies in the contemporary political moment. Current legal immigration pathways through family reunification and employment channels encourage Filipinos to immigrate to the US reinforced by US colonial legacies, yet US immigration policy creates impossible barriers for Filipino TNTs to immigrate legally, thereby becoming undocumented. This speaks volumes to the real priorities of the US, in that the discourse on how Filipinos view their identities as immigrants are largely dependent on how they are deemed “desirable” in the eyes of a former colonial power that is also the top country Filipinos immigrate to. What we see is that certain categories of belonging relating to Filipino immigrants get deployed in the US cultural imaginary, and reappear in the contemporary context similarly to its historical one. The framing of colonial vestiges as adding value and desirability to Filipino immigrants today demonstrates an intersection at work between past racial subjugation and present model immigrant expectations projected onto Filipinos due to that enduring colonial legacy. This refers to how the positive cultural traits desired in Filipinos like English language ability, nursing skills, and caregiving roles have roots in colonial educational systems, cultural indoctrination, and social hierarchies imposed under historic US colonial rule of the Philippines. The binary frames of the model immigrant and the model outlaw for Filipino TNTs appear to be certain ways of controlling access to institutions from the ongoing legacy of US colonialism, and also as a way of establishing a relationship of domination and dispossession that is reproduced and reenacted in contemporary contexts.

## **Conclusion**

### *Main Findings and Discussion*

In this thesis, I argue that post-1980s US immigration restrictions coupled with the notion of Filipinos as desirable immigrants tied with US imperial legacies push Filipino TNTs towards immigration pathways that hinder legal immigration, steering them away from legally incentivized options and compelling them to opt for unsupported immigration routes. In exploring the complexities behind Filipinos overstaying tourist visas to immigrate to the US instead of pursuing legal avenues sanctioned by US immigration laws, it becomes evident that multifaceted circumstances underpin this phenomenon. I highlight in Section 1 that the firsthand encounters of Filipino TNTs shed light on the hurdles in US immigration policies for legal entry, and that strong social support networks influence their chosen immigration trajectories. I illustrated in Section 2 that the paradoxical perception of immigrant desirability significantly molds the immigration routes undertaken by Filipino TNTs, serving as a tangible reflection of the enduring US imperial legacies within the current political context.

In examining the intricate interplay between post-1980s US immigration policies and the perception of Filipinos as desirable immigrants, we see compelling factors propelling Filipino TNTs towards specific immigration pathways. The stringent restrictions imposed on immigration by the US since the 1980s help us understand the US immigration system that Filipino TNTs navigate. These policies have created formidable barriers, constraining legal immigration avenues and amplifying the hurdles faced by Filipinos who aspire to enter the country through sanctioned channels. The scarcity of viable legal pathways prompts Filipino TNTs to explore alternative means, triggering a paradigm shift towards routes unsupported by legal incentives. The paradoxical depiction of Filipino TNTs as both desirable and undesirable not only influences societal perceptions that profoundly impacts the decisions made by Filipino TNTs in their pursuit



of a life in the US. The allure of family reunification pathways, stemming from the influence of US imperial legacies, becomes a pull factor for many Filipinos, despite its hindrance to legal immigration. The inherent limitations embedded in these family-based routes redirect individuals away from legally incentivized options, presenting a stark reality: the more desirable route is not always the legally supported one. As a consequence, Filipino TNTs find themselves caught in a conundrum of post-1980s immigration restrictions, the contradictory portrayal of desirability, and the persistent echoes of US imperialism, all of which converge to shape their immigration trajectories. This combination of factors perpetuates a cycle where legally supported options become elusive, nudging Filipino TNTs towards pathways not supported by legal incentives thereby causing undocumented status. Addressing this multifaceted challenge necessitates a nuanced approach involving a reevaluation of immigration policies and intentional community organizing efforts that properly support the undocumented Filipino TNT community.

### *Policy and Advocacy Implications*

I use this research as a platform to advocate for immigration reform, to call out the broken system we live in, and to highlight how the law is currently structured to work against the very communities it should be supporting. Now more than ever, the Filipino community needs more research like this. The discussion in academic and policy circles of the struggles that undocumented Filipino TNTs face is instrumental to construct a more ethical US immigration policy. It is critical for the United States to implement policies that account for an ever-changing political landscape and new forms of migration. I advocate the need for more humane immigration laws in the United States to support undocumented Filipino TNTs, and suggest ways to support undocumented immigrants who seek permanent legal status in the United States.

This being said, green card backlogs are a result of Congress's failure to modernize the immigration system. The COVID-19 response further restricted family-based immigration with backlogs growing larger, resulting in a decline in legal immigration (Nowrasteh 2022). Family reunification should remain a priority in US immigration policy. This should be enacted to reform the broken immigration system and give those who are undocumented a way to come out of the shadows with support. Going forward, Congress and the Biden administration should seek out ways to enhance family-based immigration as opposed to undermining it. For instance, wait times in immigration applications should be reduced to prevent immigrants like Filipinos from falling out-of-status, which would decrease "illegal" immigration. This can be made possible with the "Reuniting Families Act" which was reintroduced by Congressional Asian Pacific American Caucus (CAPAC) members and Asian immigrant rights activists in September 2023 and focuses on the reunification of Asian immigrant families (Carbonilla 2023). With this act first introduced by Representative and CAPAC Chair Judy Chu (CA-28) in February 2018, the Reuniting Families Act aims to make it easier for family members, such as spouses, children, and parents, to reunite with families who are US citizens or legal permanent residents (Carbonilla 2023). In a press conference near Capitol Hill in September 2023, Rep. Judy Chu expressed that these reforms would involve changes such as "eliminating visa backlogs by carrying over unused visas, exempting specific family members like children and spouses from numerical restrictions, capping green card processing at 10 years, and increasing per-country visa limits to 15 percent, which will more than double the number of family preference visas available in visa categories" (Carbonilla 2023). Eliminating backlogs would bring immediate relief to Filipino families that have to wait decades to reunify. This kind of immigration reform would significantly benefit Filipinos, and until it is fixed, it will remain a problem that will not go away. From this, I

advocate for immigration reform in policy that facilitates the reunification of immigrant families to eliminate backlogs that heavily impact Filipino TNTs, and restrict their ability to transition out of undocumented status.

Policy change must also be coupled with community organizing efforts to foster a culture of resistance and empowerment for the undocumented Filipino TNT community. Looking at what has been done thus far to support Filipino TNTs in grassroots activism to combat restrictive immigration policies is the first step to empowering undocumented immigrants with the resources and legal services they need to survive and live in the US. Such organizations exist all over the US, including Asian Americans Advancing Justice, Filipino Migrant Center, Afire Chicago, Filipino Community Center, Filipino Bayanihan Center, Damayan Migrant Workers Association, Alliance of Filipinos for Immigrant Rights and Empowerment, Immigrants Are LA, and many more. These organizations show promise for the growth and development of coalitions that provide a space to organize and participate in activism for immigration reform, as well as provide direct services for Filipino immigrants. Forming coalitions with other immigrant populations in the US is an effective way of fostering solidarity among all immigrant groups to make change in our communities at the local level. Grassroots efforts are the key to pushing policy forward, and the Filipino TNT community can use all the support they can get.

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