



U.S. Immigration Policy: Chart Book of Key Trends

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Summary

This report is a chart book of selected immigration trends that touch on the main elements of comprehensive immigration reform (CIR). Most policymakers agree that the main issues in CIR include increased border security and immigration enforcement, improved employment eligibility verification, revision of legal immigration, and options to address the millions of unauthorized aliens residing in the country. The report offers snapshots of time series data, *using the most complete and consistent time series currently available for each statistic*. The key findings and elements germane to the data depicted are summarized with the figures. The summary offers the highlights of key immigration trends.

The United States has a history of receiving immigrants, and these foreign-born residents of the United States have come from all over the world.

- Immigration to the United States today has reached annual levels comparable to the early years of the 20th century.
- Immigration over the last few decades of the 20th century was not as dominated by three or four countries as it was earlier in the century, and this pattern has continued into the 21st century.
- The number of foreign-born residents in the United States is at its highest level in U.S. history, reaching 40 million in 2010.
- Foreign-born residents of the United States made up 12.9% of the U.S. population in 2010, approaching levels not seen since the proportion of foreign-born residents reached 14.8% in 1910.

Legal immigration encompasses permanent immigrant admissions (e.g., employment-based or family-based immigrants) and temporary nonimmigrant admissions (e.g., guest workers, foreign students). The Immigration and Nationality Act (INA) contains the provisions detailing the requirements for admission (permanent and temporary) of foreign nationals and the eligibility rules for foreign nationals to become U.S. citizens.

- In FY2011, 1.1 million aliens became U.S. legal permanent residents (LPRs). Of this total, nearly 65% entered on the basis of family ties.
- The pool of people potentially eligible to immigrate to the United States as LPRs each year typically exceeds the worldwide level set by the INA.
- Most of the 4.4 million approved petitions pending at the close of FY2012 were family members of U.S. citizens.
- After falling from 7.6 million in FY2001 to 5.0 million in FY2004, temporary visa issuances reached 7.5 million in FY2011.
- Generally, all of the temporary employment-based visa categories have increased since FY1994. Although there was a dip during the recent recession, the number of employment-based temporary visas increased in FY2010 and FY2011.

Immigration control encompasses an array of enforcement tools, policies, and practices to secure the border and to prevent and investigate violations of immigration laws. The INA specifies the

grounds for exclusion and removal of foreign nationals as well as the documentary and entry-exit controls for U.S. citizens and foreign nationals.

- U.S. State Department denials of petitions for LPR visas have increased in recent years, and prior removals from the United States or past illegal presence in the United States has become the leading ground of inadmissibility.
- U.S. Border Patrol apprehensions of foreign nationals between ports of entry fell to a 40-year low of 327,577 in FY2011.
- The number of employers enrolled in the E-Verify employment eligibility verification system grew from 5,900 at the close of FY2005 to 418,000 by the end of FY2012. These data indicate that approximately 7% of U.S. employers were participating by the close of FY2012.
- A total of \$10.5 million in administrative fines was imposed on employers who engaged in unlawful employment in FY2011—a figure that exceeds the level of total fines imposed over the entire period from FY2000 through FY2009.
- Formal removals grew from 30,039 in 1990 to 391,953 in FY2011.
- Immigration and Customs Enforcement (ICE) identifies many more potentially removable aliens than it arrests (i.e., places in removal proceedings).
- The number of criminal aliens removed from the United States increased from 73,298 in FY2001 to 188,382 in FY2011.

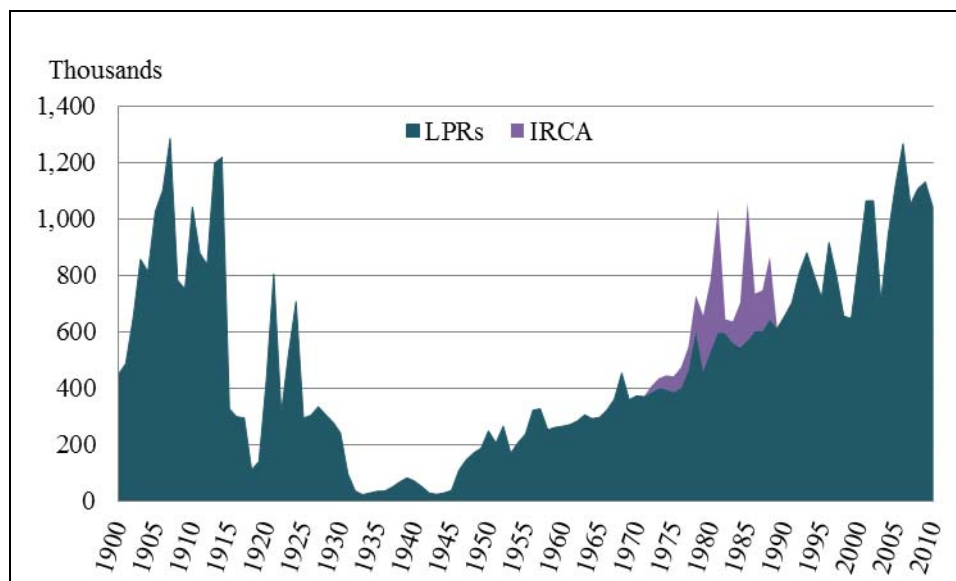
The three main components of the unauthorized resident alien population are (1) aliens who enter the country surreptitiously without inspection, (2) aliens who overstay their nonimmigrant visas, and (3) aliens who are admitted on the basis of fraudulent documents.

- Estimates based on the March Supplement of the U.S. Census Bureau's Current Population Survey (CPS) indicate that the unauthorized resident alien population rose from 3.2 million in 1986 to 12.4 million in 2007, before leveling off at 11.1 million in 2011.
- The latest estimates indicated that 33% of the 11.5 million unauthorized resident aliens in 2011 had entered from 2000 to 2010.

For those who seek more complete analyses of the issues, this report cites Congressional Research Service (CRS) products that discuss the policies underlying the data presented in each of the figures.

Historical Immigration Trends

Figure 1. Annual LPR Admissions and Status Adjustments, 1900-2010



Source: *Statistical Yearbook of Immigration*, U.S. Department of Homeland Security, Office of Immigration Statistics, multiple fiscal years. Aliens legalizing through the Immigration Reform and Control Act (IRCA) of 1986 are depicted by year of arrival rather than year of adjustment.

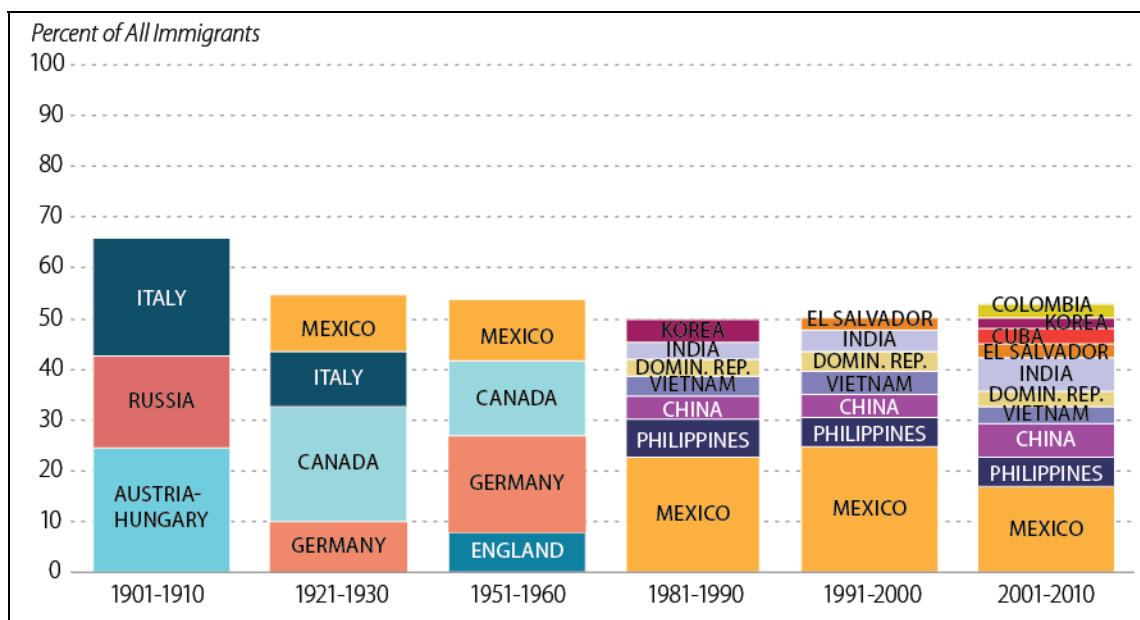
Immigration to the United States was peaking at the beginning of the 20th century. In 1910, foreign-born residents made up 14.8% of the U.S. population. Immigration dropped as a result of the numerical limits and national origins quotas imposed by the Immigration Acts in 1921 and 1924. Levels fell further during the Great Depression and World War II. The annual number of settled immigrants, typically referred to as LPRs, rose gradually after World War II, as **Figure 1** illustrates. In 1952, the INA was codified and, as amended, remains the governing statute.

The growth in immigration after 1980, shown in **Figure 1**, is partly attributable to the total number of LPRs entering through the preference system as well as immediate relatives of U.S. citizens. The Immigration Reform and Control Act (IRCA) of 1986 enabled 2.1 million unauthorized aliens residing in the United States as of 1982 to become LPRs. In addition, the number of refugees admitted increased from 718,000 in the period 1966-1980 to 1.6 million during the period 1981-1995, after the enactment of the Refugee Act of 1980. The Refugee Act established permanent provisions for refugees and asylees to become LPRs.

The Immigration Act of 1990 was the last significant revision of legal permanent immigration. It set a statutory worldwide level of 675,000 LPRs annually, but certain categories of LPRs, most notably immediate relatives of U.S. citizens and refugees, are permitted to exceed the limits. The INA further specifies that countries are held to an annual numerical limit of 7% of the worldwide level of U.S. immigrant admissions, known as per-country limits or country caps. Immigration to the United States today has reached levels comparable to the early years of the 20th century.

For further background and analysis, see CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*.

Figure 2. Top Sending Countries (Comprising at Least Half of All LPRs): Selected Periods



Source: CRS analysis of Table 2, *Statistical Yearbook of Immigration*, U.S. Department of Homeland Security, Office of Immigration Statistics, FY2010.

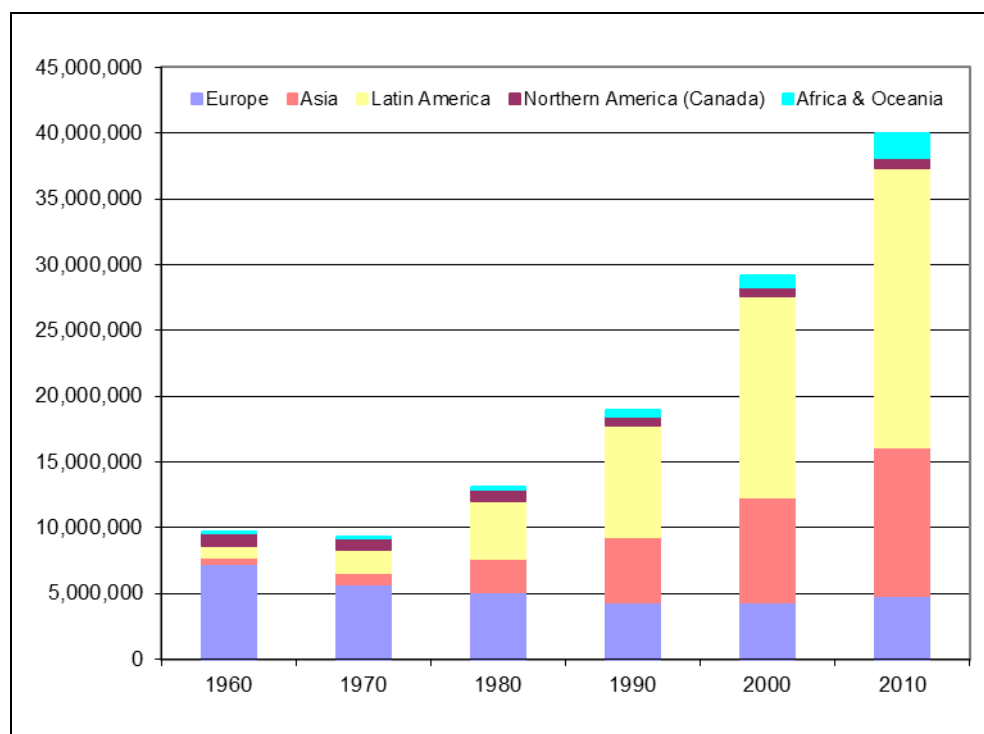
In any given period of U.S. history, a handful of countries have dominated the flow of immigrants, but the dominant countries have varied over time. **Figure 2** presents trends in the top immigrant-sending countries (together comprising at least 50% of the immigrants admitted) for selected decades. The Immigration Act of May 19, 1921, imposed the first numerical limits on LPR admissions to the United States, and it set the level of admission of aliens from specific countries to 3% of the foreign-born persons of that nationality who lived in the United States in 1910. A few years later, the Immigration Act of May 26, 1924, established the national origins system, which set quotas based on the number of foreign-born persons of that nationality in the country in 1890 and 1920. Both laws exempted Western Hemisphere countries from the limits. The Immigration Amendments of 1965 replaced the national origins quota system with per-country ceilings.

Figure 2 illustrates that immigration over the last few decades of the 20th century was not as dominated by three or four countries as it was earlier in the century. Although Europe was home to the countries sending the most immigrants during the early 20th century (e.g., Germany, Italy, Austria-Hungary, and the United Kingdom), Mexico has been a top sending country for most of the 20th century—largely after 1970—and into the 21st century. Other top sending countries from FY2001 through FY2010 were the Dominican Republic, El Salvador, Colombia, and Cuba (Western Hemisphere); and the Philippines, India, China, South Korea, and Vietnam (Asia).

These data suggest that the per-country ceilings established in 1965 had some effect. As **Figure 2** illustrates, immigrants from only three or four countries made up more than half of all LPRs prior to 1960. By the last two decades of the 20th century, immigrants from seven to eight countries comprised about half of all LPRs, and this pattern has continued into the 21st century.

For further background and analysis, see CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*.

Figure 3. Foreign-Born Residents by Region of Origin:
1960, 1970, 1980, 1990, 2000, and 2010



Source: U.S. Census Bureau data: decennial census 1960, 1970, 1980, 1990, and 2000, and the American Community Survey for 2010.

The number of foreign-born residents in the United States is at the highest level in U.S. history. In the past 50 years, the number of foreign-born residents of the United States has gone from just under 10 million in 1960 to 40 million in 2010, a 313% increase, as **Figure 3** illustrates. As part of this increase, the source regions of foreign-born residents have shifted from Europe (74% in 1960) to Latin America and Asia (81% in 2010). Foreign-born residents made up 12.9% of the U.S. population in 2010.

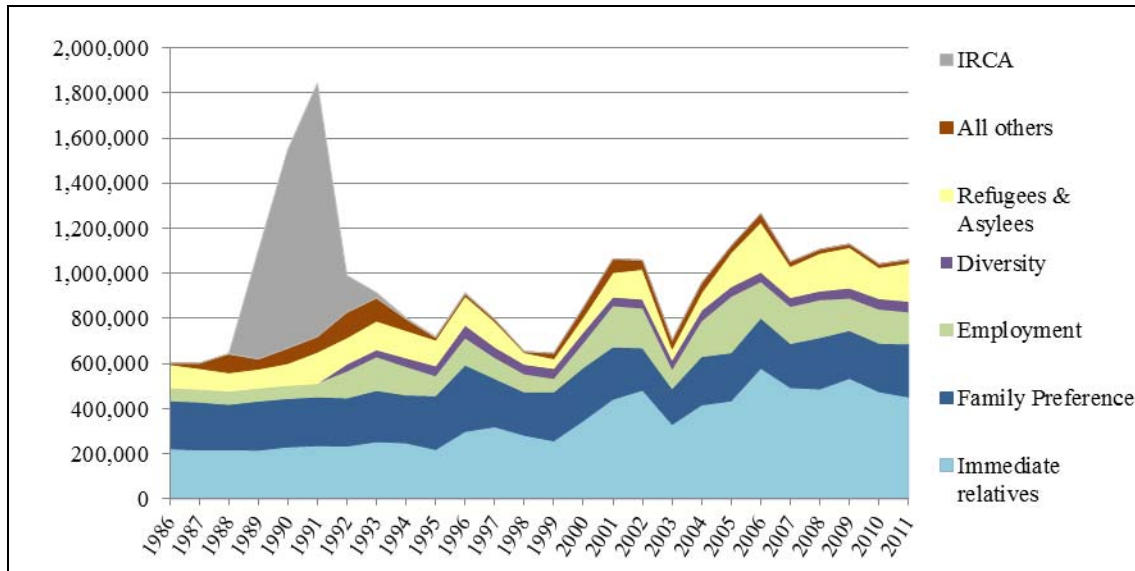
More recently, between 2000 and 2010, the foreign born contributed 32% of the total U.S. population increase. Foreign-born residents comprised most of the increase in the prime 25-54 working age population over this decade. Almost one-third of current foreign-born residents arrived in the United States since 2000, as discussed in the CRS report cited below.

The Department of Homeland Security (DHS) Office of Immigration Statistics (OIS) estimated that 13.1 million foreign-born residents were LPRs as of January 1, 2011. OIS has also estimated that 1.9 million foreign-residents were legally present on long-term temporary visas and about 11.5 million were aliens residing in the United States without legal authorization. In the 2010 U.S. Census, about 18 million foreign-born residents stated they had become U.S. citizens, slightly higher than the number of naturalizations OIS has estimated.

For further background and analysis, see CRS Report R41592, *The U.S. Foreign-Born Population: Trends and Selected Characteristics*.

Legal Permanent Immigration

Figure 4. Legal Permanent Residents Admitted/Adjusted by Category
1986-2011

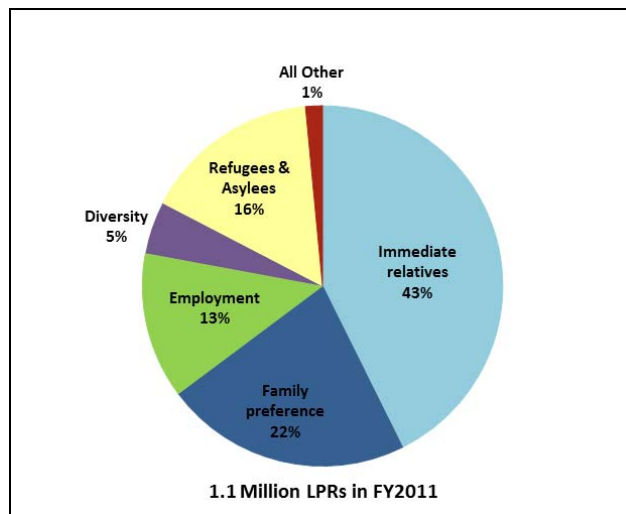


Source: U.S. Department of Homeland Security, Office of Immigration Statistics, *U.S. Legal Permanent Residents: 2011*. Aliens legalizing through the IRCA are depicted by year of adjustment.

The INA specifies a complex set of numerical limits and preference categories that give priorities for permanent immigration based on family relationships, employment connections, the protection of refugees, and diversity of admissions by country of origin. Apart from those aliens legalized by IRCA, the largest growth since 1986 has been in the immediate relatives of U.S. citizens, doubling from 223,468 in FY1986 to 453,158 in FY2011, as presented in **Figure 4**.

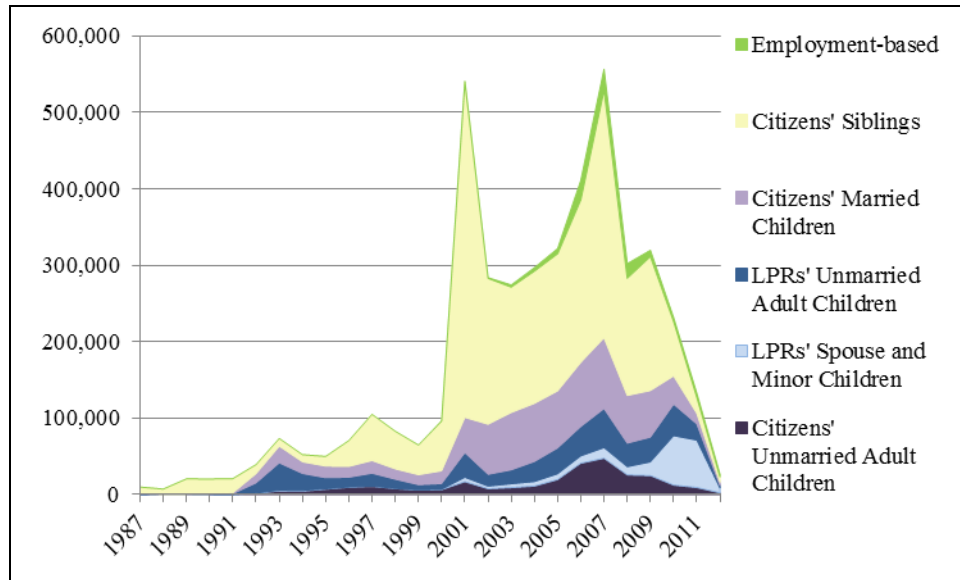
As prescribed by changes in statute that the Immigration Amendments Act of 1990 made, the number of employment-based immigrants grew from 56,617 in FY1986 to 139,339 in FY2011. About 90% of the employment-based LPRs adjusted from a temporary status. The employment-based numbers include the accompanying spouses and children of the qualifying LPR.

In FY2011, 1.1 million aliens became LPRs. Of this total presented on the right, nearly 65% entered on the basis of family ties. Other major categories were employment-based LPRs (13%), diversity migrants (5%), and refugees and asylees (16%).



For further background and analysis, see CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*.

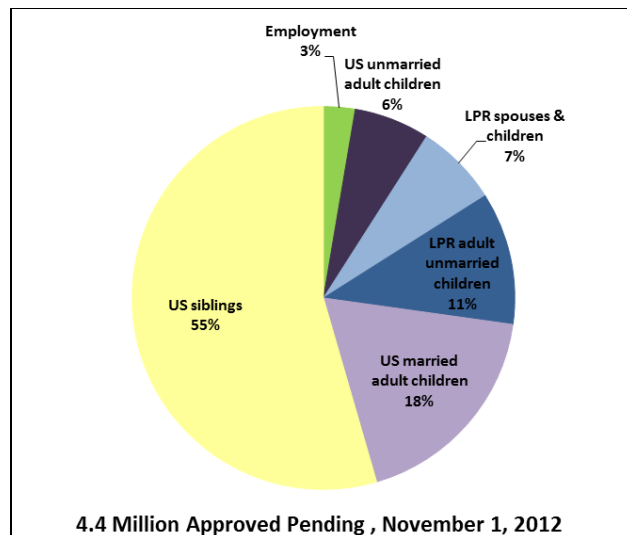
Figure 5. Approved LPR Visa Petitions Pending in FY2012 by Date of Submission and by Preference Category



Source: U.S. Department of State, Immigrant Visa Applicants in the Family-Sponsored and Employment-Based Preferences Registered at the National Visa Center, November 1, 2012.

The pool of people who are potentially eligible to immigrate to the United States as LPRs each year typically exceeds the worldwide level set by the INA. **Figure 5** presents a snapshot of this pool in November 1, 2012. Almost 1.3 million of the 4.4 million approved visa petitions pending at the end of FY2012 had been submitted and approved at least 10 years earlier. These data do not constitute a processing backlog; rather, these data represent persons who have been approved for visas that are not yet available due to the numerical limits in the INA. Some immigration officials and practitioners maintain that many petitions filed after FY2007 had not yet appeared in the approved caseload at the close of FY2012, despite a slight uptick in FY2009. The decline in approved cases pending after FY2007 was likely due to petitioners who had not advanced in the pipeline because their visa priority dates are well into the future, rather than a drop in petitioners.

Over half (55%) of the 4.4 million approved petitions pending at the close of FY2012 were brothers and sisters of U.S. citizens, as presented on the right. Adult children of U.S. citizens with approved LPR visas pending totaled 24% (6% unmarried and 18% married). Family members of LPRs totaled 18% of the approved visa petitions pending. The employment preferences account for only 3% (113,058) of the LPR visas pending.



For further background and analysis, see CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*; and CRS Report R42048, *Numerical Limits on Employment-Based Immigration: Analysis of the Per-Country Ceilings*.