

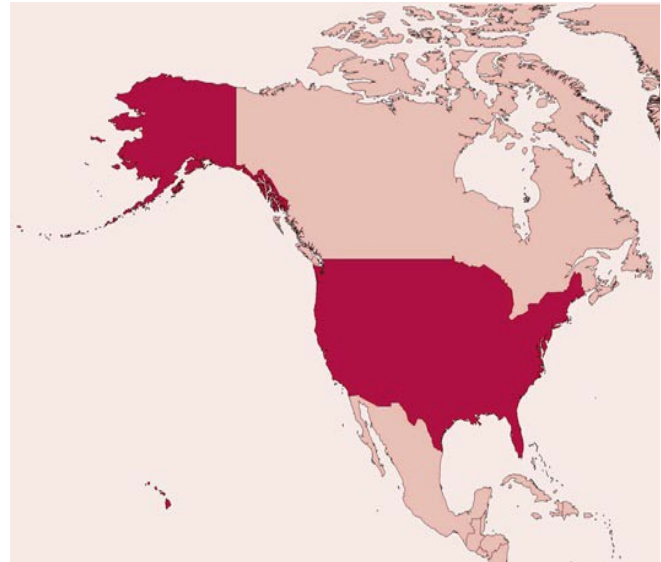
## United States of America

### Introduction

The United States is often regarded as the definitive “immigrant nation”. After more than two hundred years of significant inflows, immigration to the U.S. is characterized by its diversity. Each year large numbers of people from different socio-economic, educational and ethnic backgrounds are drawn to the country.

Initially, the majority of people immigrating to the U.S. were of European origin. Now the majority of newcomers are from Latin America. Successive waves of immigration from around the world have ensured that a wide range of origins are represented to some extent in today’s U.S. Immigration has generally resulted from family reunification and labor migration, with relatively low refugee flows.

Immigration is now both a symbol of the very essence of the U.S. and a controversial political issue. Security has



### Background Information

**Capital:** Washington D.C.

**Official language:** *de facto* English; *de jure*: none

**Area:** 9,826,675 km<sup>2</sup>  
(for comparison, Germany: 357,121 km<sup>2</sup>)

**Population (July 2012):** 313,930,180

**Population density (2010):** 87.4 inhabitants per km<sup>2</sup>

**Population growth (2011 est.):** 0.899%

**Labor force participation rate (2010):** 64.7%

**Foreign-born population as a percentage of total (2010):** 12.9% (ca. 40m persons)

**Foreign-born labor force as percentage of civilian labor force (2011):** 15.9%

**Unemployment rate:** 9.0% (2011 est.), 9.6% (2010 est.)

**Religions (2007 est.):** Protestant 51.3%, Roman Catholic 23.9%, Mormon 1.7%, other Christian 1.6%, Jewish 1.7%, Buddhist 0.7%, Muslim 0.6%, other or unspecified 2.5%, unaffiliated 12.1%, none 4%

played an increasingly important role in the debate since the terrorist attacks of 11th September 2001, as has the controversy surrounding the unauthorized immigrant population. This profile will give an overview of longer-term developments in immigration to the U.S. and then focus on some of the current issues.

At the outset, however, it is worthwhile to note that the U.S. is far less divided on the fundamentals of the immigration debate than current events sometimes indicate. There is continued pride in the country’s history as a nation of immigrants, and an overwhelming majority of people favor political reform that combines tougher enforcement with earned legal status for those already in the U.S.

### Historical Development of Immigration

Immigration to the territory which is now the U.S.A. started with the arrival of the first settlers in the 16th century. The first major period of immigration – from the colonial period to about 1880 – was marked by the arrival of immigrants from Northern European countries, especially from England, Germany, and Ireland. The geographical region of origin then shifted during the second phase of mass immigration (1880-1920), bringing predominantly immigrants from Southern and Eastern European countries – Italians, Poles, and Russians – to the U.S. At the same time, immigration from Mexico and Japan set in. With the outbreak of World War I and the pas-

sage of several restrictive immigration laws (in 1917, 1921 and 1924), targeting especially immigration from Asia as well as Southern and Eastern Europe, mass immigration came to a halt. New waves of immigration were triggered with the abolition of national-origin quotas in 1965 and increasing global economic integration. Nowadays immigrants come predominantly from Latin America, Asia, and the Caribbean.

## Immigration Policy

### Major legislation up to 1980

Throughout much of the twentieth century, U.S. immigration policy sought to limit admissions according to countries or regions of origin. Building on the Quota Law of 1921, the Immigration Act of 1924 restricted immigration levels to 150,000 persons a year and established the “national-origins quota system”, which aimed to foster immigration from favored Northern and Western European countries while limiting the arrival of the “undesirable races” of Eastern and Southern Europe. This was accomplished by tying national quotas to U.S. census figures on the national origins of the population. Chinese, Japanese, South Asian and many African persons were thus effectively barred from immigrating.<sup>1</sup>

The Immigration and Nationality Act (INA) of 1952 eased the restrictions of the 1924 Act somewhat while maintaining the national origins premise. Race was eliminated as a bar to immigration, and all countries were allocated a minimum quota of 100 immigrants. Additionally, a system of selected immigration was introduced, with preference being given to skilled immigrants whose abilities were needed in the U.S. as well as to the relatives of U.S. citizens and residents.

Amendments to the Immigration and Nationality Act in 1965 abolished the national-origins system and thus paved the way for substantial immigration from Asia and Latin America, as well as from Southern Europe. Immigration ceilings were established according to world region, and a seven-category preference system for allocating visas was introduced. According to the preference system, visas were to be issued on a “first come, first served”-basis, both to relatives of U.S. citizens and permanent residents, and to potential immigrants with special skills, abilities or training needed in the U.S. economy.

### Legislation since 1980

In 1985, amid a period of economic insecurity marked by income inequality, stagnating wages and widespread unemployment, President Ronald Reagan claimed that the U.S. had “lost control” of its borders to an “invasion” of illegal immigrants, thus marking the emergence of immigration as a national security issue.<sup>2</sup> The Immigration Reform and Control Act (IRCA) of 1986 responded to this new sense of urgency with four key provisions: enforcement along the Mexico-U.S. border was enhanced, employer sanctions were introduced in order to make employing undocumented workers a less attractive option, long-term undocumented residents were offered an amnesty (the Legally Authorized Worker, LAW, Program), and a special legalization program was cre-

ated for agricultural workers (the Special Agricultural Worker, SAW, Program).

Following this, the Legal Immigration Act of 1990 contained provisions to increase the inflow of skilled immigrants to the U.S. It introduced a flexible cap of 675,000 immigrants per year beginning in 1995; 480,000 of these admissions were allocated for family-sponsored immigrants, 140,000 for employment-based purposes, and 55,000 for “diversity immigrants” from countries with low rates of immigration to the U.S.

In the 1990s focus shifted to immigrants’ access to welfare. Most controversially, in 1994, Proposition 187 was passed in California, which denied illegal immigrants access to social services such as medical care. This was only the most well-known of a number of legislative moves against irregular immigrants. The latter 1990s also saw a rise in pressure for increasing the access of highly-skilled migrants to the labor market, in order to fill jobs in the booming economy.

### Developments since 9/11

The terrorist attacks of 11th September 2001 provided a new impetus for administrative reform of the immigration system. As the attacks were carried out by non-U.S. nationals entirely within U.S. territory, they were seen as a sign that cooperation between federal agencies, state police forces and border control personnel had become inadequate. Following the attacks, responsibility for immigration and border control was consolidated under the new Department of Homeland Security (DHS). Immigration and security issues were further brought into close association with the 2001 Provide Appropriate Tools Required to Intercept and Obstruct Terrorism (PATRIOT) Act, which expanded the range of offences for which an immigrant could be deported and made it easier to detain non-U.S. citizens for long periods of time. Further acts followed that, too, placed an emphasis on border control and anti-terrorism measures. Although there have been several attempts to reform the “broken” immigration system as a whole in such a way as to reconcile labor market demands for immigrants with border control and security concerns, to date, an agreement on Comprehensive Immigration Reform (CIR) has not been reached.

In 2007, President George W. Bush tried to push for an immigration reform act that included a temporary workers program in order to create more legal opportunities for immigrant workers to come to the U.S. His reform bill did, however, not pass Congress. In the 2008 presidential election, Barack Obama promised to advocate immigration reform during his first year in office. However, he then failed to make CIR a top legislative topic, partly because major attention was drawn to health care, economic stimulus and financial reform especially during the first two years of his presidency. In 2010, the DREAM Act bill (acronym for Development, Relief, and Education for Alien Minors Act) was defeated in the Senate. It would have allowed certain illegal immigrants who had come to the U.S. with their parents at a young age and were educated in American schools to become legal permanent residents.

While immigration reform has been dormant at the national level, several states have modified their related legislation. Especially Arizona’s Senate Bill (SB) 1070 (“Support Our Law Enforcement and Safe Neighborhoods Act”), passed in 2010, has caused considerable attention. It aims at discouraging illegal immigrants from entering and remaining in Arizona and is considered to be the nation’s toughest immigration measure. The law makes it a state crime (a misdemeanor) to not carry immigration documents and requires police officers to ask about immigration status during any lawful stop. Opponents of the law said it would increase racial profiling and thus discrimination. Before it went into effect, the U.S. Department of Justice filed a lawsuit against the law arguing that it is unconstitutional. In June 2012, the Supreme Court ruled on SB 1070. It upheld the most controversial provision whereby the police have to determine the immigration status of a person stopped or arrested if they suspect this person to be in the country illegally. At the same time, Supreme Court judges struck down other parts of the law which they found to conflict with federal laws such as the above mentioned requirement to carry immigration papers.

### Current Admissions Policy

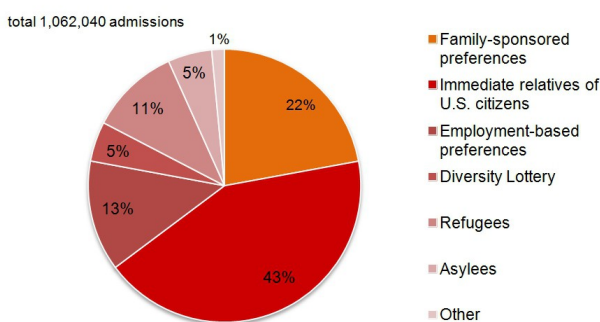
Non-U.S. citizens can be admitted to the U.S. on a permanent basis in three general categories: family reunification, employment sponsorship and humanitarian cases. The number of people granted lawful permanent residence (LPR) status each year<sup>3</sup> is comprised of new arrivals and persons who have adjusted their residence status from temporary to permanent. Legal Permanent Residents (LPRs, known as “green card” holders) enjoy a wide range of rights: They may live and work permanently in the U.S., own property, attend public schools, colleges and universities, serve in parts of the

**Table 1: Persons Obtaining LPR Status – Fiscal Years 1995-2011**

Year	Number
1995	720,177
1996	915,560
1997	797,847
1998	653,206
1999	644,787
2000	841,002
2001	1,058,902
2002	1,059,356
2003	703,542
2004	957,883
2005	1,122,257
2006	1,266,129
2007	1,052,415
2008	1,107,126
2009	1,130,818
2010	1,042,625
2011	1,062,040

Source: Department of Homeland Security, Yearbook of Immigration Statistics: 2011.

**Figure 1: Persons Obtaining Legal Permanent Resident Status by Type and Major Class of Admission: Fiscal Year 2011**



Source: Department of Homeland Security, Yearbook of Immigration Statistics: 2011

armed forces and apply to become U.S. citizens.<sup>4</sup> Family reunification is by far the largest channel of entry for LPRs, accounting for over one-half of all entries. The other main channels are employment-based immigration, refugees and asylum seekers (see ›Flight and Asylum‹) as well as the so-called Diversity Lottery (see below).

Family reunification is available to two broad groups of people: immediate relatives of U.S. citizens and family members sponsored according to preference categories. The first group includes spouses and children of U.S. citizens and has no numerical limit; they generally account for 40% of LPR admissions. The second group is divided into four so-called “preference categories”, three of which govern family reunification to U.S. citizens, and one of which provides for the entry of spouses and unmarried children of U.S. permanent residents (LPRs). The total number of entries under all four preference categories is limited to between 226,000 and 480,000 per year.<sup>5</sup> Additionally, no single country may account for more than 7% of admissions in the preference categories.

Employment-based immigration, another path to permanent settlement, is available to employees with a range of skill levels under four separate categories, most of which require that an applicant be sponsored by an employer. A fifth category provides for the admission of investors. Employment-based admissions are limited to 140,000 per year, plus any unused family preferences from the previous year, with a 7% annual cap per sending country.

Finally, the Diversity Lottery awards LPR status to citizens of countries which have not sent more than 50,000 immigrants to the U.S. in the previous five years. Since 1999 the annual limit for admissions in this category has been 50,000. The names of eligible countries are published by the State Department before each year’s lottery begins. In 2011, the per-country limit of diversity visas was 3,500.

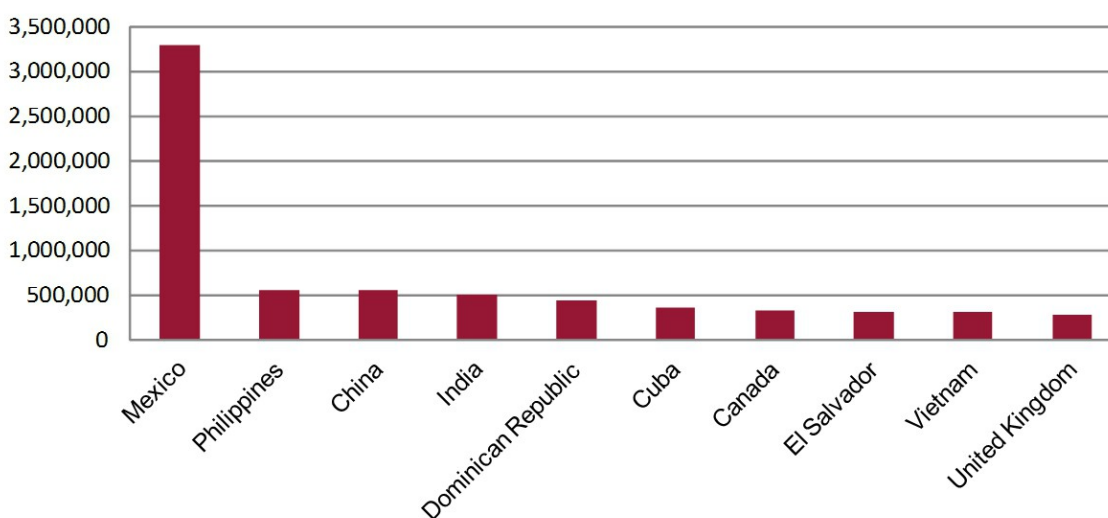
In addition to these means of entry for permanent settlement, there is a wide variety of visa categories for the admission of temporary residents, or so-called “nonimmigrants [sic!]”, all of which are subject to numerical limits. For example, 65,000 work visas for temporary highly-skilled workers (H-1B) are made available each year (plus an extra 20,000 for foreign graduates of U.S. universities), as are 66,000 work visas (H-2B) for seasonal workers or workers needed to fill temporary labor shortages in sectors such as construction, health care, landscaping, lumber, manufacturing, food service/processing and resort/hospitality services. According to DHS estimates there were 159 million nonimmigrant admissions in the U.S. in 2011. Of these, 87% were tourist and business travelers.

## Inflows

The number of people receiving LPR status each year has been increasing since the Second World War, quadrupling from an average of 250,000 persons per year in the 1950s to just over one million per year in the period from 2000 to 2011.

In 2011, a total of 1,062,040 people were awarded LPR status, 481,948 (45.4%) of whom were new arrivals, and 580,092 (54.6%) of whom had adjusted their status (i.e. were not new immigrants, but people who had applied for LPR status while living in the U.S. under a different permit). A total of 688,089 people (64.8%) acquired LPR status under family reunification provisions, 139,339 (13.1%) in the employment-based category, 50,103 (4.7%) in the Diversity Lottery, 168,460 (15.9%) as refugees and asylees, and the remainder via other categories (cf. Figure 1). The top 3 countries of birth of new LPRs were Mexico (14%), China (8.2%), and India (6.5%).<sup>6</sup>

**Figure 2: Top 10 Countries of Birth of the LPR Population in 2010**



Source: Elaborated by the editorial staff of focus Migration based on Rytina (2011, p.4).

## The Immigrant Population

On January 1, 2010 an estimated 12.6 million LPRs (no unauthorized immigrants included) lived in the U.S. Of these about 8.1 million were eligible to naturalize. 26% of the LPR population in 2010 came from Mexico which made this country the number one country of origin of LPRs, followed by the Philippines, China, India, and the Dominican Republic.<sup>7</sup>

In recent years, the immigrant population in the U.S. has risen significantly from an estimated 19.8 million foreign-born persons in 1990 to 31 million in 2000 and nearly 40 million in 2010, now constituting 13 percent of the total population. The majority of the foreign-born population (as of 2010) was born in Latin America (53%). 28% were born in Asia, 12% in Europe, 4% in Africa, 2% in Northern America, and less than 1 percent in Oceania. Of the 21.2 million foreign born residents from Latin America, 11.7 million (55%) were born in Mexico. Mexico thus represented the main country of birth of foreign born residents in the U.S. - 29% of the total foreign-born population were born there.

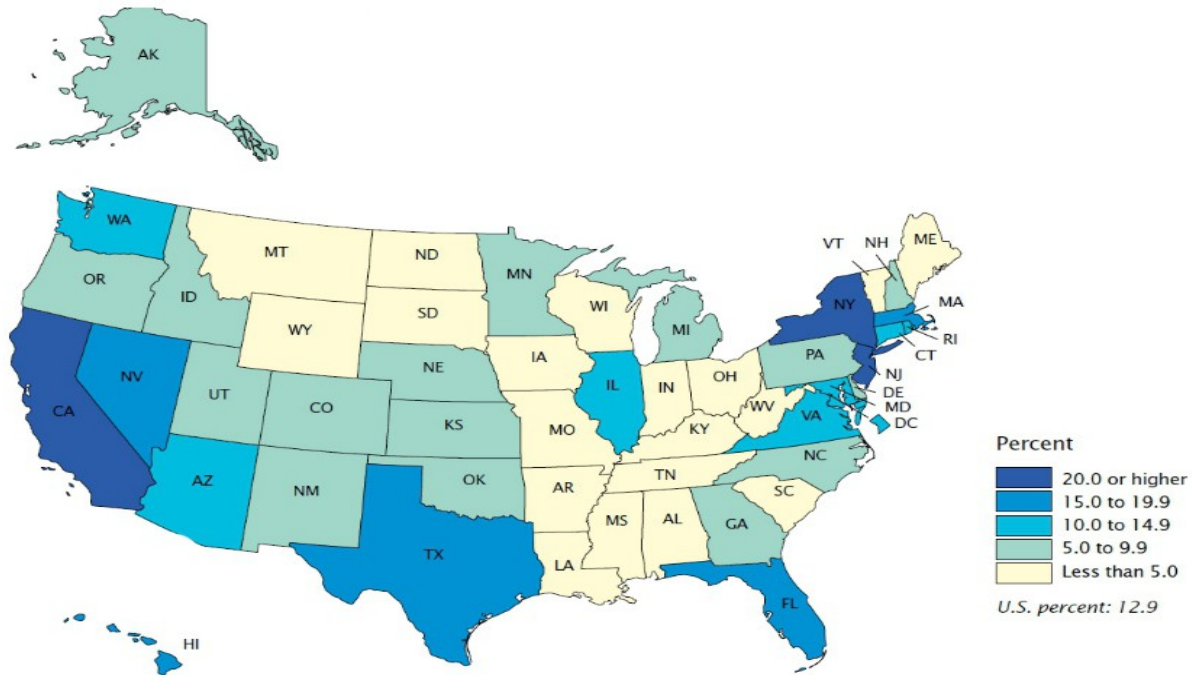
Over half of the foreign-born population in 2010 resided in just four states (California, New York, Texas, and Florida). While in some states the share of foreign-born residents in the total population is very low - such as in West Virginia (1% of total population) - other states have a high percentage of foreign-born people living on their territory (e.g. California - 27% of the total population; New York - 22%, New Jersey - 21%) (cf. Figure 3). About 2 in 5 foreign-born residents were naturalized citizens.

So called “ethnic minorities” have significant impact with regard to the population structure in the U.S.A. Due to immigration and births, ethnic minority groups - especially Hispanics - are growing more rapidly than the non-Hispanic white population of the country. In May 2012 the U.S. Census

Bureau announced that for the first time in the country’s history, minorities (anyone who is not a single-race non-Hispanic white) constituted the majority (50.4%) of the U.S. population younger than age 1. Projections of the Pew Hispanic Center say that non-Hispanic whites will become a minority of the population (47%) by 2050.<sup>8</sup>



**Figure 3: Foreign-Born Population as Percent of State Population: 2010**



Source: Grieco et al. (2012, p.4) [U.S. Census Bureau, American Community Survey, 2010]

**Citizenship**

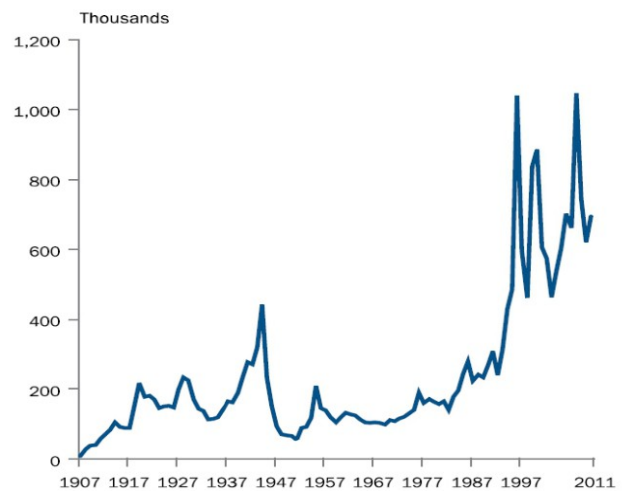
All persons born in the U.S. are automatically granted U.S. citizenship. People who are not U.S. citizens by birth may obtain U.S. citizenship through the process of naturalization, which requires the fulfillment of a series of criteria codified in the Immigration and Nationality Act (INA). The process can take anywhere from six months to two years. A legal immigrant who wishes to naturalize must be over 18 years old, must have lived in the U.S. for at least five years (three years if married to a U.S. citizen) and have no criminal record. Additionally, candidates must demonstrate English language proficiency and knowledge of U.S. history and government by passing a naturalization test.

Historically, less than half of all immigrants to the U.S. have become citizens. While the total foreign-born population has increased in the course of the last four decades, the proportion of naturalized foreign born has declined from 63.6% in 1970 to 43% in 2008. In general, persons who arrived in the United States in earlier decades are more likely to naturalize or to have naturalized than those arriving more recently. Furthermore, the proportion of naturalizations is higher among individuals who possess a bachelor’s degree than among those who lack a high school diploma.<sup>9</sup>

In 2011, a total of 694,193 persons obtained U.S. citizenship; the top five countries of birth of these new citizens were Mexico (94,783), India (45,985), the Philip-

pinas (42,520), China (32,864) and Colombia (22,694). The largest number of people who were naturalized in 2011 lived in the states of California (151,183), Florida (87,309), and New York (76,603).<sup>10</sup>

**Figure 4: Persons Naturalized: Fiscal Years 1907 to 2011**



Source: Lee (2012, p. 1) [U.S. Department of Homeland Security, N-400 naturalization data, Fiscal Years 1907 to 2011]

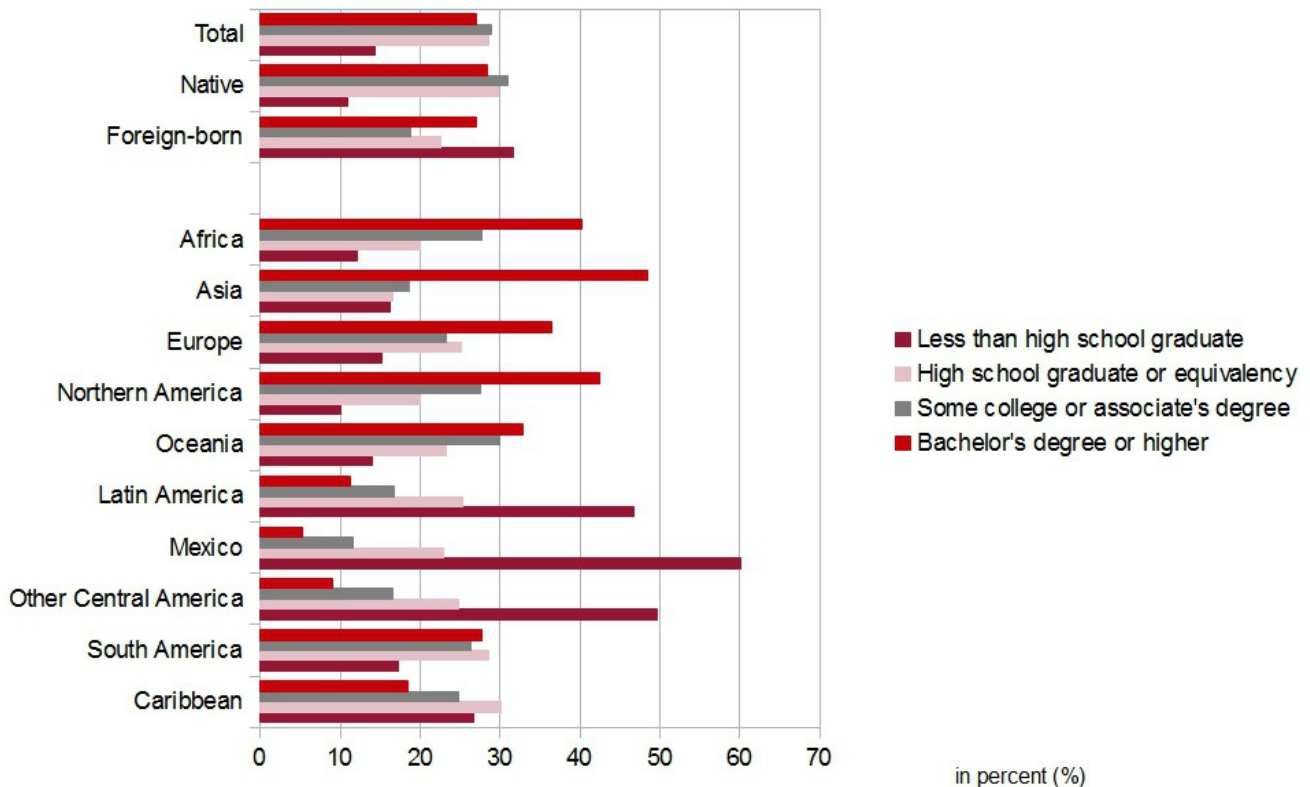
### Integration

Debate about integration of new immigrants and challenges for the U.S. focuses largely on Hispanic Americans and specifically Mexicans. This discussion has been wide ranging but affected by controversial ideas such as those put forward by Samuel Huntington in "Who Are We? The Challenges to America's National Identity." He argues that the current influx of Mexican immigrants provides a greater challenge and is fundamentally different from those of the Irish, Jews and Italians previously. His thesis is that the assimilation successes of the past are unlikely to be repeated by contemporary im-

ish immigrants at the start of the last century were in a similar position. Therefore, there ought to be considerable scope for the immigrant population of Mexican origin to integrate successfully into the working class in the U.S., even if they are unable to access higher educational or professional levels. Many Mexican immigrant offspring grow up in communities which are poor, but which are well integrated into the local labor markets. This provides contacts and access to employment, which are crucial for further integration.<sup>11</sup>

Educational attainment is a key issue with regard to the immigrant population as it often correlates strongly with job prospects and successful integration. While 89% of the na-

**Figure 5: Educational Attainment: 2010**  
(Percent distribution of population 25 and older)



Source: Grieco et al. (2012, p.16) [U.S. Census Bureau, American Community Survey, 2010]

migrants from Latin America due to what he describes as problems of contiguity, scale, illegality, regional concentration, persistence and historical presence. This view has been both greatly controversial and subject to intense criticism.

In contradiction to Huntington's argument, scholars point out that Mexican immigration is currently emulating integration patterns set by earlier groups of immigrants. For example, Mexican newcomers largely find limited access to jobs beyond the low-wage sector, which is not unprecedented for a large immigrant flow from one country; both Italian and Pol-

itive population aged 25 and older held at least a high school degree in 2010, only 68% of the foreign-born population possessed of such a diploma. However, the foreign-born and native populations converge at the level of higher education, with 27% of foreign-born persons and 28% of natives holding a bachelor's or higher degree.<sup>12</sup> In terms of employment, the foreign-born population aged 16 and older shows higher labor force participation rates than the native population (69% as compared to 64%). Yet, participation rates differ among the male and the female population. Foreign-born males

(79%) are more likely to be in the labor force than native males (68%) while labor force participation is lower for foreign-born females (57%) than for native females (60%). Foreign-born workers are more likely than natives to hold jobs in the service, construction, and production sector. At the same time they are underrepresented in managerial or professional occupations (foreign born: 28.6%, native: 37.4%). There are, however, large differences among the different ethnic groups. Overall, people born in Latin America – especially in Mexico – are the least likely of all regions of birth to be engaged in management, business, science, and arts occupations and the most likely to work in the service, construction, and production sector. They are also the minority group with the highest poverty rate (24% compared to 15% of the native born population).<sup>13</sup>

Results of the 2010 American Community Survey (ACS) show that 85 percent of the foreign-born population speak a language other than English at home, compared with about 10% of the native population. However, the majority of foreign born in this situation speak English “very well” or “well”. Yet, results differ among immigrant groups. While about 70% of the foreign-born population from Europe, Northern America, Africa and Oceania are assumed to speak English “very well”, this is the case among 53% of the population born in Asia and 37% of the population born in Latin America. One in ten foreign born did

not speak English at all. It is worth noting that there has been pressure in recent years for English to be designated as the official language of the U.S., which it is currently not. Proposals in the Senate in 2007 have called upon federal agencies to preserve and enhance the role of English. Although they would not preclude information being given in languages other than English, they would clarify that citizens do not have an affirmative right to ask for such services. By 2010, 31 states had passed some form of official English law.<sup>14</sup>

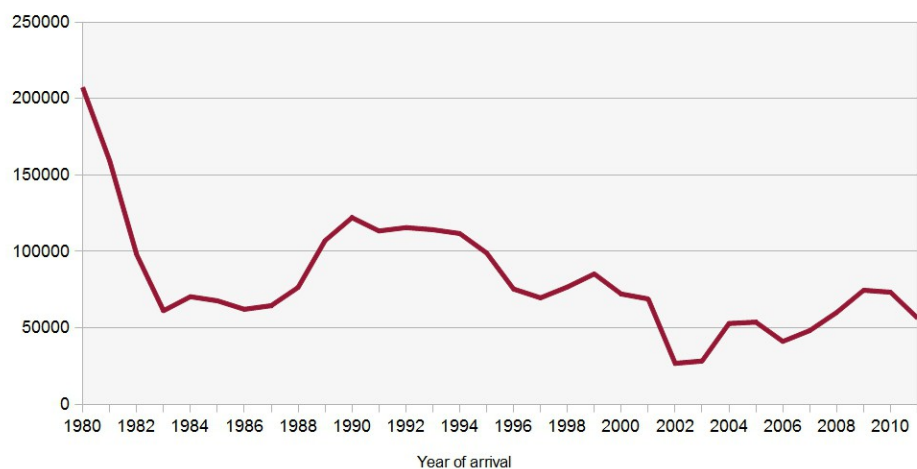
## Refuge and Asylum

Refuge and asylum are similar in that they apply to non-citizens who are unable to return to their country of origin as a result of persecution or well-founded fear of persecution based on race, religion, nationality, membership in a social group or political opinion. Whereas refugees are persons who apply for resettlement from outside the U.S., asylees do so from within the country or at a port of entry. Persons granted asylum or refugee status are entitled to work in the U.S., and both groups can apply for LPR status after one year of continuous residence.<sup>15</sup>

The quota for refugee admissions is set every year by the President in consultation with Congress, and it has been reduced significantly in recent years. In 1980, when the admissions ceiling was first introduced, it was set at 231,700 persons. From 2003 to 2007 the ceiling annual on refugee admissions was set at 70,000. Since 2008 the limit has been 80,000 per year. No quotas are set for asylum admissions.

In 2011 a total of 56,384 refugees were admitted to the U.S. The leading countries of origin were Burma (30%), Bhutan (27%), and Iraq (17%). In addition to these refugees, 24,988 people were granted asylum in 2011. The top 5 countries of origin for persons granted asylum in 2011 were China (34%), Venezuela (4.4%), Ethiopia (4.3%), Egypt (4.1%), and

**Figure 6: Refugee Arrivals: Fiscal Years 1980 to 2011**



Note: Data series began following the Refugee Act of 1980. Excludes Amerasian immigrants except in fiscal years 1989 to 1991.

Source: Department of Homeland Security, Yearbook of Immigration Statistics: 2011 [U.S. Department of State, Bureau of Population, Refugees, and Migration (PRM), Worldwide Refugee Admissions Processing System (WRAPS), Fiscal Years 1980 to 2011.]

Haiti (3.5%). Nationals of these countries accounted for more than half of all persons granted asylum.<sup>16</sup>

U.S. refugee policy has been the subject of serious criticism, particularly in recent years and with respect to the low number of people granted refugee status. In the 1990s, an average of 100,000 refugees arrived in the U.S. every year; in the 2000-2006 period, this average had declined to 50,000, well below the authorized quota. This sharp decline was due to increased security enforcement measures in the aftermath of the terrorist attacks on 9/11 and tightened asylum eligibility criteria. Between 2006 and 2010 the number of refugee arrivals rebounded, reaching 73,293 in 2010.

## Irregular Migration

There are (as of January 2011) an estimated 11.5 million unauthorized immigrants in the U.S., 59% (6.8 million) of whom were from Mexico. Other major source countries were El Salvador (660,000), Guatemala (520,000), Honduras (380,000), and China (280,000). In 2011, 85 percent of the unauthorized immigrant population originated from only ten different countries.<sup>17</sup>

The number of unauthorized immigrants living in the U.S. increased from 2-4 million in 1980 to about 8.5 million in 2000 and reached its peak in 2007 with an estimated 11.8 million. According to DHS estimations it is “unlikely that the unauthorized immigrant population increased after 2007 given relatively high U.S. unemployment, improved economic conditions in Mexico, record low numbers of apprehensions of unauthorized immigrants at U.S. borders, and greater levels of border enforcement.”<sup>18</sup>

#### How to estimate the number of unauthorized immigrants in the U.S.

Estimated foreign born population on January 1, 2011: 33,600,000

Estimated legally resident population, January 1, 2011: 22,090,000

Estimated resident unauthorized population, January 1, 2011: 11,510,000

Source: Hoefer/Rytina/Baker (2012)

The issue of irregular migration is fiercely debated in the context of security concerns. It is the undocumented nature of these migrants' presence that is seen as problematic, particularly since September 2001.

It is presumed that the great majority of illegal immigrants have entered legally and overstayed their visas or arrived illegally via the southern land border between the U.S. and Mexico.

During the last fifty years there have been various, largely futile, attempts to prevent irregular migration. In 1954, Operation Wetback<sup>19</sup> resulted in the deportation of over one million Mexicans and U.S.-citizens of Mexican origin (in this case, the U.S.-born children of unauthorized immigrants). Other measures, such as Operation Gatekeeper, which was carried out on the San Diego sector of the border in 1994, have simply forced people to attempt crossings in more dangerous areas of the border, away from the heavily protected western-most section.

Much attention has been devoted to the shortcomings of the 1986 Immigration Reform and Control Act (IRCA), which was almost exclusively dedicated to the issue of unauthorized immigration. Approximately 3 million undocumented immigrants were legalized under the IRCA provisions. However, as it failed to create legal channels for migrants to help meet the high demand for labor in the U.S., it ultimately failed to stop the inflow of new irregular immigrants. Many legalized immigrants – who mostly came from Mexico and Central America – were subsequently joined by their families and relatives, touching off a wave of permanent immigration. This, in turn, resulted in a rise in anti-immigrant sentiment, with particular concern being expressed about the issue of access to education, healthcare and welfare benefits.<sup>20</sup>

An area of serious discussion in recent years, especially in the states bordering Mexico, has been the policing of the southern border of the U.S. Attempts to prevent further undocumented arrivals, including the construction of barriers across various sections of the border (as a result of e.g. the

Secure Fence Act of 2006), have just driven would be migrants to use more extreme measures to get to the U.S., resulting in a large number of fatalities.<sup>21</sup>

Border crossings by illegal immigrants have evoked strong emotions among the general public and have led a number of private individuals to set up groups to monitor these crossings. Some of these groups have been accused of acting more like vigilantes than independent monitors. It is clear that voluntary border control militias cannot be tolerated, and that border control activities must be left to official border agents. However, any policy to increase border control cannot stand alone and must form part of a comprehensive reform of immigration policy (see discussion below).

## Current Issues and Future Challenges

### Comprehensive Immigration Reform (CIR)

Under George W. Bush and Barack Obama (in office since 2008) all attempts for Comprehensive Immigration Reform (CIR) have failed. CIR is therefore again an issue in the electoral campaign leading up to presidential elections in November 2012. Both, the Democratic candidate Barack Obama as well as his Republican opponent Mitt Romney announced that they would pursue some kind of comprehensive, long-term reform to the U.S. immigration system.

### Presidential elections and the Latino vote

On June 15, 2012, Obama announced that his administration will stop deporting young illegal immigrants who arrived in the U.S. before the age of 16, who were successful students or served in the military, and do not pose a criminal or security threat. This move represents a shift in Obama's immigration policy with regard to illegal immigrants. During his first two years in office nearly 400,000 illegal immigrants were deported per annum, about 30% more than the annual average during Bush's second term. This restrictive stance on illegal immigration has caused major disapproval within the ranks of the Hispanic population that had supported Obama by heavy margins in the presidential elections in 2008 (67% of Hispanic voters in favor of Obama).<sup>22</sup> Yet, a Pew Hispanic survey finds that Latinos still favor the Democrats' presidential candidate over his Republican opponent Mitt Romney. With the growth of the Hispanic population in the U.S. Latinos have significantly increased their political influence. As in 2008, Latino voters could tip the balance in several key battleground states such as Colorado, New Mexico or Florida. Candidates for presidency must thus reach out to these voters in order to gain their support. As a survey of the Pew Hispanic Center has shown issues that matter the most to registered Hispanic voters are Jobs, education, and health care. Debate on the latter has dominated much of Obama's presidency.<sup>23</sup> In fact, Black and Latino Americans are expected to heavily benefit from the Affordable Health Care for America Act (enacted in 2010) that grants easier access to insurance coverage since many of them fall into the low and moderate income group the reform is especially targeted at.<sup>24</sup>



### Irregular migration and the impact of the economic recession on migration

Irregular Migration will keep on playing a key role in the debate on immigration since it remains closely connected with security issues: Any successful legislative proposal for comprehensive immigration reform will therefore almost certainly have a significant emphasis on security – not only on border controls, but on enforcing the laws on employer sanctions – as well as some means of accommodating irregular immigrants already residing in the U.S. While Democrats and Republicans are likely to reach a compromise on border control measures, dealing with the large irregular immigrant population residing in the country promises to be significantly more difficult.

Yet, current data suggests that irregular migration to the U.S. is decreasing especially due to a slowdown in irregular migration from Mexico. One of the key reasons for this development is the latest recession that hit the American economy and caused job losses across the board, including in industries such as construction which are known to employ many undocumented migrants. The recession (late 2007 until mid-2009) that followed the bursting of the housing bubble in 2006 hit minorities much harder than whites. Between 2005 and 2009 the median wealth fell by 53% among black households and 66% among Hispanic households as compared to 16% among white households.<sup>25</sup>

“Household wealth is the accumulated sum of assets (houses, cars, savings and checking accounts, stocks and mutual funds, retirement accounts, etc.) minus the sum of debt (mortgages, auto loans, credit card debt, etc.). It is different from household income, which measures the annual inflow of wages, interest, profits and other sources of earning. Wealth gaps between whites, blacks and Hispanics have always been much greater than income gaps.”<sup>26</sup>

Overall, America’s ethnic minorities have disproportionately high poverty rates. In 2009, 25.8% of blacks, and 25.3% of Hispanics had incomes below poverty, compared to 12.5% of Asians and 9.4% of non-Hispanic whites. To even this disparity out will be one of America’s future challenges as its society is getting more racially and ethnically diverse.

### Changing color lines and questions of identity

The changing color lines of the country’s population are also an issue that has, in the past few years, taken on increased importance. The U.S. Census 2000 brought to light the growing role of the Hispanic population which now outnumbers African Americans and therefore constitutes the nation’s largest minority. Projections estimate that Hispanics will make up 30.2% of the U.S. population in 2050.<sup>27</sup> This development has raised concerns especially among the white majority population. These become visible in partly fierce debates on America’s national identity.<sup>28</sup> Despite these contro-

versies, there is, however, continued pride in the country’s history as a nation of immigrants and it seem unlikely that this will change in the near future.

### Notes

- <sup>1</sup> See Ngai (1999).
- <sup>2</sup> See Durand et al. (1999).
- <sup>3</sup> The term year refers throughout to the US fiscal year, which runs from October to September.
- <sup>4</sup> The information contained in this section is based on Jefferys (2007b).
- <sup>5</sup> The means of calculating the actual limit are complicated and take into account, among other things, the number of people awarded LPR status in certain categories (e.g. immediate relatives of US citizens, who are not limited by a quota) in the previous fiscal year. The admissions quota for family preferences is not permitted to drop below 226,000. If the calculated quota falls below that minimum, it is set at 226,000 as a default. See Jefferys (2007b).
- <sup>6</sup> See Monger/Yankay (2012).
- <sup>7</sup> See Rytina (2011).
- <sup>8</sup> See Passel/Livingston/Cohn (2012).
- <sup>9</sup> See Kandel (2011).
- <sup>10</sup> See Lee (2012).
- <sup>11</sup> See Waldinger et al. (2007).
- <sup>12</sup> See Grieco et al. (2012).
- <sup>13</sup> See Grieco et al. (2012).
- <sup>14</sup> See Grieco et al. (2012), Information on U.S. English: <http://www.us-english.org/>
- <sup>15</sup> For an overview of the refugee and asylum provisions in the US, see Jefferys (2007a).
- <sup>16</sup> See Martin/Yankay (2012).
- <sup>17</sup> See Hofer/Rytina/Baker (2012).

- <sup>18</sup> Hoefer/Rytina/Baker (2012, p. 1).
- <sup>19</sup> "Wetback" is a disparaging term for an unauthorized Mexican immigrant who crosses the Rio Grande into the U.S., sometimes swimming to get across.
- <sup>20</sup> See Durand et al. (1999), Gonzalez Baker (1997).
- <sup>21</sup> Estimates of individuals who died in attempted border crossings from 1994 to July 2009 range from 3,800 to 5,600 individuals (Jimenez 2009).
- <sup>22</sup> See Lopez (2008).
- <sup>23</sup> See Lopez et al. (2011).
- <sup>24</sup> See Ross (2012).
- <sup>25</sup> See Kochhar/Fry/Taylor (2011).
- <sup>26</sup> Kochhar/Fry/Taylor (2011).
- <sup>27</sup> See Shrestha/Heisler (2011).
- <sup>28</sup> The fear of the impact of (Hispanic) immigration on the U.S. national identity is displayed in Samuel Huntington's book "Who are we? The challenges to America's National Identity" (2004).

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- U.S. Department of Homeland Security, Immigration Statistics  
<http://www.dhs.gov/ximgtn/statistics>
- U.S. Library of Congress  
<http://thomas.loc.gov>
- Further Internet links**
- American Immigration Lawyers Association  
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