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CPRC

**Immigration/Migration Research at
Columbia**

IMMIGRATION POLICY IN THE U.S.:

WHERE WE ARE?

HOW DID WE GET HERE?

WHERE DO WE GO?

By

Francisco L. Rivera-Batiz

Columbia University

- **Immigration policy reform issues can be subdivided into two sets of issues (which are interrelated):**
- **Legal immigration policy reform**
- **Undocumented immigration**

- In terms of legal immigration policy reform, a topic that surfaces and resurfaces is the issue of the weight given by current U.S. legal immigration policies to skilled or highly-educated workers.
- Although the immigrant population in the U.S. has a higher level of schooling over time, the reality is that there has been a widening **shortfall** of this schooling level compared to that of non-immigrants or natives.

The Comparative Educational Attainment of Immigrants, 1980-2008
Persons 25 years of age or older

Group	Less than High School	High School	Some College	College or More
	1980			
Immigrants	45.9	24.7	13.0	16.4
Non-Immigrants	31.9	35.7	16.1	16.3
	2008			
Overall Immigrants	32.6	21.9	18.4	26.1
Non-Immigrants	11.7	29.8	30.8	27.8

Source: Data from 1980 U.S. Census of Population and 2008 American Community Survey; author's tabulations.

- **U.S. immigration policies, based on the 1965 Amendments to the Immigration and Nationality Act, established a preference system that gives priority to family reunification as a basis for immigrant admission (family preferences).**
- **Occupation-based immigration (employment preferences), which could be arranged so as to give highly-skilled workers priority, have been a secondary consideration in U.S. immigration policy, when compared to family preferences.**

IMMIGRANTS LEGALLY ADMITTED TO THE U.S., BY TYPE, 2008

Type and class of immigrant	Number of Immigrants	% of Total
All	1,107,126	100.0%
Family-sponsored and Relatives of US Citizens	716,244	64.8%
Employment-based Preferences	166,511	15.0%
Refugees, asylees and others	224,371	20.2%

Source: Yearbook of Immigration Statistics (2009).

The relative lag in the flow of immigrants to catch up in terms of schooling relative to natives is compounded by the now well-known rise in the demand for highly-skilled workers in the U.S., which is reflected in both employment growth and rising earnings and rates of return to college and post-college education.

So, where do we go from here?

Recent immigration policy reform proposals have provisions:

- **seeking to raise immigration quotas for workers in specific, highly-skilled, occupations, or**
- **assess potential legal immigrants on a system of points that gives higher values to the schooling of the immigrants (similar to the Canadian immigration system).**
- **Reform temporary worker programs that often target highly-skilled workers, making these workers eligible to apply for permanent residence status after a certain period of time.**

- **But the major immigration policy issue confronting the U.S. is undocumented migration.**
- **The number of these immigrants has risen steadily.**
- **The number of these immigrants is how much right now?**

We don't know!

Demographers provide estimates using the so-called residual population methodology:

Undocumented immigrant population

=

**Total immigrant population residing in US
(counted or estimated from Census data)**

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**Population of legal Immigrants residing in US
(estimated from Dept. of Homeland Security
and immigration data)**

Estimates of Undocumented Immigrants in U.S., 2009

Category	Population, Jan 2009
(1) Foreign-Born Population as counted by Census data	31,220,000
(2) Legally Resident Foreign-Born Population, as counted by U.S. Immigration records and estimates	20,470,000
Estimate of Undocumented Immigrant Population (1) – (2)	10,750,000

Source: Hoefer (2010).

- **Most of these immigrants (close to 70 percent) come from Mexico and their numbers rose sharply in the 1990s and 2000s.**

Estimates of Undocumented Mexican Immigrants in U.S.

Year	Lower Bound	Upper Bound
1987	2.6	4.1
1990	1.3	2.1
2000	4.6	5.0
2005	6.0	6.6
2007	6.8	7.4
2009	6.7	7.3

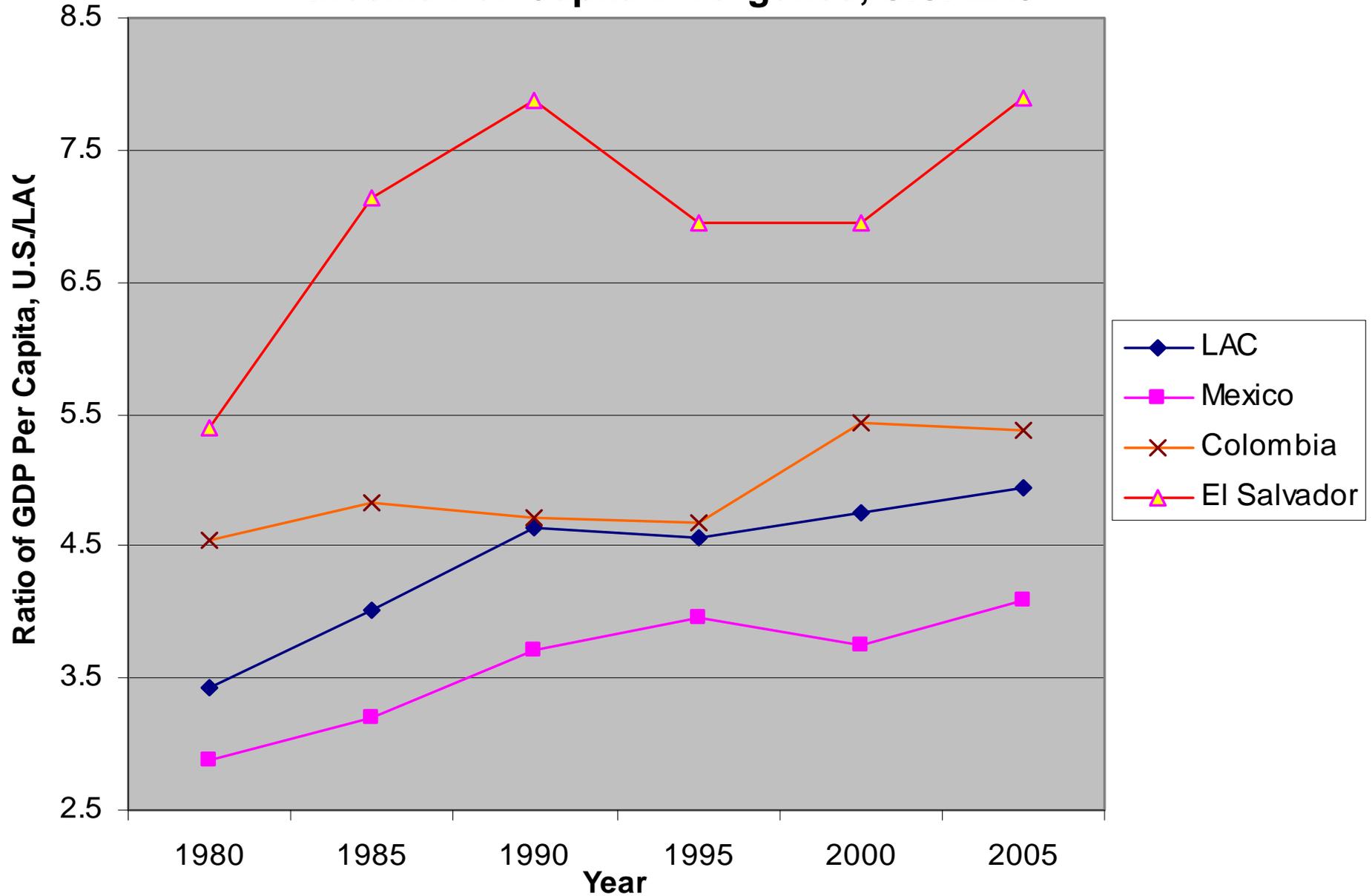
Sources: Hoefer (2009), Passell (2009), Passel and Cohn (2008), Lowell and Suro (2002), Woodrow and Passel (1990) and Fernandez and Robinson (1994).

Reasons for the growth of undocumented migrants residing in US:

1. growing economic disparities between the US and Mexico.

2. U.S. immigration policies

Income Per-Capita Divergence, U.S.-LAC



Paradoxically, the stricter border enforcement policies adopted by the US under:

- **1986 Immigration Reform and Control Act (IRCA) and**
- **1996 Illegal Immigration Reform and Responsibility Act and the PATRIOT ACT of 2001**

have made it increasingly difficult to go back and forth across the border and have acted to increase the undocumented migrant population that stays in the U.S.

- **So, where do we go from here?**
- **In 2005-2006, Senators John McCain, Arlen Specter, Ted Kennedy and others made a series of legislative proposals seeking to offer a comprehensive immigration policy reform, dealing with the issue of skilled migration but mainly with the issue of undocumented workers.**
- **It culminated in S. 2611, “The Comprehensive Immigration Reform Act of 2006.”**

In terms of undocumented migrants, the legislation included:

- **greater resources for border enforcement**
- **increased penalties for employers that hire undocumented workers**
- **A new guest worker program that would allow immigrants to enter for a fixed period of time, renew their entry visa under this program and later apply for permanent residency, as well as a reform of the current H-1 temporary worker programs**
- **a plan to legalize undocumented workers who could prove that they had resided in the U.S. for an extended period of time (they would be eligible for “earned adjustment to permanent residence” after a six-year period, during which they could remain employed in the U.S.) and a plan to allow recent undocumented workers to stay in the US under the category “Deferred Mandatory Departure” for three years, after which they would need to depart but could apply for permanent residency.**
- **A new, special program for agricultural workers seeking legalization.**

- This legislation **easily passed** the Senate with a strong bipartisan support.
- Then the House began to consider the legislation, with great excitement that its bipartisan support would lead to a quick resolution.
- But it died in the House, when conservative anti-immigration activists asked their constituencies to voice their disapproval of the legislation (essentially the so-called “amnesty” provisions).
- Flooded by letters and calls that often stopped the functioning of their offices, the Representatives just stopped the legislation on its tracks in June 2006.

- **The McCain-Kennedy bill was revived in 2007, but it quickly died again.**
- **More recently, on December 15, 2009, the Congressional Hispanic Caucus introduced legislation in the House, with aspects similar to those in the Kennedy-McCain Bill.**

Their Bill is called the Comprehensive Immigration Reform for America's Security and Prosperity Act of 2009.

- **President Obama said in June of last year that he would like to consider immigration policy reform proposals precisely along the lines of those just stated:**
- **“What's also been acknowledged is that the 12 million or so undocumented workers are here -- who are not paying taxes in the ways that we'd like them to be paying taxes, who are living in the shadows, that that is a group that we have to deal with in a practical, common-sense way... And we need an effective way to recognize and legalize the status of undocumented workers who are here...I think the American people are ready for us to do so. But it's going to require some heavy lifting, it's going to require a victory of practicality and common sense and good policymaking over short-term politics.”**

- **Immigration legislation always confronts the fact that a significant fraction of Americans:**
- **Believes immigrants, especially unskilled immigrants, tend to reduce wages and take jobs away from natives, an issue that is magnified by the current recession**
- **Believes that since undocumented workers entered illegally they are not entitled to adjustment to an “amnesty” and should just go back home. Furthermore, an amnesty would encourage additional illegal immigration.**

Some people say undocumented or illegal immigrants hurt the economy...others say they hurt the economy...which is closer to your view?

	Help	Hurt	Don't know
Total	32%	62%	6%
Populat.			
Latinos	71	23	6
White	26	68	6
Black	26	66	8

Source: 2002 National Survey of Latinos.

- **So, where do we go from here?**
- **Can we engage in a productive immigration policy reform effort in Congress today, given the lack of bipartisan support for significant policy reforms?**



“YES WE CAN !!!!

WELL...ACTUALLY

I AM NOT SURE NOW

IF WE CAN”