



IMMIGRATION RESOURCE MATERIALS

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Immigration Resource Materials

The materials in this resource packet were compiled by Senate professional staff and are designed to provide general information on a variety of issues related to immigration and immigration policy. Speakers at any scheduled immigration meetings may submit materials specific to the subjects of their respective presentations. Those latter materials will be distributed separately from this resource packet.

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U.S. Unauthorized Immigration Flows Are Down Sharply Since Mid-Decade

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Executive Summary

The annual inflow of unauthorized immigrants to the United States was nearly two-thirds smaller in the March 2007 to March 2009 period than it had been from March 2000 to March 2005, according to new estimates by the Pew Hispanic Center, a project of the Pew Research Center.

This sharp decline has contributed to an overall reduction of 8% in the number of unauthorized immigrants currently living in the U.S.—to 11.1 million in March 2009 from a peak of 12 million in March 2007, according to the estimates. The decrease represents the first significant reversal in the growth of this population over the past two decades.¹

The Pew Hispanic Center’s analysis also finds that the most marked decline in the population of unauthorized immigrants has been among those who come from Latin American countries other than Mexico. From 2007 to 2009, the size of this group from the Caribbean, Central America and South America decreased 22%.

By contrast, the Mexican unauthorized population (which accounts for about 60% of all unauthorized immigrants) peaked in 2007 at 7 million and has since leveled off. The number of unauthorized immigrants from the rest of the world did not change.

Even though the size of the Mexican unauthorized population living in the United States has not changed significantly since 2007, the inflows from that country have

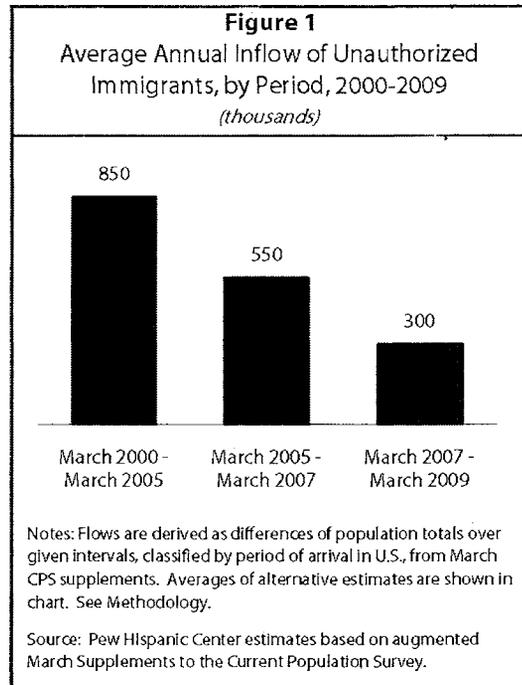


Table 1
States with Declines in Unauthorized Immigrant Populations, 2008-2009
(thousands)

	2009	2008	Change
South Atlantic	1,950	2,550	-600
Florida	675	1,050	-375
Virginia	240	300	-65
Others Combined	1,050	1,200	-160
Mountain	1,000	1,200	-160
Nevada	180	230	-50
AZ - CO - UT	700	825	-130

Notes: Changes shown are statistically significant and are the only statistically significant changes in 2008-2009 for individual states and census divisions. Unauthorized estimates are rounded. Change is computed from unrounded data and is independently rounded. The U.S. Census Bureau's South Atlantic Division consists of Delaware, the District of Columbia, Florida, Georgia, Maryland, North Carolina, South Carolina, Virginia and West Virginia. The Mountain Division consists of Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah and Wyoming.

Source: Table A1. Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

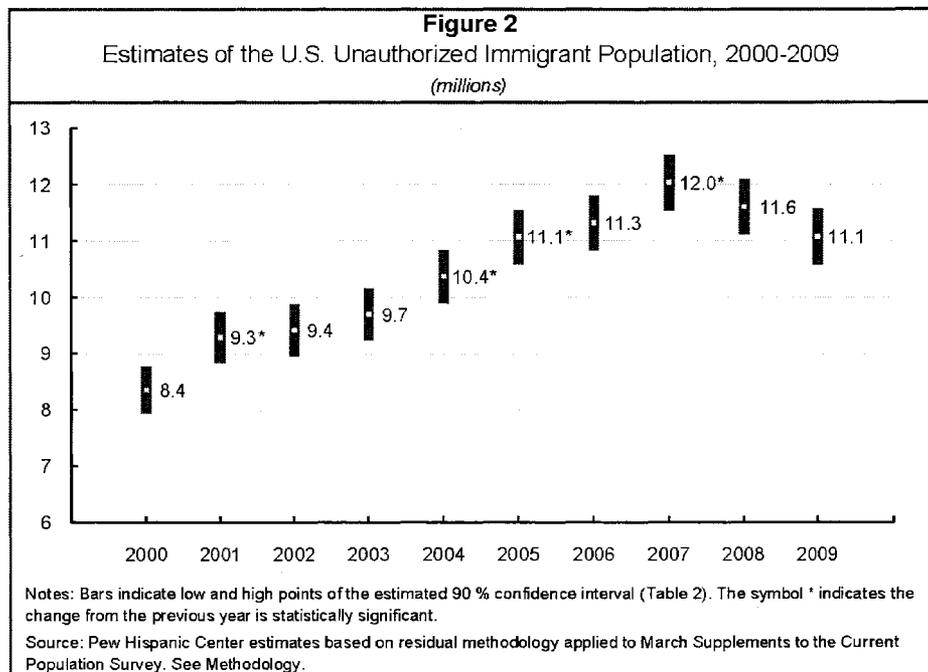
¹ Warren (2003) includes annual population estimates for the 1990s.

fallen off sharply in recent years. According to the center’s estimates, an average of 150,000 unauthorized immigrants from Mexico arrived annually during the March 2007 to March 2009 period—70% below the annual average of 500,000 that prevailed during the first half of the decade.

The recent decrease in the unauthorized population has been especially notable along the nation’s Southeast coast and in its Mountain West, according to the new estimates. The number of unauthorized immigrants in Florida, Nevada and Virginia shrank from 2008 to 2009. Other states may have had declines, but they fell within the margin of error for these estimates.

Not counting Florida and Virginia, the unauthorized immigrant population also declined in the area encompassing the rest of the South Atlantic division that extends between Delaware and Georgia.² In addition to the decline in Nevada, three other Mountain states—Arizona, Colorado and Utah—experienced a decrease in their combined unauthorized immigrant population from 2008 to 2009.

As shown in the accompanying chart, there may have been a decline in the unauthorized population between 2008 (11.6 million) and 2009 (11.1 million), but this finding is not conclusive because of the margin of error in these estimates.



²Not including Florida and Virginia, the remainder of the South Atlantic Division consists of Delaware, the District of Columbia, Georgia, Maryland, North Carolina, South Carolina and West Virginia. The decline is statistically significant for the group of six states and D.C., but not for any individual state.

Despite the recent decline, the population of unauthorized immigrants was nearly a third larger (32%) in 2009 than in 2000, when it numbered 8.4 million. The size of this group has tripled since 1990, when it was 3.5 million.

During the first half of the decade, an average of about 850,000 new unauthorized immigrants entered each year, increasing the unauthorized population from 8.4 million in 2000 to 11.1 million in 2005. Since then, the average annual inflow dropped to about 550,000 per year from March 2005 to March 2007 and declined further to an average of 300,000 per year for March 2007 to March 2009. As a result, the unauthorized population in 2009 returned to the level it had been in 2005.

The unauthorized population is not a static group of people. Each year, some unauthorized immigrants arrive and some return to their countries of origin. This population can also be reduced by deaths or by conversions to legal status.

Our method of analysis does not permit a precise estimation of how many in this population emigrate, achieve legal status or die. The underlying data are consistent with a previous Pew Hispanic Center report that found a sharply decreased flow of immigrants from Mexico to the United States since mid-decade but no evidence of a recent increase in the number of Mexican-born migrants returning home from the U.S. However, return flows to other countries may have increased.

The estimates presented here document trends in the unauthorized population and flows into the country, but the analysis does not explain why these changes occurred. During the period covered by the analysis, there have been major shifts in the level of immigration enforcement and in enforcement strategies, as well as large swings in the U.S. economy. The U.S. economy entered a recession late in 2007, at a time when border enforcement was increasing. Economic and demographic conditions in sending countries and strategies employed by potential migrants also change. All of these undoubtedly contribute to the overall magnitude of immigration flows. But the data in this report do not allow quantification of these factors and are not designed to explain why flows and population totals declined.

Comparison with Previous Estimates

Estimates presented here for size and characteristics of the unauthorized immigrant population replace those previously published by the Pew Hispanic Center for 2000 to 2008. Methodological changes in the underlying Census Bureau data necessitated reweighting to allow for consistent measures across years. General trends over time are similar and differences tend to be small, but users are cautioned that previous estimates should not be compared with those in this report.

Other main findings of this report include:

- Unauthorized immigrants accounted for 28% of the nation's foreign-born population in 2009, a decline from 31% in 2007.
- Mexico accounted for 60% of unauthorized immigrants in 2009, or 6.7 million people. Other Latin American nations accounted for 20% of the total, or 2.2 million people. South and East Asia accounted for 11% of the total, or 1.2 million people.
- In 2009, 59% of unauthorized immigrants resided in California, Texas, Florida, New York, Illinois and New Jersey. However, the share living in those states has declined from 80% in 1990, as unauthorized immigrants have dispersed to new settlement areas.
- Nearly half of unauthorized immigrants living in the country in 2009—47%, or 5.2 million people—arrived in 2000 or later.
- The number of male unauthorized immigrants peaked in 2007 at 6.3 million and declined to 5.8 million in 2009. The number of female unauthorized immigrants, 4.2 million in 2009, is roughly the same as it was in 2007.
- The number of children who are unauthorized, 1.1 million in 2009, declined slightly over the decade. By contrast, the population of U.S.-born children with at least one unauthorized parent nearly doubled from 2000 to 2009, when they numbered 4 million.
- There were 7.8 million unauthorized immigrants in the labor force in 2009, or 5.1% of the total. The size of the unauthorized labor force peaked in 2007 and declined in both 2008 and 2009. There were 7 million unauthorized immigrants employed in March 2009.
- States with the largest shares of immigrants in the labor force are Nevada (9.4%), California (9.3%), Texas (8.7%) and New Jersey (8.7%).
- The unemployment rate for unauthorized immigrants of all ages in March 2009 was higher than that of U.S.-born workers or legal immigrants—10.4%, 9.2% and 9.1%, respectively.

About this Report

This report estimates the size of the unauthorized immigrant population, as well as the unauthorized immigrant labor force for the nation and each state in March 2009. For the nation, it also describes this population by region or country of birth, arrival period, gender and age. For some of these variables, the report estimates annual trends from 2000 onward. Expanding on an earlier report about U.S.-born children of unauthorized immigrants, the report provides estimates and trends for the status of children of unauthorized immigrants.

The Pew Hispanic Center estimates the unauthorized immigrant population using the “residual method,” a well-developed and widely accepted technique that is based on official government data. Under this methodology, a demographic estimate of the legal foreign-born population—naturalized citizens, legal permanent residents, temporary legal residents and refugees—is subtracted from the total foreign-born population. The remainder, or residual, is the source of population estimates and characteristics of unauthorized immigrants.

These Pew Hispanic Center estimates use data mainly from the Current Population Survey (CPS), a monthly survey of about 55,000 households conducted jointly by the U.S. Bureau of Labor Statistics and the Census Bureau. It is best known as the source for monthly unemployment statistics. Each March, the CPS sample size and questionnaire are expanded to produce additional data on the foreign-born population and other topics. The Pew Hispanic Center estimates make adjustments to the government data to compensate for undercounting of some groups, and therefore its population totals differ somewhat from the ones the government uses. Estimates for any given year are based on a March reference date.

The estimates presented in this report form a consistent series spanning 2000-2009 and differ slightly from those previously published by the Pew Hispanic Center. The revisions to previous CPS-based estimates for 2000-2008 were necessitated by Census Bureau revisions in 2007 and 2008 to the official population estimates covering the period since the 2000 Census. Population data from the CPS are tied to the Census Bureau official population estimates for the nation and states through a weighting process. Each year, the CPS is weighted to the most current estimates available, and previous CPS estimates are not routinely revised or reweighted to take into account the newest population estimates. The reweighting in these new Pew Hispanic Center estimates is designed to account for the newest Census Bureau population estimates.

Overall, the 2007 and 2008 revisions are not large, but because they were disproportionately concentrated among groups with large foreign-born shares—especially Hispanics—they somewhat affected the residual estimates of the

unauthorized population. Moreover, accurate assessments of year-to-year change require a consistent set of population figures across years. The largest impact of the revised population estimates on the Pew estimates of unauthorized immigrants are in 2007 and 2008. For those two years, the new figures for unauthorized immigrants are about 3% lower than the previous estimates. For 2000-2006, the revisions are smaller in magnitude and not all in the same direction. For more detail, see the Methodology appendix.

A Note on Terminology

“Foreign born” refers to an individual who is not a U.S. citizen at birth or, in other words, who is born outside the U.S., Puerto Rico or other U.S. territories and whose parents are not U.S. citizens. The terms “foreign born” and “immigrant” are used interchangeably.

“U.S. born” refers to an individual who is a U.S. citizen at birth, including people born in the United States, Puerto Rico or other U.S. territories, as well as those born elsewhere to parents who are U.S. citizens.

The “legal immigrant” population is defined as people granted legal permanent residence; those granted asylum; people admitted as refugees; and people admitted under a set of specific authorized temporary statuses for longer-term residence and work. This group includes “naturalized citizens,” legal immigrants who have become U.S. citizens through naturalization; “legal permanent resident aliens” who have been granted permission to stay indefinitely in the U.S. as permanent residents, asylees or refugees; and “legal temporary migrants” who are allowed to live and, in some cases, work in the U.S. for specific periods of time (usually longer than one year).

“Unauthorized immigrants” are all foreign-born non-citizens residing in the country who are not “legal immigrants.” These definitions reflect standard and customary usage by the [Department of Homeland Security](#) and academic researchers. The vast majority of unauthorized immigrants entered the country without valid documents or arrived with valid visas but stayed past their visa expiration date or otherwise violated the terms of their admission. Some who entered as unauthorized immigrants or violated terms of admission have obtained work authorization by applying for adjustment to legal permanent status or by obtaining Temporary Protected Status (TPS). Data are very limited, but this “quasi-legal” group could account for as much as 10% of the unauthorized population. Many could also revert to unauthorized status.

“Children” are people under age 18 who are not married. “Adults” are ages 18 and older.

“Children of unauthorized immigrants” or “children of unauthorized immigrant parents” include both foreign-born and U.S.-born children who live with at least one unauthorized immigrant parent.

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Current Estimates and Trends

As of March 2009, 11.1 million unauthorized immigrants were living in the United States. Pew Hispanic Center estimates indicate that the size of the unauthorized immigrant population peaked in 2007 at 12 million. From 2007 to 2009, the number of unauthorized immigrants declined by a million people, or 8%.

This decline represents a change in the pattern throughout the decade. There were 8.4 million unauthorized immigrants in 2000, a number that increased in 2001, leveled off for two years and then grew steadily from 2003 to 2007. Despite the population’s recent decline, the number of unauthorized immigrants grew 32% from 2000 to 2009.

The number of unauthorized immigrants in 2008, 11.6 million, appears to be larger than the number in 2009, but this finding is inconclusive because the difference between estimates for the two years is not statistically significant. The estimates are derived from sample surveys and thus are subject to uncertainty from sampling error, as well as other types of error. Each annual estimate of the unauthorized population is actually the midpoint of a range of possible values that could be the true number. In addition, the change has its own margin of error.

These ranges represent 90% confidence intervals, meaning that there is a 90% probability that the interval contains the true value.

For example, as can be seen in the table on this page, the range of possible values for the unauthorized population in 2008 was 11.1 million to 12.1 million. In 2009, it was 10.6 million to 11.6 million, which overlaps the 2008 range. In this table, boldface numbers indicate when the change in any one year has a statistically significant difference from that of the year before. There also was one year in the decade—2009—when the decline from two years earlier was statistically significant; in four years—2004 through 2007—the increase was statistically significant compared with two years earlier.

According to estimates from the Department of Homeland Security, 10.8 million unauthorized immigrants were living in the United States in January 2009, compared with 11.8 million in 2007, the peak number for the decade. These estimates are consistent with the Pew Hispanic Center estimates. The DHS

YEAR	ESTIMATE	RANGE
2009	11.1	(10.6 - 11.6)
2008	11.6	(11.1 - 12.1)
2007	12.0	(11.5 - 12.5)
2006	11.3	(10.8 - 11.8)
2005	11.1	(10.6 - 11.6)
2004	10.4	(9.9 - 10.8)
2003	9.7	(9.2 - 10.2)
2002	9.4	(9.0 - 9.9)
2001	9.3	(8.8 - 9.7)
2000	8.4	(7.9 - 8.8)

Notes: Range represents the bounds of the estimated 90% confidence interval. **Boldface** indicates the change from the previous year is statistically significant.

Source: Pew Hispanic Center estimates based on residual methodology applied to March Supplements to the Current Population Survey. See Methodology.

estimates were developed using a similar methodology but were based on a different Census Bureau data source, the American Community Survey.

Foreign-born Population Trends

Of the nation's 39.4 million foreign-born residents in 2009, 72%, or 28.4 million, were legal immigrants in one of three main categories: 14.6 million naturalized citizens, 12.4 million legal permanent residents and 1.4 million legal temporary migrants.³

The annual net average growth of the unauthorized immigrant population declined notably over the decade. By contrast, the flow of legal immigrants increased slightly. As documented in a [2008 Pew Hispanic Center report](#), the annual flows of legal residents began to surpass the annual flows of unauthorized residents around 2007, reversing a trend that began in the late 1990s.

The combination of decreased flow of unauthorized immigrants and slightly increased flow of legal immigrants has played a role in changing the composition of the nation's foreign-born population. Unauthorized immigrants have become a smaller share of the nation's foreign-born population: 28% in 2009, compared with 31% in 2007.

	Population	Share of Foreign Born
Total foreign born	39.4	100%
Legal immigrants	28.4	72%
Naturalized citizens	14.6	37%
Legal permanent resident aliens	12.4	31%
Legal temporary migrants	1.4	4%
Unauthorized immigrants	11.1	28%

Note: Numbers may not sum to total due to rounding.
Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

State Settlement Patterns

In concert with the national decrease in unauthorized immigration, some South Atlantic and Mountain states experienced statistically significant declines in their unauthorized immigrant populations from 2008 to 2009. No state had a statistically significant increase.

The South Atlantic division, which extends between Delaware and Florida and includes several states that have become new immigrant magnets in recent years, had a decline in its unauthorized population, from 2.5 million in 2008 to 2 million in 2009.

Within that division, Florida's unauthorized immigrant population declined by 375,000 during that one-year period, to an estimated 675,000 people. The number

³ Because of rounding, numbers throughout the report may not sum to the total.

of unauthorized immigrants in Virginia declined by 65,000, to 240,000 people. In the area that encompasses the rest of the region, the unauthorized immigrant population declined by 160,000, to 1 million.

Among the Mountain states as a group,⁴ the number of unauthorized immigrants declined by 160,000, to 1 million, from 2008 to 2009. Nevada was the only state to have its own statistically significant decline; its unauthorized immigrant population went down by 50,000 during that year, to an estimated 180,000. A group of three other Mountain states—Arizona, Colorado and Utah—had a combined decline of 130,000 unauthorized immigrants, to a 2009 total of 700,000.

Although unauthorized immigrants live in every state, they are highly concentrated in only a few states. In 2009, just over half (54%) lived in only five states that are longtime immigrant destinations—California, Texas, Florida, New York and Illinois. California alone houses nearly a quarter (23%) of the nation’s unauthorized immigrants.

States with large numbers of unauthorized immigrants also include several that have become new destinations over the past two decades. They include Georgia, Arizona and North Carolina, where more than a million were estimated to reside in 2009. Those states’ combined share of the unauthorized immigrant population grew to 10% in 2009 from 4% in 1990.

Unauthorized immigrants accounted for 3.7% of the nation’s population in 2009. Their shares of states’ total population were highest in California (6.9%), Nevada (6.8%) and Texas (6.5%). Arizona (5.8%) and New Jersey (5.6%) round out the top five states where unauthorized immigrants made up the largest share of the population in 2009.

There also are seven states—Alaska, Maine, Montana, North Dakota, South Dakota, Vermont and West Virginia—where unauthorized immigrants account for less than 1% of the population; the Pew Hispanic Center estimates that the unauthorized immigrant population in each of those states was less than 10,000 in 2009.

Table 4
States with Largest Unauthorized Immigrant Populations, 2009
(thousands)

	Estimated Population	Range
U.S. Total	11,100	(10,600 - 11,600)
California	2,550	(2,450 - 2,700)
Texas	1,600	(1,450 - 1,750)
Florida	675	(600 - 725)
New York	650	(600 - 700)
Illinois	525	(475 - 575)
New Jersey	475	(425 - 550)
Georgia	425	(375 - 475)
Arizona	375	(325 - 450)
North Carolina	275	(230 - 325)
Maryland	250	(210 - 300)
Virginia	240	(210 - 275)
Colorado	210	(180 - 230)

Note: State ranges represent one standard error above and below point estimate.
Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

⁴ The Mountain states are Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah and Wyoming.

Country of Origin

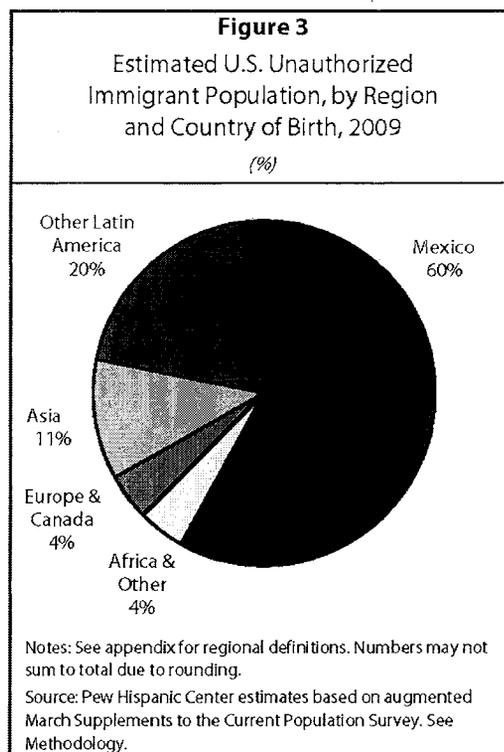
Latin American countries account for the overwhelming majority—four-in-five—of unauthorized immigrants. In March 2009, there were 8.9 million unauthorized immigrants in the U.S. from Mexico and other parts of Latin America. Of those, 6.7 million were from Mexico, or 60% of all unauthorized immigrants. An additional 2.2 million unauthorized immigrants, or 20% of the total, were from other Latin American nations (about 1.3 million from Central America, 575,000 from South America and 350,000 from the Caribbean).

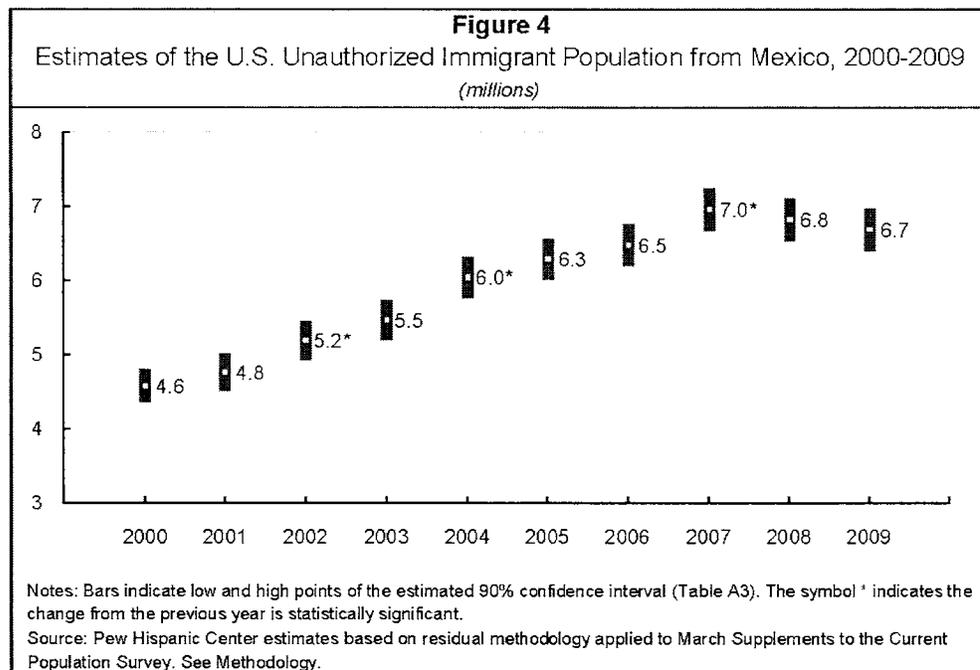
Unauthorized immigrants from South and East Asia accounted for 1.2 million of the total, or 11%; Europe and Canada accounted for about 475,000 unauthorized immigrants, or 4%. Smaller numbers came from the Middle East (150,000, or about 1% of the total).

The unauthorized population from Mexico grew steadily from 2001 through 2007, expanding from 4.8 million to 7 million during those years. Since then, the number from Mexico has been stable.

The population of unauthorized immigrants from other countries in Latin America did not grow at a statistically significant rate until it peaked at 2.8 million in 2006. After holding steady in 2007, the numbers dropped notably—to 2.2 million in 2009. That represents a decline of 22% over the two-year period.

The number of unauthorized immigrants from other nations grew in 2001 but was statistically unchanged after that. In 2009, 2.2 million unauthorized immigrants came from nations outside Latin America. That represents a 20% share of unauthorized immigrants in 2009.





Over the decade, the share of unauthorized immigrants who are from Mexico rose from 51% in 2001⁵ to 60% in 2009. The share from other Latin American nations declined from 25% in 2001 to 20% in 2009. The share from nations outside Latin America decreased slightly, from 24% in 2001 to 20% in 2009.

About three-quarters of unauthorized immigrants are Hispanic (76%); among non-Hispanics, 11% are Asian, 8% are white and 5% are black.

Year of Arrival

Nearly half the unauthorized population in 2009 (47%) arrived in the U.S. in 2000 or later. Of these, 1.7 million, or 15% of unauthorized immigrants, arrived from 2005 to 2009; 3.5 million, or 32% of the unauthorized population, came to the country from 2000 to 2004.

An additional 40% of unauthorized immigrants—4.5 million—arrived during the 1990s, when immigration rates in recent decades reached their peak. An estimated

Table 5
Estimates of the U.S. Unauthorized Immigrant Population by Period of Arrival, March 2009
(millions)

PERIOD	NUMBER	PERCENT
Total	11.1	100%
2005-2009	1.7	15%
2000-2004	3.5	32%
1990-1999	4.5	40%
1980-1989	1.4	13%

Note: Numbers may not sum to total due to rounding.
Source: Pew Hispanic Center estimates based on residual methodology applied to March Supplements to the Current Population Survey. See Methodology.

⁵ National and state population estimates for 2000 are based on Census 2000; all other estimates of the population and its characteristics are based the Current Population Survey. Therefore, totals may differ slightly.

1.4 million unauthorized immigrants, or 13% of the total, arrived during the 1980s.

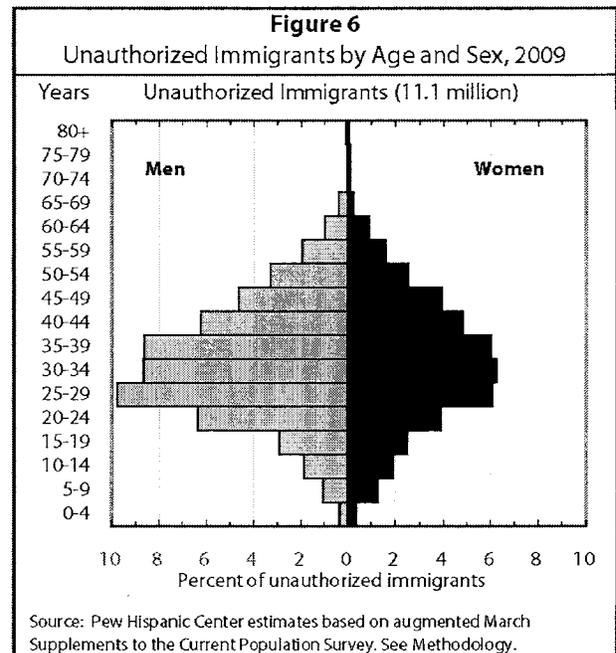
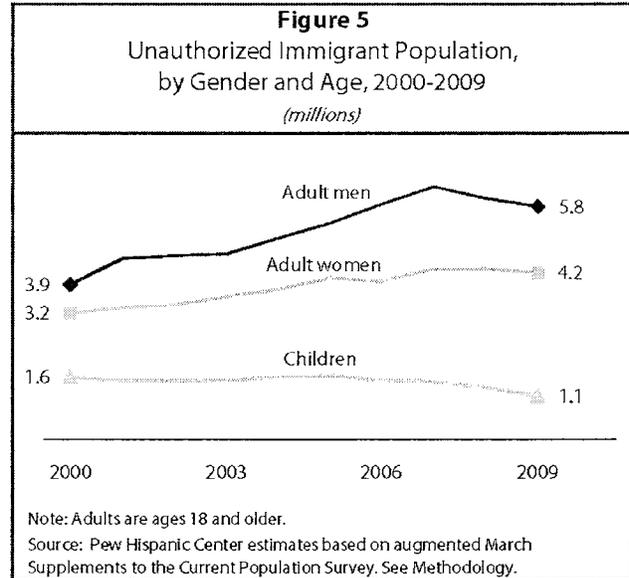
Gender and Age

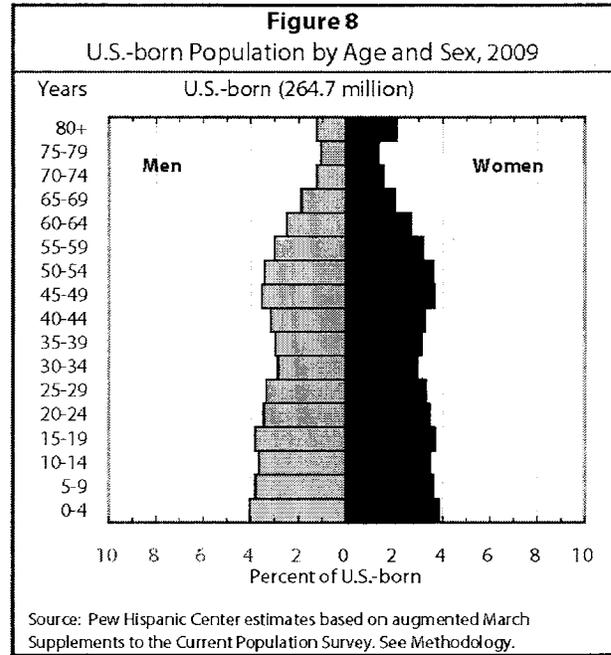
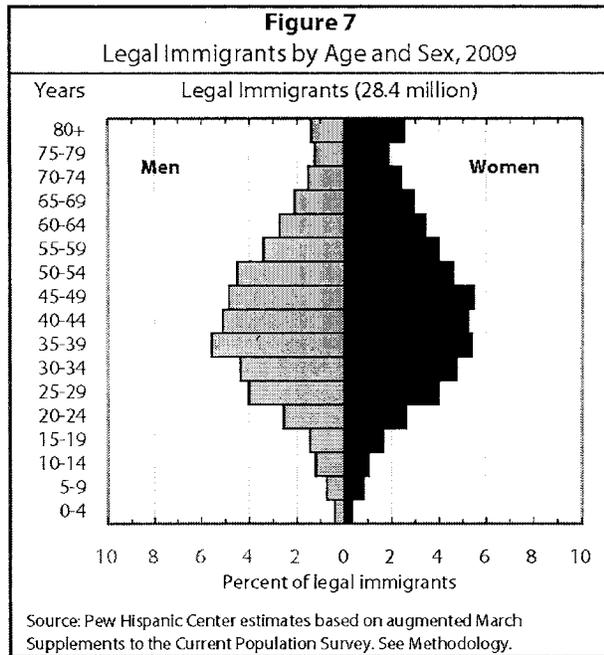
Among unauthorized immigrant adults, men outnumber women, 5.8 million to 4.2 million as of 2009. The number of men grew rapidly through the decade, peaked in 2007 at 6.3 million, and declined by about half a million people from 2007 to 2009. The number of women grew more slowly before peaking in 2007 at 4.3 million and leveling off since then.

As the accompanying age pyramid charts illustrate, the unauthorized immigrant population has a higher share of people in their 20s and 30s than do the legal-immigrant or the U.S.-born populations. More than half of unauthorized immigrants (58%) were ages 18 to 39 in 2009, compared with 28% of the U.S.-born population and 34% of legal immigrants.

The elderly make up a smaller share of unauthorized immigrants than they do legal immigrants or the U.S.-born. Only about 1% were ages 65 or older in 2009, compared with 16% of legal immigrants and 13% of U.S.-born residents.

Children make up a smaller share of the unauthorized immigrant population than of the U.S.-born population, but one important caveat is that almost four-in-five children of unauthorized immigrant parents are born in the United States.

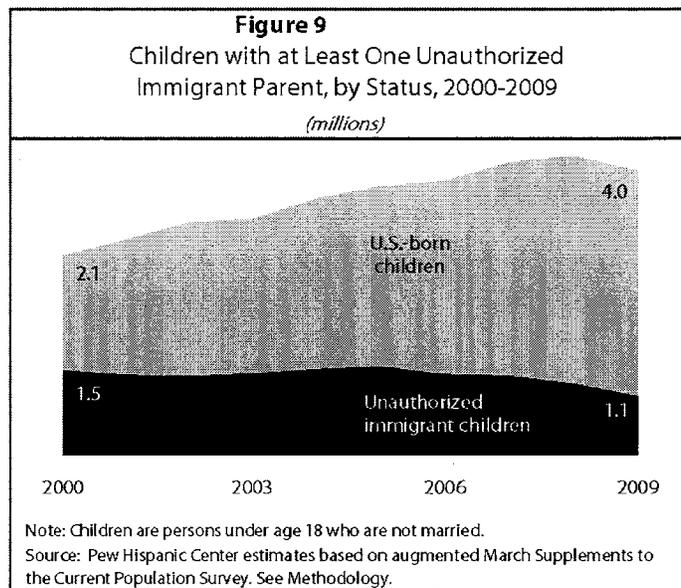




Children

An earlier Pew Hispanic Center report estimated that 5.1 million children lived in households with at least one unauthorized immigrant parent in March 2009. Of that total, 4 million were born in the U.S. and are citizens by birthright and 1.1 million were born abroad and are themselves unauthorized. The population of children with at least one unauthorized immigrant parent was 42% larger in 2009 than in 2000, when it numbered 3.6 million. However, its growth essentially has leveled off since 2008.

Overall growth trends mask differing patterns in the two components of this population. The number of U.S.-born children of unauthorized immigrants nearly doubled from 2000 to 2009; it rose through the decade before leveling off in 2008. The number of



foreign-born children of unauthorized immigrants declined somewhat over the decade. As a result, 79% of the children of unauthorized immigrants were born in the United States in 2009, compared with 57% in 2000.

Labor Force

In March 2009, there were 7.8 million unauthorized immigrants in the nation’s labor force, representing 5.1% of the labor force of 154.8 million people. The unauthorized immigrant labor force grew in 2001, leveled off for three years and increased again after 2003 until peaking in 2007 at 8.4 million people. It declined in 2008 and again in 2009.

Among men who are working age—18 to 64⁶—unauthorized immigrants are more likely to be in the labor force than are legal immigrants or the U.S. born. In 2009, 93% of working-age unauthorized immigrant men were in the labor force, compared with 86% of working-age legal immigrant men and 81% of working-age men who were born in the United States.

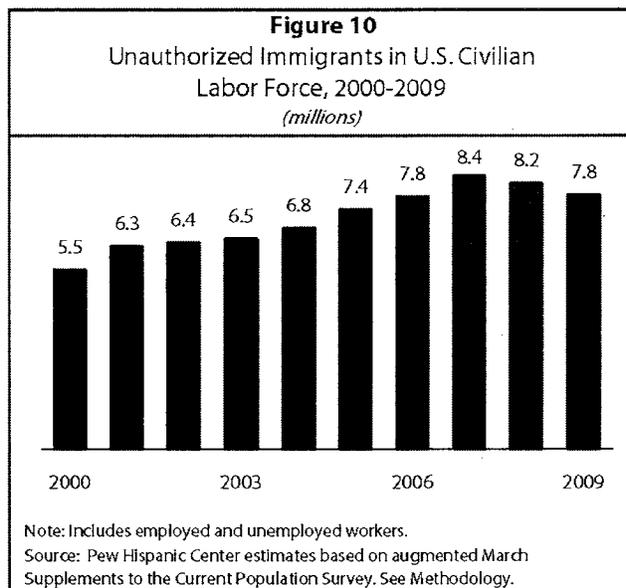
The opposite is true for women ages 18 to 64. In 2009, 58% of unauthorized immigrant women were in the labor force, compared with 66% of legal immigrant women and 72% of U.S.-born women. Among the reasons for this disparity is that women who are unauthorized immigrants are more likely than legal immigrants or U.S.-born women to say they are not working because they are raising children at home. Women who are unauthorized immigrants are less likely than U.S.-born women or legal immigrants to be out of the labor force because they are disabled or retired, and they are less likely than U.S.-born women to be in school.

As the number of unauthorized immigrants in the labor force declined from 2007 to 2009, so did the number employed. (In addition to those who are employed, the labor force includes those who are looking for work.) The number of employed

Table 6
Share in Labor Force for Ages 18-64, by Gender and Status, 2009 (%)

	MEN	WOMEN
U.S. born	81%	72%
Legal immigrants	86%	66%
Unauthorized immigrants	93%	58%

Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.



⁶ This differs from the usual definition of the labor force, which includes people ages 16 and older.

workers of all ages who were unauthorized immigrants rose to 8 million in 2007 from 5.2 million in 2000, before declining to 7 million in 2009. Their share of employed workers declined to 5% in 2009 from 5.5% in 2007. The number of employed U.S.-born workers and legal immigrant workers also declined, but their shares did not.

The unemployment rate for unauthorized immigrants of all ages in March 2009 was higher than that of U.S.-born workers or legal immigrants—10.4%, 9.2% and 9.1%, respectively. This was the case in 2008, as well as from 2000 to 2003. From 2004 to 2007, unauthorized immigrants had similar or lower unemployment rates compared with the other two groups.

These overall unemployment rates mask differences by gender. Women who are unauthorized immigrants of all ages have had higher unemployment rates through the decade than U.S.-born workers or legal immigrants. Unauthorized immigrant men of all ages had lower unemployment rates than U.S.-born men or legal immigrant men from 2001 to 2007. In 2008, their rate exceeded those of the other groups but in 2009, their 10% unemployment rate was lower than the 11% rate for U.S.-born workers and similar to the 10.2% for legal immigrant workers.

State Labor Force

State patterns of unauthorized immigrants in the labor force vary widely. States with the largest population shares of unauthorized immigrants also tend to have the largest shares of unauthorized immigrants in the labor force.

California had the largest number (1.8 million) of unauthorized immigrants in the 2009 labor force, and they made up a larger share of the labor force there (9.3%) than in any other state except Nevada (9.4%). Texas had an estimated 1 million unauthorized immigrants in the labor force in 2009, which represented 8.7% of the labor force. New Jersey had the same share of unauthorized immigrants in the labor force (8.7%). In terms of numbers, Florida, Illinois, New York and New Jersey form the next tier of states (behind California and Texas), with between 400,000 and 525,000 unauthorized immigrants in the labor force.

	Labor Force, 2009		
	Total	Unauthorized	
		Estimate	Share
U.S. Total	154,780	7,850	5.1%
Nevada	1,360	130	9.4%
California	19,025	1,750	9.3%
Texas	11,977	1,050	8.7%
New Jersey	4,485	400	8.7%
Arizona	3,164	240	7.5%
New Mexico	939	65	6.7%
Georgia	4,813	325	6.5%
Maryland	3,033	190	6.3%
Oregon	2,056	130	6.2%
District of Columbia	346	20	6.1%
Illinois	6,594	400	5.9%
Florida	8,968	525	5.8%

Notes: Labor force estimates include employed and unemployed workers. Unauthorized estimates are rounded. Percentages are computed from unrounded data.
Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

A handful of states, generally the same ones with the smallest unauthorized immigrant populations, also have the smallest number and share of unauthorized immigrants in their labor forces. In 2009, Alaska, Maine, Montana, North Dakota, South Dakota, Vermont and West Virginia had fewer than 10,000 unauthorized immigrants in the labor force, less than a 1% share.

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Appendix A: Additional Figures and Tables

	2009		2008		2005	2000	1990
	Estimated Population	Range	Estimated Population	Range	Estimated Population	Estimated Population	Estimated Population
U.S. Total	11,100	(10,600 - 11,600)	11,600	(12,100 - 11,100)	11,100	8,375	3,525
Alabama	130	(95 - 170)	100	(80 - 130)	60	25	5
Alaska	<10	<10	<10	<10	<10	<10	<5
Arizona	375	(325 - 450)	475	(450 - 500)	450	300	90
Arkansas	60	(45 - 75)	55	(40 - 65)	45	30	5
California	2,550	(2,450 - 2,700)	2,650	(2,550 - 2,750)	2,650	2,300	1,500
Colorado	210	(180 - 230)	240	(220 - 250)	240	160	30
Connecticut	110	(95 - 130)	110	(95 - 120)	85	75	20
Delaware	20	(15 - 25)	30	(25 - 35)	25	15	5
District of Columbia	25	(20 - 30)	30	(25 - 35)	25	25	15
Florida	675	(600 - 725)	1,050	(950 - 1,100)	925	575	240
Georgia	425	(375 - 475)	475	(425 - 525)	425	250	35
Hawaii	35	(30 - 40)	30	(25 - 35)	25	25	5
Idaho	30	(25 - 40)	35	(25 - 40)	30	25	10
Illinois	525	(475 - 575)	475	(400 - 550)	350	475	200
Indiana	120	(85 - 150)	100	(90 - 110)	85	65	10
Iowa	65	(45 - 85)	55	(45 - 65)	55	25	5
Kansas	65	(50 - 80)	70	(60 - 80)	60	55	15
Kentucky	50	(35 - 60)	45	(30 - 55)	50	20	5
Louisiana	65	(45 - 85)	70	(50 - 85)	25	20	15
Maine	<10	<10	<10	<10	<10	<10	<5
Maryland	250	(210 - 300)	250	(230 - 275)	250	120	35
Massachusetts	160	(130 - 200)	180	(160 - 200)	200	150	55
Michigan	140	(100 - 170)	110	(85 - 140)	120	95	25
Minnesota	95	(80 - 120)	110	(95 - 120)	85	55	15
Mississippi	45	(25 - 65)	40	(30 - 50)	40	10	5
Missouri	60	(40 - 75)	45	(35 - 55)	40	30	10
Montana	<10	<10	<10	<10	<10	<10	<5
Nebraska	45	(35 - 60)	50	(40 - 55)	45	30	5
Nevada	180	(150 - 200)	230	(210 - 250)	190	140	25
New Hampshire	15	(10 - 20)	20	(15 - 25)	15	<10	<5
New Jersey	475	(425 - 550)	575	(525 - 625)	475	325	95
New Mexico	95	(75 - 120)	75	(70 - 85)	65	55	20
New York	650	(600 - 700)	800	(700 - 900)	675	725	350
North Carolina	275	(230 - 325)	350	(300 - 400)	375	210	25
North Dakota	<10	<10	<10	<10	<10	<10	<5
Ohio	120	(85 - 150)	100	(80 - 120)	100	55	10
Oklahoma	60	(45 - 75)	55	(40 - 65)	60	50	15
Oregon	170	(140 - 200)	140	(120 - 160)	140	110	25
Pennsylvania	160	(130 - 200)	130	(110 - 160)	150	85	25
Rhode Island	25	(20 - 30)	30	(20 - 35)	30	20	10
South Carolina	55	(35 - 70)	70	(55 - 80)	55	45	5
South Dakota	<10	<10	<10	<10	<10	<10	<5
Tennessee	130	(100 - 160)	150	(130 - 180)	130	50	10
Texas	1,600	(1,450 - 1,750)	1,400	(1,300 - 1,550)	1,400	1,100	450
Utah	110	(80 - 140)	120	(100 - 130)	95	65	15
Vermont	<10	<10	<10	<10	<10	<10	<5
Virginia	240	(210 - 275)	300	(275 - 325)	275	150	50
Washington	200	(160 - 240)	160	(120 - 210)	200	160	40
West Virginia	<10	<10	<10	<10	<10	<10	<5
Wisconsin	120	(95 - 160)	90	(70 - 110)	100	50	10
Wyoming	<10	<10	<10	<10	<10	<10	<5

Notes: State ranges represent one standard error above and below point estimate. 2008 and 2005 estimates differ from previously published values due to reweighting. See Methodology.

Sources: Estimates for 2009, 2008 and 2005 are Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. Estimates for 2000 based on tabulations from 5-percent Public-Use Microdata Sample (PUMS) by Passel et al. 2004. Estimates for 1990 from Warren 2003.

	Labor Force			Population		
	Total	Unauthorized Immigrants		Total	Unauthorized Immigrants	
		Estimate	Share		Estimate	Share
U.S. Total	154,780	7,850	5.1%	303,444	11,100	3.7%
Alabama	2,283	120	5.1%	4,739	130	2.8%
Alaska	353	<10	<1%	674	<10	<1%
Arizona	3,164	240	7.5%	6,591	375	5.8%
Arkansas	1,365	45	3.5%	2,836	60	2.1%
California	19,025	1,750	9.3%	37,186	2,550	6.9%
Colorado	2,745	140	5.0%	4,941	210	4.2%
Connecticut	1,864	85	4.6%	3,455	110	3.3%
Delaware	435	15	3.4%	866	20	2.5%
District of Columbia	346	20	6.1%	596	25	4.1%
Florida	8,968	525	5.8%	18,207	675	3.7%
Georgia	4,813	325	6.5%	9,613	425	4.3%
Hawaii	627	25	3.9%	1,265	35	2.7%
Idaho	754	20	2.7%	1,522	30	2.1%
Illinois	6,594	400	5.9%	12,789	525	4.2%
Indiana	3,158	80	2.5%	6,312	120	1.9%
Iowa	1,760	50	2.7%	2,999	65	2.1%
Kansas	1,515	50	3.2%	2,733	65	2.4%
Kentucky	2,101	30	1.4%	4,264	50	1.2%
Louisiana	2,021	40	2.1%	4,345	65	1.5%
Maine	680	<10	<0.5%	1,320	<10	<0.5%
Maryland	3,033	190	6.3%	5,577	250	4.5%
Massachusetts	3,351	130	3.8%	6,449	160	2.5%
Michigan	4,949	85	1.7%	9,844	140	1.4%
Minnesota	2,892	70	2.4%	5,135	95	1.9%
Mississippi	1,340	35	2.6%	2,916	45	1.6%
Missouri	3,064	45	1.5%	5,882	60	1.0%
Montana	521	<10	<1%	977	<10	<1%
Nebraska	988	30	3.2%	1,783	45	2.6%
Nevada	1,360	130	9.4%	2,608	180	6.8%
New Hampshire	758	10	1.5%	1,304	15	1.1%
New Jersey	4,485	400	8.7%	8,632	475	5.6%
New Mexico	939	65	6.7%	1,992	95	4.9%
New York	9,941	475	4.9%	19,512	650	3.3%
North Carolina	4,609	200	4.4%	9,293	275	3.0%
North Dakota	373	<10	<1%	627	<10	<1%
Ohio	5,846	80	1.3%	11,415	120	1.1%
Oklahoma	1,723	45	2.6%	3,569	60	1.7%
Oregon	2,056	130	6.2%	3,837	170	4.4%
Pennsylvania	6,276	110	1.8%	12,223	160	1.3%
Rhode Island	571	20	3.4%	1,048	25	2.6%
South Carolina	2,161	40	1.9%	4,479	55	1.2%
South Dakota	461	<10	<1.5%	799	<10	<1%
Tennessee	3,075	90	2.8%	6,201	130	2.1%
Texas	11,977	1,050	8.7%	24,440	1,600	6.5%
Utah	1,377	70	4.9%	2,775	110	3.9%
Vermont	355	<10	<0.5%	612	<10	<0.5%
Virginia	4,106	180	4.4%	7,787	240	3.0%
Washington	3,467	140	4.1%	6,574	200	3.0%
West Virginia	789	<10	<0.5%	1,800	<10	<0.5%
Wisconsin	3,079	75	2.4%	5,573	120	2.2%
Wyoming	285	<10	<1.5%	531	<10	<1.5%

Notes: Labor force estimates include both employed and unemployed workers. Percentages are computed from unrounded data.
Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

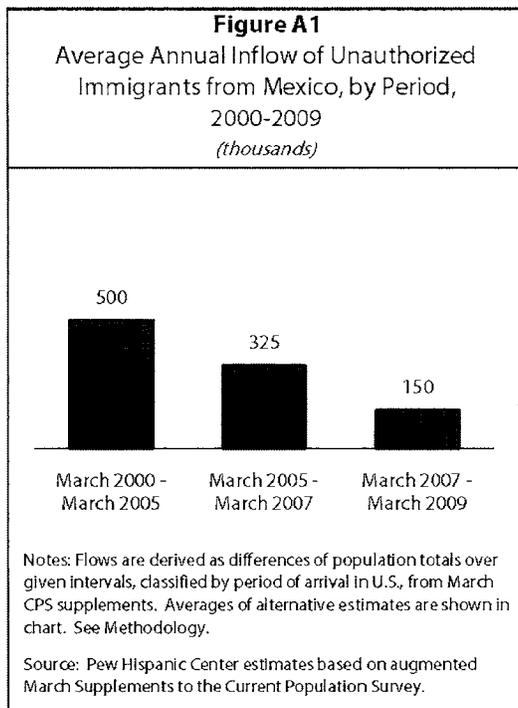


Table A3
Estimates of the U.S. Unauthorized Immigrant Population from Mexico, 2000-2009
(millions)

YEAR	ESTIMATE	RANGE
2009	6.7	(6.4 - 7.0)
2008	6.8	(6.5 - 7.1)
2007	7.0	(6.7 - 7.2)
2006	6.5	(6.2 - 6.8)
2005	6.3	(6.0 - 6.6)
2004	6.0	(5.8 - 6.3)
2003	5.5	(5.2 - 5.7)
2002	5.2	(4.9 - 5.5)
2001	4.8	(4.5 - 5.0)
2000	4.6	(4.4 - 4.8)

Notes: Range represents the bounds of the estimated 90% confidence interval. **Boldface** indicates the change from the previous year is statistically significant.

Source: Pew Hispanic Center estimates based on residual methodology applied to March Supplements to the Current Population Survey. See Methodology.

Table A4
 Estimates of the U.S. Unauthorized Immigrant Population from Latin America, other than Mexico, 2000-2009
(millions)

YEAR	ESTIMATE	RANGE
2009	2.2	(1.9 - 2.4)
2008	2.5	(2.3 - 2.8)
2007	2.8	(2.5 - 3.0)
2006	2.8	(2.6 - 3.1)
2005	2.5	(2.3 - 2.8)
2004	2.3	(2.1 - 2.6)
2003	2.2	(2.0 - 2.5)
2002	2.1	(1.8 - 2.3)
2001	2.3	(2.1 - 2.5)
2000	2.2	(1.9 - 2.4)

Notes: Range represents the bounds of the estimated 90% confidence interval. **Boldface** indicates the change from the previous year is statistically significant.

Source: Pew Hispanic Center estimates based on residual methodology applied to March Supplements to the Current Population Survey. See Methodology.

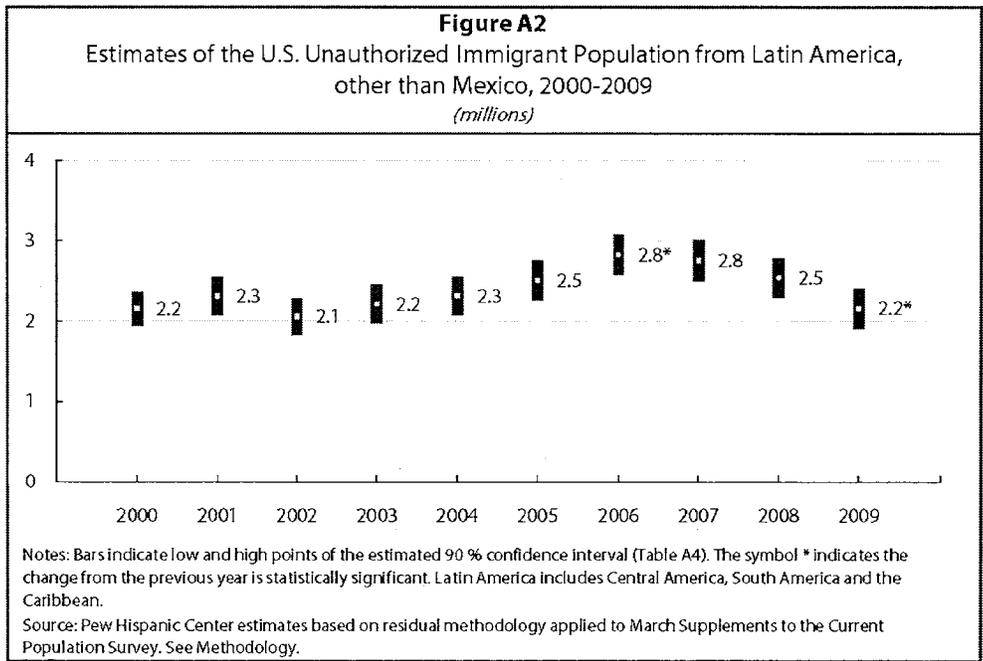


Table A5
Estimates of the U.S. Unauthorized Immigrant Population from Regions other than Latin America, 2000-2009
(millions)

YEAR	ESTIMATE	RANGE
2009	2.2	(1.9 - 2.6)
2008	2.2	(1.9 - 2.6)
2007	2.3	(2.0 - 2.7)
2006	2.0	(1.7 - 2.3)
2005	2.3	(1.9 - 2.6)
2004	2.0	(1.7 - 2.3)
2003	2.0	(1.7 - 2.3)
2002	2.2	(1.8 - 2.5)
2001	2.2	(1.9 - 2.5)
2000	1.9	(1.6 - 2.1)

Notes: Range represents the bounds of the estimated 90% confidence interval. **Boldface** indicates the change from the previous year is statistically significant.

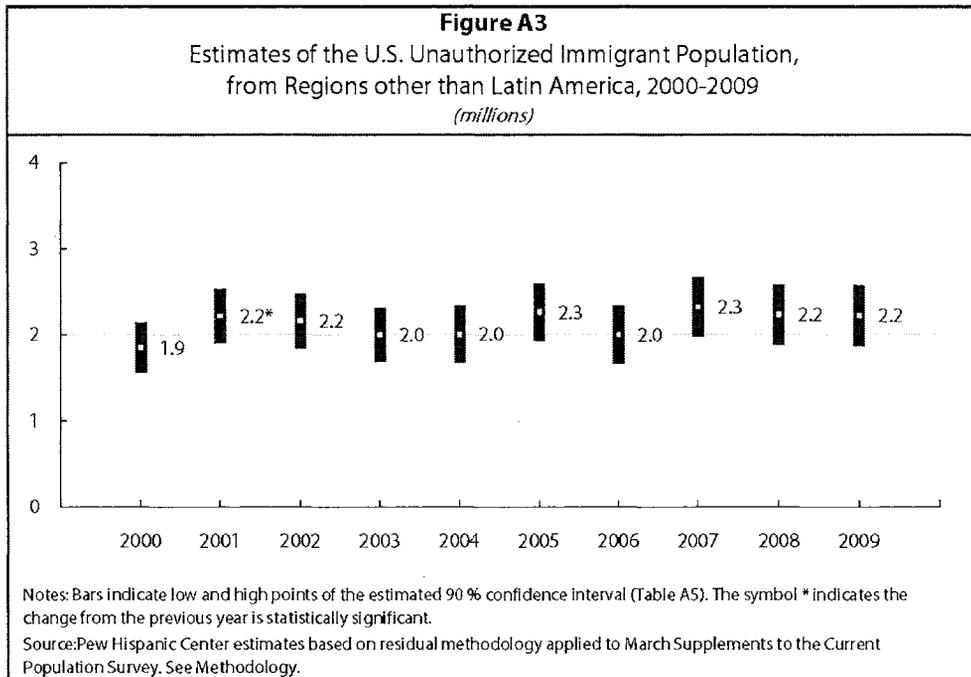
Source: Pew Hispanic Center estimates based on residual methodology applied to March Supplements to the Current Population Survey. See Methodology.

Table A6
Unauthorized Immigrants in U.S. Civilian Labor Force, 2000-2009
(millions)

Year	Estimated Labor Force	Share of Labor Force
2009	7.8	5.1%
2008	8.2	5.3%
2007	8.4	5.5%
2006	7.8	5.2%
2005	7.4	5.0%
2004	6.8	4.6%
2003	6.5	4.4%
2002	6.4	4.4%
2001	6.3	4.3%
2000	5.5	3.8%

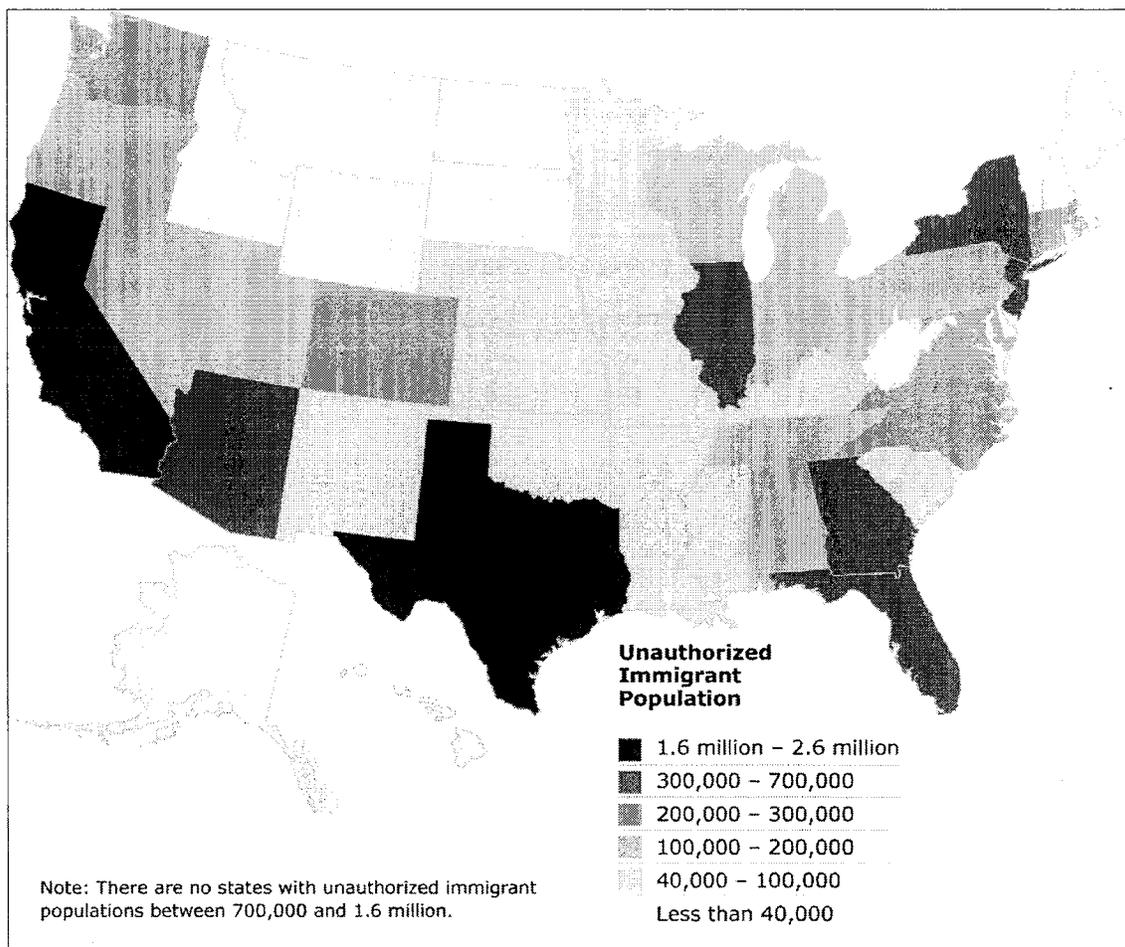
Note: Includes employed and unemployed workers.

Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See methodology.

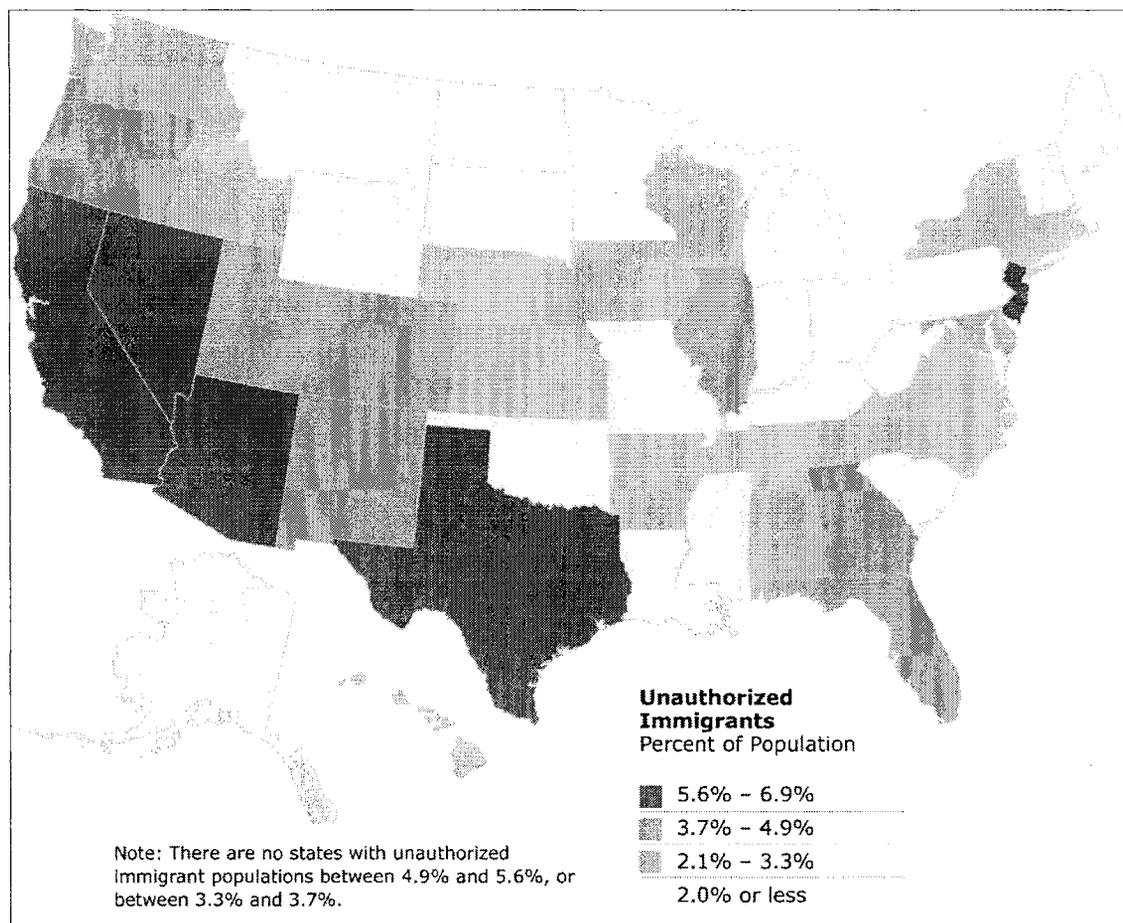


Appendix B: Maps

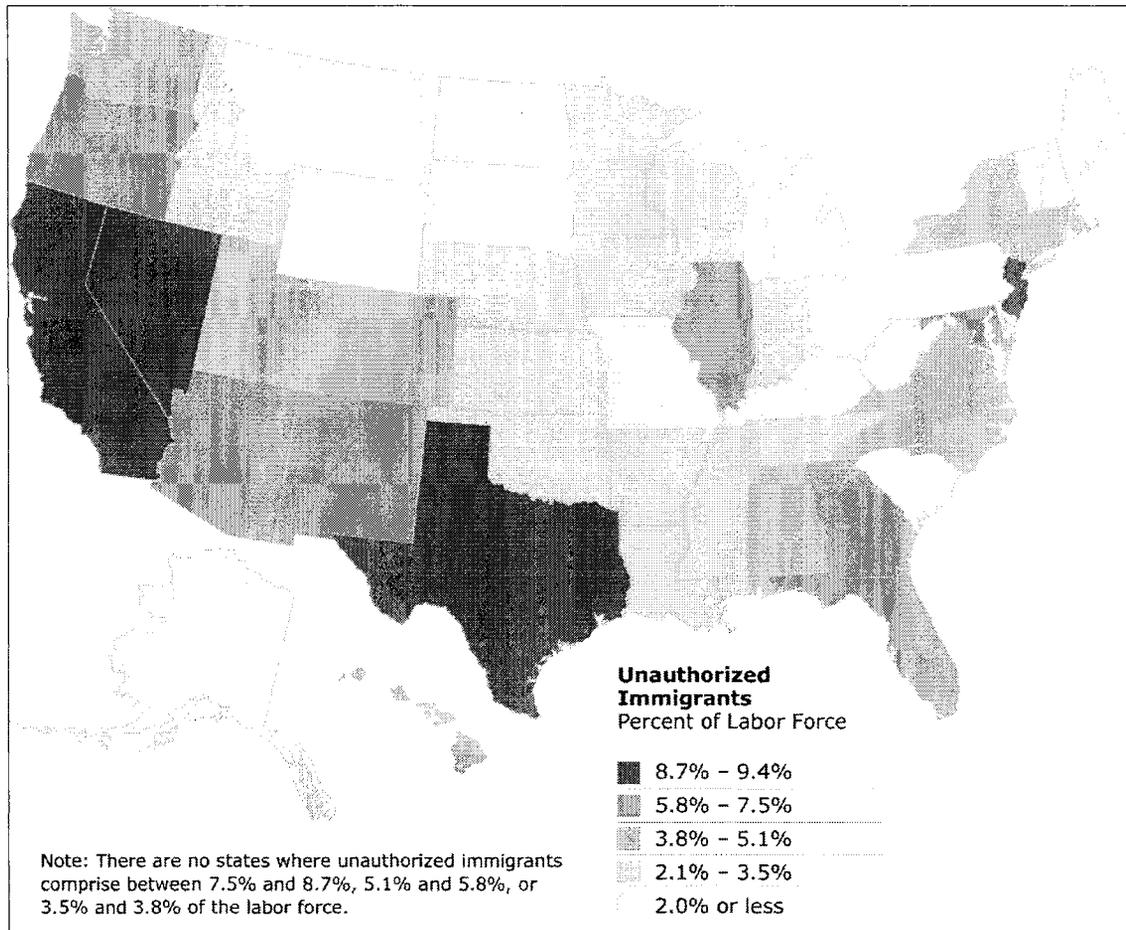
Map B1. Unauthorized Immigrant Population by State, 2009 (U.S. = 11.1 million)



Map B2. Unauthorized Immigrant Share of Population by State, 2009 (U.S. = 3.7%)



Map B3. Unauthorized Immigrants as Share of Labor Force by State, 2009 (U.S. = 5.1%)



Appendix C: Methodology

Unauthorized Immigrants—Overview

The data presented in this report on unauthorized and legal immigrants were developed through a multistage estimation process, principally using March Supplements to the Current Population Survey (CPS). The CPS is a monthly survey of about 55,000 households conducted jointly by the U.S. Bureau of Labor Statistics and the Census Bureau; the sample is expanded to about 80,000 households for the March supplement.

The first stage in the estimation process uses CPS data as a basis for estimating the number of legal and unauthorized immigrants included in the survey and the total number in the country using a residual estimation methodology. This method compares an estimate of the number of immigrants residing legally in the country with the total number in the CPS; the difference is assumed to be the number of unauthorized immigrants in the CPS. The legal resident immigrant population is estimated by applying demographic methods to counts of legal admissions covering the period from 1980 to the present obtained from the Department of Homeland Security's Office of Immigration Statistics and its predecessor at the Immigration and Naturalization Service. The initial estimates here are calculated separately for age-gender groups in six states (California, Texas, Florida, New York, Illinois and New Jersey) and the balance of the country; within these areas the estimates are further subdivided into immigrant populations from 35 countries or groups of countries by period of arrival in the United States. Variants of the residual method have been widely used and are generally accepted as the best current estimates. See also Passel and Cohn 2008; Passel 2007 for more details.

Then, having estimated the number of legal and unauthorized immigrants in the March CPS Supplements, we assign individual foreign-born respondents in the survey a specific status (one option being unauthorized immigrant) based on the individual's demographic, social, economic, geographic and family characteristics. (See below for more details.) The data and methods for the overall process were developed initially at the Urban Institute by Passel and Clark (especially 1998) and were extended by work of Passel, Van Hook and Bean (2004) and by subsequent work at the Pew Hispanic Center.

The final step adjusts the estimates of legal and unauthorized immigrants counted in the survey for omissions. The basic information on coverage is drawn principally from comparisons with Mexican data, U.S. mortality data and specialized surveys conducted at the time of the 2000 Census (Bean et al. 1998; Capps et al. 2002; Marcelli and Ong 2002). These adjustments increase the estimate of the legal foreign-born population, generally by 1-3% and the

unauthorized immigrant population by 10-15%. The individual survey weights are adjusted to account for immigrants missing from the survey. These augmented files serve as a basis for the detailed tabulations of the family, social, economic and geographic characteristics presented here.

Status Assignments—Legal and Unauthorized Immigrants

Individual respondents are assigned a status as a legal or unauthorized immigrant based on the individual's demographic, social, economic and geographic characteristics so the resulting number of immigrants in various categories agrees with the totals from the residual estimates. The assignment procedure employs a variety of methods, assumptions and data sources.

First, all immigrants entering the United States before 1980 are assumed to be legal. Then, the CPS data are corrected for known over-reporting of naturalized citizenship on the part of recently arrived immigrants (Passel et al. 1997) and all remaining naturalized citizens from countries other than Mexico and those in Central America are assigned as legal. Persons entering the U.S. as refugees are identified on the basis of country of birth and year of immigration to align with known admissions of refugees and asylees (persons granted asylum). Then, individuals holding certain kinds of temporary visas (including students, diplomats and "high-tech guest workers") are identified in the survey, and each is assigned a specific legal temporary migration status using information on country of birth, date of entry, occupation, education and certain family characteristics. Finally, some individuals are assigned as legal immigrants because they are in certain occupations (e.g., police officer, lawyer, military occupation, federal job) that require legal status or because they are receiving public benefits (e.g., welfare or food stamps) that are limited to legal immigrants.

After these initial assignments as "definitely legal" immigrants, a pool of "potentially unauthorized" immigrants remains. This group typically exceeds the target residual estimates by 20-35%. The "potentially unauthorized" immigrants are assigned as legal or unauthorized with probabilistic methods. This last step involves checks to ensure consistent statuses within families and several iterations to reach agreement with the demographically derived population totals.

At the end, the final estimates agree with the residual estimates for the six individual states noted earlier and for the balance of the country; for Mexican-born and other legal and unauthorized immigrants in each area; and for children, working-age men and working-age women within each category. Finally, the survey weights for foreign-born individuals are adjusted upward so the tabulated figures agree with the analytic, demographic estimates of the total number of legal and unauthorized migrants developed in the very first step. The

end product is a survey data set (of about 80,000 households) with individual respondents identified by nativity and legal status.

This methodology obviously requires a number of assumptions and is applied to survey data from a sample (albeit a large one). The resulting estimates, such as those presented here, are subject to both sampling and non-sampling error. Accordingly, small differences should not be treated as significant or substantive. Sampling error intervals have been developed for the national estimates of all unauthorized immigrants, totals by country or region of birth, and state-level estimates.

CPS Weights

Population data from the CPS are tied to the Census Bureau's official population estimates of the civilian, noninstitutional population for the nation and states through a weighting process designed so that the CPS figures agree with pre-specified national population totals by age, sex, race and Hispanic origin and with state-level totals by age, sex and race (U.S. Census Bureau 2006). At the end of each calendar year, the Census Bureau produces an estimate of the population of the United States and states for the middle of that calendar year (July 1). The estimate updates the population enumerated in the previous census using the latest available data on demographic components of change. So, in December 2008, the Census Bureau estimated the U.S. population as of July 1, 2008, by updating the census count of April 1, 2000, and taking into account the number of births over those eight years, the number of deaths, and net international migration since 2000. In the course of producing this estimate, the Census Bureau also produces estimates for each month from May 2000 through June 2008. This series of population estimates is referred to by the Census Bureau as the "Vintage 2008" population estimates. The Census Bureau then uses these estimates as a basis for projecting the population forward through the next calendar year (in this case, 2009). These short-term projections serve as the basis for the CPS weights throughout the calendar year. Thus, the weights for each month of the 2009 CPS are based on the Vintage 2008 population estimates; those for the 2008 CPS on the Vintage 2007 population estimates; etc.

For most years, any changes in the series of population estimates from one vintage to the next are small—reflecting mainly the incorporation of final data on births, deaths and immigration for the preliminary data used the year before. However, in the 2007 and 2008 population estimates, the Census Bureau made significant changes in the methodology used to measure international migration from 2000 onward. Although these changes do not directly affect the measured size of the immigrant population, they are concentrated in groups where a high percentage of the population is foreign born, notably working-age Hispanics and

Asians. As such, the new population controls have the potential for affecting the measured size of the foreign-born population.

Unfortunately for data users, the Census Bureau rarely reweights the CPS data series to take into account changes in the population estimates across vintages.⁷ However, for each new vintage of population estimates, the Census Bureau does release the entire time series of monthly population estimates from April 2000 through the year when the estimates are used for CPS weights. These revised population estimates can be used to produce a consistent series of CPS data from 2000 onward by reweighting the CPS. The data on unauthorized immigrants shown in this report are based on reweighted data that follow the Census Bureau's (2006) weighting procedures to the extent possible with public-use data applied to Vintage 2008 population estimates for the civilian noninstitutional population—both published and unpublished data supplied by the U.S. Census Bureau to the Pew Hispanic Center. With this consistent series of CPS data, it is possible to more accurately measure changes over time in the immigrant population and flows.

Although the changes caused by reweighting are relatively small as a share of the population, their impact can be relatively greater on the residual estimates of unauthorized immigrants. These methodological changes led to a reduction of about 1.1 million in the estimated population for March 2007 between the Vintage 2006 estimates and the Vintage 2008 estimates. Although this change represented only about 0.4% of the U.S. population, it was concentrated in the Hispanic and Asian populations because immigration plays such a large role in these groups. The differences were further concentrated in adult age groups so that the impact on the Hispanic population was about 1.5%, with some age groups being more than 2% smaller in the Vintage 2008 population estimate than the previous one. As a result, there is a major discontinuity between the CPS results for 2007 and earlier compared with those for 2008 and later.

⁷ The Census Bureau issued revised weights for 2000-2002 to incorporate large changes engendered by the replacement of the updated 1990 Census with results from the 2000 Census. Because of the large change between the Vintage 2006 and 2007 estimates noted here, the Census Bureau revised CPS weights for research purposes, but for only one month of data—December 2007.

Table C1
 March CPS Population for Selected Groups with Revised Vintage 2008
 Weighting and Original CPS Weighting: 2000-2009
 (thousands)

Date	Total Population				Foreign-born Population				Hispanic Population Ages 18-64			
	Revised Weights	Original Weights	Difference Amount	%	Revised Weights	Original Weights	Difference Amount	%	Revised Weights	Original Weights	Difference Amount	%
2009	301,483	301,483	--	--	36,771	36,771	--	--	28,311	28,311	--	--
2008	298,692	299,106	-414	-0.1%	37,039	37,278	-239	-0.6%	27,441	27,731	-290	-1.0%
2007	295,750	296,824	-1,074	-0.4%	36,718	37,290	-572	-1.5%	26,668	27,209	-541	-2.0%
2006	292,979	293,834	-855	-0.3%	35,415	35,681	-266	-0.7%	25,741	26,057	-316	-1.2%
2005	290,171	291,155	-984	-0.3%	34,872	35,166	-294	-0.8%	24,973	25,316	-343	-1.4%
2004	287,521	288,280	-760	-0.3%	33,942	34,263	-321	-0.9%	24,213	24,494	-281	-1.1%
2003	284,893	285,933	-1,040	-0.4%	32,984	33,485	-501	-1.5%	23,407	23,952	-546	-2.3%
2002	282,302	282,082	220	0.1%	32,455	32,462	-7	0.0%	22,638	22,656	-18	-0.1%
2001	279,690	279,517	173	0.1%	31,519	31,817	-298	-0.9%	21,783	21,736	47	0.2%
2000	276,944	276,979	-35	0.0%	30,716	30,089	627	2.1%	20,869	20,895	-25	-0.1%

Note: Revised weights developed by Pew Hispanic Center using Census Bureau (2006) methodology to be consistent with Vintage 2008 population estimates. Original weights released with each year's March CPS Supplement as variable MARSUPWT. See Methodology.
 Source: Pew Hispanic Center tabulations of reweighted March Current Population Survey Supplements. Data are not adjusted for survey omissions or augmented with legal status assignments.

The estimated unauthorized population in March 2009, 11.1 million, is about 500,000 less than the 11.6 million estimate March 2008 although the difference was not statistically significant. The previously published estimate for March 2008 (not based on reweighted CPS data) was 11.9 million. The revised estimate for 2008 was only 2.5% less than the previous one, but the measured change was one-third less (-500,000 versus -800,000). The impact on change between the 2007 estimate and the 2009 estimate is even greater. Our previously published estimate for March 2007 based on the Vintage 2007 CPS was 12.4 million versus the current, Vintage 2008, estimate of 12.0 million—a difference of 3.1%. However, without the revision, the apparent change between 2007 and 2009 would have been 40% larger than the reduction of 1 million shown when consistent data are used. The reweighting has the largest impact on estimates for 2007 and 2008, leading to the reductions noted of about 3% in the size of the unauthorized population. For earlier years, none of the revisions exceeds 200,000 and in four years out of six, the revisions increase rather than decrease the estimated unauthorized population.

State-level Estimates

State-level estimates should be treated with some caution because they are based on much smaller samples than the national estimates. For 2008 and 2005, the estimates are generally averages across three years of data (2006-2008 and 2004-2006) with some estimates based on regression analyses. Ranges of error for the 2008 estimates are based on regression analyses of data for 2000-2008 and CPS standard errors.

The estimates presented for states in 2009 are based on tabulations of the augmented March 2009 CPS file. Because of the change in trend after 2007, there was no appropriate choice for averaging across years to reduce potential measurement error. This choice is reflected in expanded ranges for some states.

Rounding of Estimates. All state-level estimates for unauthorized immigrant populations are presented as rounded numbers to avoid the appearance of unwarranted precision in the estimates. No estimates smaller than 10,000 are shown. Estimates in the range of 10,000-100,000 are rounded to the nearest 5,000; estimates in the range of 100,000-250,000 to the nearest 10,000; estimates smaller than 1 million to the nearest 25,000; and estimates larger than that to the nearest 50,000. The same rounding conventions are applied to all state-level estimates of unauthorized immigrant populations and labor force for 2000 and later and, more generally, to most of the data presented on unauthorized immigrants.

Country of Birth

Some modifications in the original CPS countries of birth were introduced to ensure that all foreign-born respondents could be assigned to a specific country or region of birth. See Passel and Cohn (2008) for a detailed treatment of how persons with unknown country of birth were assigned to specific countries.

The estimates of the unauthorized population shown in this report divide the world into regions. “Latin America” is defined to include Mexico, Central America, Caribbean countries and South America. “Europe” includes Russia and all of the newly independent countries that were part of the former Soviet Union, even though some of the countries are geographically in Asia. This grouping is designed to maintain maximum consistency over time and with the administrative data series used. While all of these countries are separately identified in immigration statistics since their independence, they do not appear in immigration statistics of the 1980s and most are not identified as countries of birth in the CPS. “Middle East” as defined here includes countries of southwest Asia from Turkey and Cyprus in the north and west to Iran in the east to the Arabian Peninsula in the south; it also includes countries of North Africa (Egypt, Sudan, Libya, Tunisia, Algeria, Morocco and Western Sahara). Note that the Middle East does not include Afghanistan or Pakistan. “South and East Asia” is the rest of Asia from Afghanistan and Pakistan eastward. “Other” consists of sub-Saharan Africa and Oceania; in addition, the few respondents not assigned to any other areas are categorized as being from “Other.”

Estimates of Migration Flows

The estimates of unauthorized immigrants measure the number of unauthorized immigrants in the country at different point in time; they do not directly measure the number coming into the country in a year or the number leaving the country.

The residual methodology does provide estimates of the number arriving in five-year periods from 1980 to the estimate date. Similarly, tabulations of the CPS data with status assignments provide alternative estimates of arrivals in two-year periods beginning with 1980 and a final period of slightly more than two years or slightly more than three years ending at the survey date. Differences in the size of arrival cohorts based on these alternative measures can be used to assess inflows and outflows of unauthorized immigrants for shorter intervals, especially for one-year periods from March of one year to March of the next. The estimates shown in this report for inflows of unauthorized immigrants are averages of estimates based on tabulations of augmented March CPS datasets and the underlying residual estimates. A more detailed exposition of the methodology used can be found in Passel and Cohn 2009a.

Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2009

MICHAEL HOEFER, NANCY RYTINA, AND BRYAN C. BAKER

This report provides estimates of the number of unauthorized immigrants residing in the United States as of January 2009 by period of entry, region and country of origin, state of residence, age, and gender. The estimates were obtained using the “residual” methodology employed for estimates of the unauthorized population in 2008 (see Hoefler, Rytina, and Baker, 2009). The unauthorized resident population is the remainder or “residual” after estimates of the legally resident foreign-born population – legal permanent residents (LPRs), asylees, refugees, and nonimmigrants – are subtracted from estimates of the total foreign-born population. Data to estimate the legally resident population were obtained primarily from the Department of Homeland Security (DHS) while the American Community Survey (ACS) of the U.S. Census Bureau was the source for estimates of the total foreign-born population.

In summary, DHS estimates that the unauthorized immigrant population living in the United States decreased to 10.8 million in January 2009 from 11.6 million in January 2008. Between 2000 and 2009, the unauthorized population grew by 27 percent. Of all unauthorized immigrants living in the United States in 2009, 63 percent entered before 2000, and 62 percent were from Mexico.

DEFINITIONS

Legal Residents

The legally resident immigrant population as defined for these estimates includes all persons who were granted lawful permanent residence; granted asylee status; admitted as refugees; or admitted as nonimmigrants for a temporary stay in the United States and not required to leave by January 1, 2009. Nonimmigrant residents refer to certain aliens who were legally admitted temporarily to the United States for specified time periods such as students and temporary workers.

Unauthorized Residents

The unauthorized resident immigrant population is defined as all foreign-born non-citizens who are not legal residents. Most unauthorized residents either entered the United States without inspection or were admitted temporarily and stayed past the date they were

required to leave. Unauthorized immigrants applying for adjustment to lawful permanent resident status under the Immigration and Nationality Act (INA) Section 245(i) are unauthorized until they have been granted LPR status, even though they may have been authorized to work. Persons who are beneficiaries of Temporary Protected Status (TPS)—an estimated several hundred thousand—are not technically unauthorized but were excluded from the legally resident immigrant population because data are unavailable in sufficient detail to estimate this population.

METHODOLOGY AND DATA

Two populations are estimated in order to derive the unauthorized population estimates: 1) the total foreign-born population living in the United States on January 1, 2009, and 2) the legally resident population on the same date. The unauthorized population is equal to 1) minus 2). It was assumed that foreign-born residents who had entered the United States prior to 1980 were legally resident since most were eligible for legal permanent resident status.¹ Therefore, the starting point for

¹The Registry Provision of the Immigration and Nationality Act (INA) allows persons who have been in the United States since January 1, 1972 to apply for LPR status. Additionally, persons who had lived in the United States before 1982 as unauthorized residents were eligible to adjust to LPR status under the Immigration Reform and Control Act (IRCA) of 1986.



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the estimates was January 1, 1980. The steps involved in estimating the components of each population are shown in Appendix 1. Data on the foreign-born population that entered during 1980-2008 by country of birth, state of residence, year of entry, age, and gender were obtained from the 2008 ACS. The ACS is a nationwide sample survey that collects information from U.S. households on social, demographic, and economic characteristics, including country of birth and year of entry of the foreign-born population. The ACS consists of non-overlapping samples from which information is collected monthly over the course of a year. The ACS was selected for the estimates because of its large sample size, about 3 million households in 2008 compared to 100,000 for the March 2009 Current Population Survey, the primary alternative source of national data on the foreign-born population.

Data on persons who obtained LPR status by country of birth, state of residence, age, gender, category of admission, and year of entry were obtained from DHS administrative records maintained in an application case tracking system of U.S. Citizenship and Immigration Services (USCIS). Data on refugees arriving in the United States by country of origin were obtained from the Department of State. Data on persons granted asylum by country of origin were obtained from USCIS for those granted asylum affirmatively and from the Executive Office of Immigration Review of the Department of Justice for those granted asylum defensively through removal proceedings. Data on nonimmigrant admissions by country of citizenship, state of residence, age, gender, and class of admission were obtained from I-94 arrival-departure records in the TECS system of the U.S. Customs and Border Protection. Estimates of the unauthorized population were generated for the ten leading countries of birth and states of residence, age, and gender. The Cuban-born population living in the United States was excluded from the estimates since, according to immigration law, Cubans living in the United States more than a year are eligible to apply to adjust to LPR status.

Caution is recommended in interpreting changes in the size of the unauthorized population presented in this report. Annual estimates of the unauthorized immigrant population are subject to sampling error in the ACS and considerable nonsampling error because of uncertainty in some of the assumptions required for estimation (see Limitations below). In addition, changes in the ACS, including revisions in the wording of the question on Hispanic origin in the 2008 ACS and measurement of net international migration (see U.S. Census Bureau, 2009) may have affected the size of the foreign born population and thus estimates of the unauthorized population. This report does not discuss changes in the unauthorized population between 2008 and 2009 by countries of origin or states of residence because of greater uncertainty in those estimates. For reference, Appendix 2 provides DHS estimates by leading countries of birth and states of residence for 2000 and 2005-2009.

Limitations

Assumptions about undercount of the foreign-born population in the ACS and rates of emigration. The estimates are sensitive to the assumptions that are made about these components (see **RESULTS**).

Accuracy of year of entry reporting. Concerns exist among immigration analysts regarding the validity and reliability of Census survey data

on the year of entry question, "When did this person come to live in the United States?" Errors also occur in converting DHS administrative dates for legally resident immigrants to year of entry dates.

Assumptions about the nonimmigrant population estimate. The estimates are based on admission dates and length of visit by class of admission and not actual population counts. Length of visit, which is calculated by matching arrival and departure records, is subject to more error than admissions data.

Sampling error in the ACS. The 2008 ACS data are based on a sample of the U.S. population. Thus the estimates of the total foreign-born population that moved to the United States in the 1980-2008 period are subject to sampling variability. The estimated margin of error for the estimate of the foreign-born population in the 2008 ACS at the 90 percent confidence level is plus or minus approximately 154,000.

Accuracy of state of residence for the legally resident population. State of residence for legally resident 1980-2008 entrants is assumed to be the state of residence on the date the most recent status (e.g., refugee, LPR, or naturalized citizen) was obtained; however, the accuracy of the estimates may be affected by state-to-state migration that occurred between the date of the status change and January 1, 2009.

RESULTS

Overall Trend

Between January 2008 and January 2009, the number of unauthorized immigrants living in the United States decreased seven percent from 11.6 million to 10.8 million (see Figure 1). Between 2000 and 2007, the unauthorized population grew by 3.3 million from 8.5 million to 11.8 million. The number of unauthorized residents declined by 1.0 million between 2007 and 2009, coincident with the U.S. economic downturn. The overall annual average increase in the unauthorized population during the 2000-2009 period was 250,000.

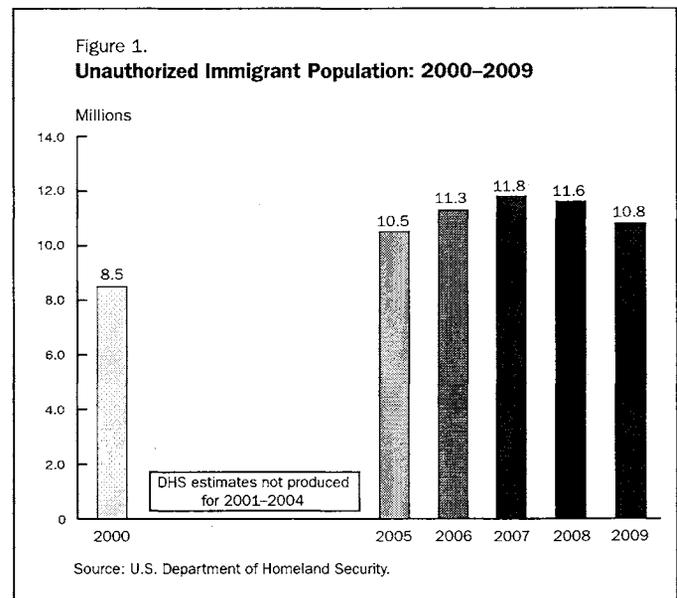


Table 1.

Period of Entry of the Unauthorized Immigrant Population: January 2009

Period of entry	Estimated population January 2009	
	Number	Percent
All years	10,750,000	100
2005-2008	910,000	8
2000-2004	3,040,000	28
1995-1999	3,080,000	29
1990-1994	1,670,000	16
1985-1989	1,190,000	11
1980-1984	860,000	8

Detail may not sum to totals because of rounding.
Source: U.S. Department of Homeland Security.

The decrease in the size of the unauthorized population between 2008 and 2009 is not likely due to sampling error in the estimates of the foreign-born population in the 2007 or 2008 ACS. The margin of error at the 90 percent confidence level was 151,000 for the 2007 ACS and 154,000, as noted above, for the 2008 ACS.² Changes in the ACS, e.g., revisions in the question on Hispanic origin in 2008 and measurement of net international migration, may have had an impact on the 2009 estimate and therefore the magnitude of change between 2008 and 2009. Trends in the unauthorized population reported by DHS are consistent with the most recent estimates by the Pew Hispanic Center showing 11.9 million unauthorized immigrants living in the United States in March 2008, 12.4 million in March 2007, 11.5 million in March 2006, and 11.1 million in March 2005 (Passel and Cohn, 2008).

² The additional sampling error introduced by shifting the reference date of the foreign born population to January 1 is not large enough for sampling error to account for the 2008-2009 change in the unauthorized population.

Table 2.

Components of the Unauthorized Immigrant Population: January 2009

	2009
1) Foreign-born population	
a. Foreign-born population, entered 1980-2008, 2008 ACS	29,010,000
b. Adjustment for shift in reference date from July 1, 2008 to January 1, 2009	490,000
c. Undercount of nonimmigrants in ACS	190,000
d. Undercount of other legally resident immigrants (LPRs, recent refugee/asylee arrivals) in ACS	470,000
e. Undercount of unauthorized immigrant population in ACS	1,080,000
f. Estimated foreign-born population, January 1, 2009 (a.+b.+c.+d.+e.)	31,220,000
2) Legally resident population	
g. LPR, refugee, and asylee flow January 1, 1980-December 31, 2008	23,540,000
h. Mortality 1980-2008	1,520,000
i. Emigration 1980-2008	3,420,000
j. LPR, refugee, and asylee resident population, January 1, 2009 (g.-h.-i.)	18,610,000
k. Nonimmigrant population on January 1, 2009	1,860,000
l. Estimated legally resident population, January 1, 2009 (j.+k.)	20,470,000
3) Unauthorized immigrant population	
m. Estimated resident unauthorized immigrant population, January 1, 2009 (f.-l.)	10,750,000

Detail may not sum to totals because of rounding.
Source: U.S. Department of Homeland Security.

The sensitivity of the estimates to assumptions about undercount of the foreign-born population and emigration is illustrated with several examples. Doubling the unauthorized immigrant undercount rate from 10 percent to 20 percent increases the estimated unauthorized population from 10.8 million to 12.1 million. By lowering or raising emigration rates 20 percent and holding all other assumptions constant, the estimated unauthorized immigrant population would range from 10.0 million to 11.5 million. Doubling the unauthorized immigrant undercount rate and lowering or raising emigration rates by 20 percent would expand the range of the estimated unauthorized immigrant population to 11.3-13.0 million.

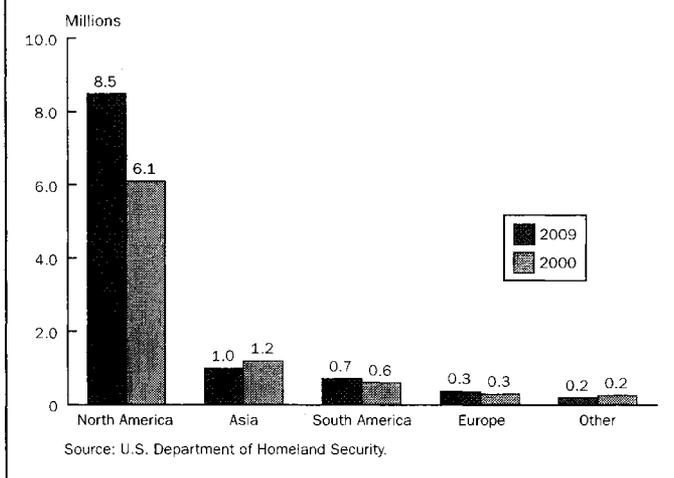
Period of Entry

Of the 10.8 million unauthorized immigrants in 2009, 4.0 million (37 percent) had entered the United States on January 1, 2000 or later (see Table 1). An estimated 0.9 million (8 percent) came to the United States between 2005 and 2008 while 3.0 million (28 percent) came during 2000 to 2004. Forty-four percent came to live in the United States during the 1990s, and 19 percent entered during the 1980s.

Components of the Unauthorized Immigrant Population in 2009

The size of each component of the unauthorized immigrant population estimates for 2009 is displayed in Table 2. See Appendix 1 for a detailed explanation of each entry in Table 2. For the foreign-born population, the starting point was the estimated 29.0 million foreign-born residents in the 2008 ACS that entered the United States during 1980-2008. This population was increased by 2.2 million, or 8 percent, by adjustments for the shift in the reference date from mid-year 2008 to January 1, 2009 and the addition of undercounts for the populations of nonimmigrants, other legally resident immigrants, and unauthorized immigrants. The estimated undercount of

Figure 2.
Region of Birth of the Unauthorized Immigrant Population:
January 2009 and 2000



the unauthorized immigrant population in the ACS was nearly 1.1 million and represents 49 percent of all adjustments to the foreign-born population.

For the legally resident population, the starting point was the flow of 23.5 million LPRs, refugees, and asylees during 1980-2008. By January 2009, the 23.5 million had been reduced by 4.9 million to 18.6 million due to mortality and emigration. Emigration accounted for 3.4 million, or 69 percent, of the 4.9 million. The addition of the nonimmigrant population, estimated at 1.9 million, resulted in a total estimated legally resident immigrant population of 20.5 million on January 1, 2009. Subtracting the 20.5 million legally resident immigrants from the total 31.2 million foreign-born population on January 1, 2009 that entered the United States during 1980-2008 yields the final estimated unauthorized population of 10.8 million.

Estimates by Region and Country of Birth

An estimated 8.5 million of the total 10.8 million unauthorized immigrants living in the United States in 2009 were from the North America region, including Canada, Mexico, the Caribbean, and Central America (see Figure 2). The next leading regions of origin were Asia (980,000) and South America (740,000).

Mexico continued to be the leading source of unauthorized immigration to the United States (see Table 3 and Appendix 2). There were 6.7 million unauthorized immigrants from Mexico in 2009, representing 62 percent of the unauthorized population. The next leading source countries for unauthorized immigrants in 2009 were El Salvador (530,000), Guatemala (480,000), Honduras (320,000), and the Philippines (270,000). The ten leading countries of origin represented 85 percent of the unauthorized immigrant population in 2009.

Between 2000 and 2009, the Mexican-born unauthorized immigrant population increased 2.0 million or 42 percent. The greatest percentage increases occurred among unauthorized immigrants from Honduras (95 percent), Guatemala (65 percent), and India (64 percent).

Estimates by State of Residence

California remained the leading state of residence of the unauthorized immigrant population in 2009, with 2.6 million (see Table 4 and Appendix 2). The next leading state, Texas, had 1.7 million unauthorized residents, followed by Florida with 720,000,

Table 3.
Country of Birth of the Unauthorized Immigrant Population: January 2009 and 2000

Country of birth	Estimated population in January		Percent of total		Percent change	Average annual change
	2009	2000	2009	2000	2000 to 2009	2000 to 2009
All countries	10,750,000	8,460,000	100	100	27	250,000
Mexico	6,650,000	4,680,000	62	55	42	220,000
El Salvador	530,000	430,000	5	5	25	10,000
Guatemala	480,000	290,000	4	3	65	20,000
Honduras	320,000	160,000	3	2	95	20,000
Philippines	270,000	200,000	2	2	33	10,000
India	200,000	120,000	2	1	64	10,000
Korea	200,000	180,000	2	2	14	—
Ecuador	170,000	110,000	2	1	55	10,000
Brazil	150,000	100,000	1	1	49	10,000
China	120,000	190,000	1	2	-37	(10,000)
Other countries	1,650,000	2,000,000	15	24	-17	(40,000)

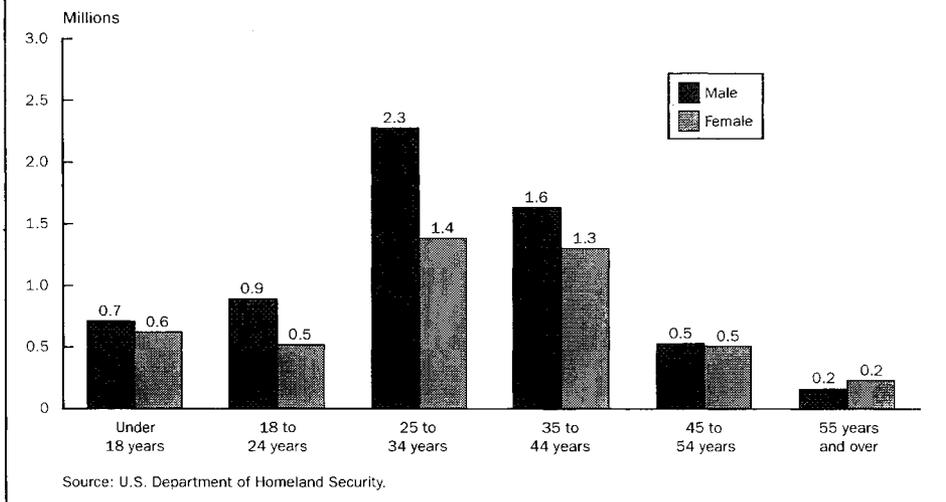
— Represents less than 5,000.
Detail may not sum to totals because of rounding.
Source: U.S. Department of Homeland Security.

Table 4.
State of Residence of the Unauthorized Immigrant Population: January 2009 and 2000

State of residence	Estimated population in January		Percent of total		Percent change	Average annual change
	2009	2000	2009	2000	2000 to 2009	2000 to 2009
All states	10,750,000	8,460,000	100	100	27	250,000
California	2,600,000	2,510,000	24	30	3	10,000
Texas	1,680,000	1,090,000	16	13	54	70,000
Florida	720,000	800,000	7	9	-10	(10,000)
New York	550,000	540,000	5	6	1	—
Illinois	540,000	440,000	5	5	24	10,000
Georgia	480,000	220,000	4	3	115	30,000
Arizona	460,000	330,000	4	4	42	20,000
North Carolina	370,000	260,000	3	3	43	10,000
New Jersey	360,000	350,000	3	4	3	—
Nevada	260,000	170,000	2	2	55	10,000
Other states	2,730,000	1,760,000	25	21	55	110,000

— Represents less than 5,000.
Detail may not sum to totals because of rounding.
Source: U.S. Department of Homeland Security.

Figure 3.
Age and Gender of the Unauthorized Immigrant Population: January 2009



New York with 550,000, and Illinois with 540,000. California's share of the national total was 24 percent in 2009 compared to 30 percent in 2000. The greatest percentage increases in the unauthorized population between 2000 and 2009 occurred in Georgia (115 percent), Nevada (55 percent), and Texas (54 percent).

Estimates by Age and Gender

In 2009, 61 percent of unauthorized immigrants were ages 25 to 44 years, and 58 percent were male (see Figure 3 and Table 5). Males accounted for 62 percent of the unauthorized population in the 18 to 34 age group in 2009 while females accounted for 52 percent of the 45 and older age groups.

Table 5.
Age and Gender of the Unauthorized Immigrant Population: January 2009

Age	Total		Male		Female	
	Number	Percent	Number	Percent	Number	Percent
All ages	10,750,000	100	6,190,000	100	4,570,000	100
Under 18 years	1,320,000	12	710,000	11	620,000	13
18 to 24 years	1,410,000	13	890,000	14	520,000	11
25 to 34 years	3,650,000	34	2,270,000	37	1,380,000	30
35 to 44 years	2,930,000	27	1,630,000	26	1,300,000	29
45 to 54 years	1,040,000	10	530,000	8	510,000	11
55 years and over	390,000	4	160,000	3	230,000	5

Detail may not sum to totals because of rounding.
Source: U.S. Department of Homeland Security.

NEXT STEPS

The estimates presented here will be updated periodically based on annual data of the foreign-born population collected in the American Community Survey and on the estimated lawfully resident foreign-born population derived from various administrative data sources.

APPENDIX 1

Components for Estimating the Unauthorized Resident Population

The material below describes how each component was estimated. Note that the labels for each component correspond with the entries in Table 2.

1) Foreign-born population

a. Foreign-born population, entered 1980-2008

The estimated total foreign-born population that entered between 1980-2008 was obtained from the ACS's FactFinder. FactFinder is the Census-maintained online data portal for obtaining ACS estimates from the full sample for a particular year. Data on the distribution of the foreign born by country of origin, state of residence, year of entry, age, and gender were obtained from the 2008 Public Use Microdata Sample (PUMS). The overall FactFinder estimate for the total foreign-born population entering in the post-1979 period was reduced to remove PUMS estimates of the post-1979 Cuban-born population. Further, a three-year moving average was applied to PUMS data for year of entry to reduce heaping effects.

b. Shift in reference date to January 1, 2009

The reference date for the 2008 ACS, the most recently available ACS data, was shifted from mid-year 2008 to January 1, 2009 by multiplying the population of 2008 entrants by 1.72, which is the average of three ratios: the ratio of the estimated population in the 2008 ACS that entered the United States during 2007 compared to the population in the 2007 ACS that entered in 2007 and the comparable ratios for the 2006 entrants in the 2006 and 2007 ACS surveys and the 2005 entrants in the 2005 and 2006 ACS surveys. Previous DHS estimates used an average of five ratios; however, the average of three ratios better reflects recent population growth in the second half of the year.

c. Undercount of nonimmigrants in the ACS

Undercount refers to the number of persons who should have been counted in a survey or census, but were not. A rate of 10 percent was used to estimate the nonimmigrant undercount. This rate was used in previous DHS unauthorized population estimates for 2000 and 2005-2008 (Department of Homeland Security, 2003; Hoefler et al., 2006, 2007, 2008, 2009).

d. Undercount of LPRs, refugees, and asylees in the ACS

The undercount rate for LPRs, refugees, and asylees in the ACS was assumed to be 2.5 percent. This was the same rate used in DHS estimates for 2000 and 2005-2008 (Department of Homeland Security, 2003; Hoefler et al., 2006, 2007, 2008, 2009).

e. Undercount of unauthorized immigrants in the ACS

The undercount rate for unauthorized immigrants in the ACS was assumed to be 10 percent. This was the same rate used in previous DHS estimates for 2000 and 2005-2008 (Department of Homeland Security, 2003; Hoefler et al., 2006, 2007, 2008, 2009).

f. Estimated foreign-born population, January 1, 2009

The sum of 1a. through 1e. (above) is the estimated foreign-born population on January 1, 2009 that entered the United States during the 1980-2008 period.

2) Legally resident population

g. Legal permanent resident (LPR), refugee, and asylee flow, entered 1980-2008

The 1980-2008 flow was calculated separately for LPRs, refugees, and asylees. LPRs consist of two groups: new arrivals and those who have adjusted status. New arrivals include all persons with immigrant visas issued by the State Department who were admitted at a U.S. port of entry. For new arrival LPRs, the date of entry into the United States is the same as the date of approval for LPR status. For LPRs adjusting status, year of entry was assumed to be the year of last entry between 1980 and 2008 prior to adjustment. Year of entry was imputed when last entry date was missing (affecting approximately 40 percent of adjustment of status records during 1998-2005) using category of admission, year of LPR adjustment, and known last entry date.

Refugees and asylees included in the legally resident flow had not adjusted to LPR status as of January 1, 2009. The refugee and asylee flow was estimated based on the average time spent in the status before adjustment to LPR status—3.0 years for refugees and 5.3 years for asylees adjusting in 2008. The refugee and asylee portion of the legally resident flow therefore included refugees who arrived in the United States during the 3.0 years prior to 2009 and persons granted asylum during the 5.3 years preceding 2009.

h. Mortality of legally resident flow 1980-2008

Data are not collected on the mortality of legally resident immigrants. LPRs were survived to 2009 by gender and age (taking into account subsequent naturalization) using mortality rates by age and sex from 1989-1991 life tables (National Center for Health Statistics, 1997).

i. Emigration of legally resident flow 1980-2008

Emigration is a major component of immigrant population change. In the absence of data that directly measure emigration from the United States, researchers have developed indirect estimates based largely on Census data. For this report, annual emigration rates by year of entry (year of naturalization if the immigrant subsequently became a U.S. citizen) were calculated from estimates of emigration of the foreign-born population based on 1980 and 1990 Census data (Ahmed and Robinson, 1994). In addition, refugees and asylees, with little likelihood of returning to their country of origin, were assumed not to emigrate. The overall effective rate of emigration for legally resident immigrants in 2009 was about 22 percent after twenty years.

j. LPR, refugee, and asylee population on January 1, 2009

Subtracting mortality (2h.) and emigration (2i.) from the LPR, refugee, and asylee flow during 1980-2008 (2g.) results in the estimated LPR, refugee, and asylee resident population on January 1, 2009.

k. Nonimmigrant population on January 1, 2009

The number of nonimmigrants living in the United States on January 1, 2009 was estimated by counting days of presence between July 1, 2008 and June 30, 2009 and dividing the

result by 366. The estimate was restricted to classes of admission such as students, temporary workers, and exchange visitors where the length of stay typically exceeds two months. The estimate does not include border crossers or visitors for business or pleasure. Year of entry for the 2009 nonimmigrant population was based on the distribution of year of entry for nonimmigrants used in previous DHS unauthorized immigrant population estimates (Department of Homeland Security, 2003; Hoefler et al., 2006, 2007, 2008, 2009).

l. Estimated legally resident immigrant population on January 1, 2009

Adding the population of LPRs, refugees, and asylees on January 1, 2009 (2j.) to the nonimmigrant population on the same date (2k.) results in the total estimated legally resident immigrant population in the United States on January 1, 2009.

3) Unauthorized immigrant population

m. Estimated unauthorized immigrant population on January 1, 2009

Subtracting the estimated legally resident immigrant population (2l.) from the total foreign-born population on January 1, 2009 (1f.) yields the estimate of the unauthorized immigrant population.

APPENDIX 2

Country of Birth and State of Residence of the Unauthorized Immigrant Population: January 2000 and 2005-2009

Country of birth	Estimated population in January					
	2000	2005	2006*	2007	2008	2009
All countries	8,460,000	10,490,000	11,310,000	11,780,000	11,600,000	10,750,000
Mexico	4,680,000	5,970,000	6,570,000	6,980,000	7,030,000	6,650,000
El Salvador	430,000	470,000	510,000	540,000	570,000	530,000
Guatemala.	290,000	370,000	430,000	500,000	430,000	480,000
Honduras.	160,000	180,000	280,000	280,000	300,000	320,000
Philippines.	200,000	210,000	280,000	290,000	300,000	270,000
India	120,000	280,000	210,000	220,000	160,000	200,000
Korea	180,000	210,000	230,000	230,000	240,000	200,000
Ecuador.	110,000	120,000	150,000	160,000	170,000	170,000
Brazil.	100,000	170,000	210,000	190,000	180,000	150,000
China	190,000	230,000	170,000	290,000	220,000	120,000
Other countries	2,000,000	2,280,000	2,290,000	2,100,000	2,000,000	1,650,000
State of residence	Estimated population in January					
	2000	2005	2006*	2007	2008	2009
All states	8,460,000	10,490,000	11,310,000	11,780,000	11,600,000	10,750,000
California.	2,510,000	2,890,000	2,790,000	2,840,000	2,850,000	2,600,000
Texas	1,090,000	1,670,000	1,620,000	1,710,000	1,680,000	1,680,000
Florida.	800,000	970,000	960,000	960,000	840,000	720,000
New York	540,000	560,000	510,000	640,000	640,000	550,000
Illinois	440,000	550,000	530,000	560,000	550,000	540,000
Georgia	220,000	490,000	490,000	490,000	460,000	480,000
Arizona	330,000	510,000	490,000	530,000	560,000	460,000
North Carolina	260,000	370,000	360,000	380,000	380,000	370,000
New Jersey	350,000	440,000	420,000	470,000	400,000	360,000
Nevada	170,000	230,000	230,000	260,000	280,000	260,000
Other states	1,760,000	1,800,000	2,900,000	2,950,000	2,950,000	2,730,000

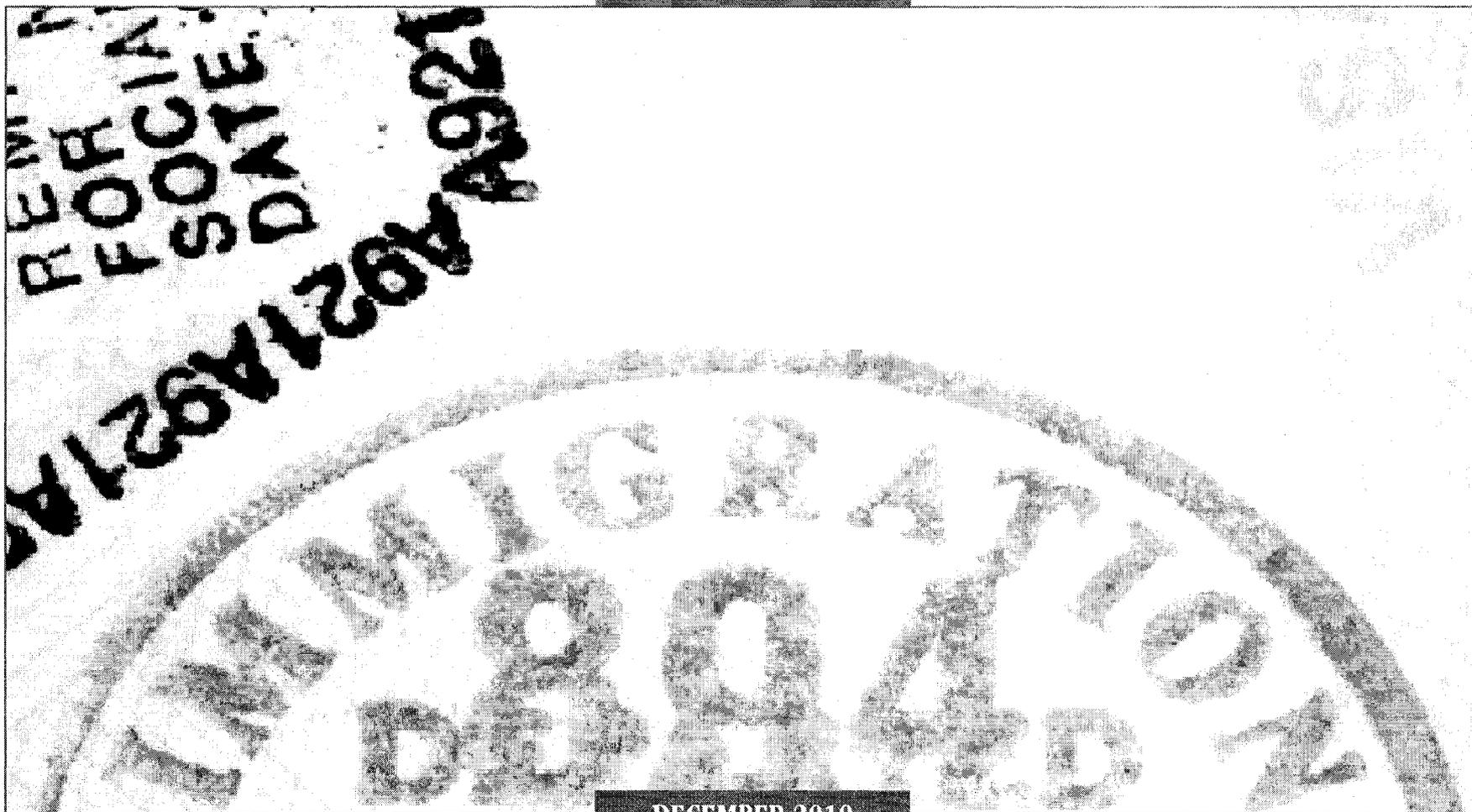
Detail may not sum to totals because of rounding.
 *Revised as noted in the 1/1/2007 unauthorized estimates report published in September 2008.
 Source: U.S. Department of Homeland Security.

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CBO

Immigration Policy in the United States: An Update



DECEMBER 2010



Immigration Policy in the United States: An Update

December 2010

Notes and Definitions

Numbers in the exhibits and text may not add up to totals because of rounding. Unless otherwise indicated, the years referred to in this document are federal fiscal years (which run from October 1 to September 30). Some of the data for 2004 in this document do not match the data that the Congressional Budget Office reported in its 2006 paper *Immigration Policy in the United States* because they have been revised by the Department of Homeland Security.

Green card: A wallet-sized card showing that the bearer is a legal permanent resident of the United States.

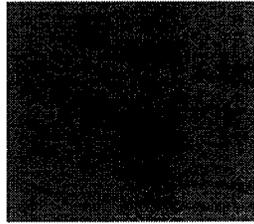
Legal permanent resident: A foreign-born individual authorized to live, work, and study in the United States permanently.

Legal temporary resident or visitor: A foreign-born individual who is admitted to the United States with a temporary visa or who is allowed to enter the country without a visa. Those categories include visitors who are in the United States for short periods and temporary residents who are in the United States for longer, although time-limited, stays.

Refugee or asylum-seeker: An individual who is at risk of persecution in his or her country of nationality. Refugees apply for legal admission from outside the United States; asylum-seekers request admission from within the United States or at a U.S. port of entry (that is, a place where one may be checked by immigration officials and lawfully enter the United States).

Removal: The expulsion of a foreign-born individual from the United States if he or she is found to be inadmissible at a port of entry or otherwise in violation of U.S. immigration laws. An inadmissible individual is a person seeking admission at a port of entry who does not meet the criteria of the Immigration and Nationality Act.

U.S. visa: A permit allowing the bearer to apply for entry into the United States under a certain classification. Examples of classifications include student (F), visitor (B), and temporary worker (H). The Department of State is responsible for issuing visas at U.S. embassies and consulates outside of the United States. A visa does not grant the bearer the right to enter the United States. Officials with the Department of Homeland Security's U.S. Customs and Border Protection determine whether an individual can be admitted into the United States at a port of entry. A foreign national may be denied entry by an official because he or she lacks proper documentation or because of public health or security concerns (or for other reasons).



Preface

The Immigration and Nationality Act sets immigration policy in the United States. The act provides for the lawful entry of foreign nationals on a permanent or temporary basis. In 2009, the United States granted legal permanent resident status to more than 1.1 million people. About two-thirds of those people were admitted to the United States on the basis of family connections to current U.S. citizens or residents. Also in 2009, roughly 5.8 million temporary visas were issued, about three-quarters of which were for people visiting the United States for business or tourism for a short period.

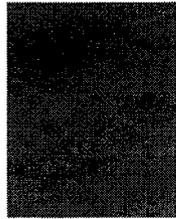
This document updates the Congressional Budget Office's (CBO's) February 2006 paper *Immigration Policy in the United States*. It presents data through 2009 on permanent and temporary admissions of foreign nationals to the United States, the number and types of visas issued, the naturalization of residents, and enforcement of immigration laws—and makes comparisons with 2004, which was the most recent year for which most data were reported in the earlier paper. In keeping with CBO's mandate to provide objective, impartial analysis, this document does not make any recommendations.

Paige Piper/Bach and Brian Prest of CBO's Microeconomic Studies Division wrote the document under the direction of Patrice Gordon and Joseph Kile. Sam Wice fact-checked it. The document benefited from the comments of Priscila Hammett, Melissa Merrell, David Moore, Jonathan Morancy, David Rafferty, Jonathan Schwabish, and Jennifer Smith, all of CBO. In addition, staff members of the Congressional Research Service provided valuable assistance.

Christine Bogusz edited the document, and Kate Kelly proofread it. Jeanine Rees prepared it for publication, and Maureen Costantino designed the cover. Monte Ruffin produced the printed copies, Linda Schimmel handled the print distribution, and Simone Thomas prepared the electronic version for CBO's Web site (www.cbo.gov).

Douglas W. Elmendorf
Director

December 2010



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Immigration Policy in the United States: An Update

The Immigration and Nationality Act sets immigration policy in the United States on the basis of four general objectives:

- To facilitate the reunification of families by admitting people who already have a family member living in the United States,
- To attract workers to fill positions in certain occupations for which there are shortages,
- To increase diversity by admitting people from countries with historically low rates of immigration to the United States, and
- To provide a refuge for people who face the risk of racial, religious, or political persecution in their home country.

The law allows foreign nationals to enter the United States to become legal permanent residents (LPRs) or to be in the United States for a specific purpose during a limited stay as temporary residents or visitors. To enter the country as a legal permanent resident, a national of a foreign country must obtain a visa. To enter the country as a temporary resident or visitor, a foreign national must obtain a visa, be a qualifying citizen of Canada or Mexico, or be a qualifying citizen of a country that participates in the Visa Waiver Program. (That program allows citizens of certain countries to

travel to the United States for business or tourism for up to 90 days without having to obtain a visa.)

The law also outlines a process by which foreign nationals who have been granted legal permanent residence may apply to become naturalized U.S. citizens. In addition, the law establishes mechanisms to control the flow of legal entry into the United States, prevent the entry of individuals without authorization, and remove individuals who are in the United States without authorization.

Legal Permanent Residents

People granted permanent admission to the United States are formally classified as legal permanent residents and receive a document, commonly known as a green card, that certifies that status. LPRs are eligible to live and work in the United States, own property, and join the armed forces; eventually, they may apply for U.S. citizenship. In 2009, the United States granted LPR status to roughly 1.1 million people.

Foreign nationals who are eligible for permanent admission fall into one of five broad categories. Two of those categories—immediate relatives of U.S. citizens and family-sponsored preferences—are based on family relationships. Under a third category, employment-based preferences, workers

with specific job skills are eligible for permanent admission. The fourth category is known as the Diversity Program, which allows individuals from countries with low rates of immigration to the United States to enter under a lottery-based system that provides a pathway for legal permanent residency. Finally, for humanitarian reasons, some foreign nationals are admitted to the United States as refugees or asylum-seekers; one year after obtaining asylum or refugee status, they may apply for LPR status.

People granted permanent admission include foreign nationals who entered the United States as legal permanent residents and those already present in the country who were granted LPR status. Of the people granted LPR status in 2009, about 463,000 (or 41 percent) were first-time entrants to the United States, and about 668,000 (or 59 percent) were already inside the United States. In 2009, foreign nationals who were born in Asia accounted for 413,000 (or 37 percent) of the people granted LPR status, and people who were born in North America (which includes Central America) accounted for 375,000 (or 33 percent).

The total number of permanent admissions in 2009 was about the average for the previous four years but 18 percent more than were granted such status in 2004. (Over the period from 2005 through 2009, the number of people granted LPR

status averaged about 23 percent more than the number during the 2000–2004 period.) The number of immediate relatives of U.S. citizens who were granted LPR status increased by 28 percent from 2004 to 2009, accounting for nearly half of total permanent admissions in 2009. In contrast, the number of people admitted in the family-sponsored preference category remained roughly constant from 2004 to 2009 and accounted for 19 percent of admissions in 2009. The number of individuals admitted on the basis of employment preferences decreased slightly between 2004 and 2009 and accounted for 13 percent of admissions in 2009. Admissions under the Diversity Program accounted for only 4 percent of the 2009 total and declined slightly from 2004 to 2009. The number of people admitted for humanitarian reasons, which constituted 17 percent of the permanent admissions in 2009, grew by almost 60 percent from its level five years earlier.

Temporary Residents and Visitors

Temporary admission to the United States is granted to foreign nationals who seek entry for a limited time and for a specific purpose, such as tourism, diplomacy, or study. In addition, foreign nationals who meet certain criteria may be permitted to work in the United States for a limited time that depends on the type of visa they receive. However, foreign nationals with temporary visas are not eligible for citizenship, and to remain in the United States on a permanent basis they would be required to apply for permanent admission.

The federal government reports two types of data on foreign nationals who enter the United States as temporary residents or visitors—the number of temporary visas issued and the number of temporary admissions. The number of visas issued indicates the potential number of foreign nationals who may seek admission to the United States (excluding a large number who do not require a visa). The number of temporary admissions indicates the number of times that foreign nationals enter the United States, thus counting frequent travelers multiple times.

About 5.8 million visas for temporary admission to the United States were issued in 2009. Twenty-four percent were for temporary residents and 76 percent were for visitors. Although the number of visas issued in 2009 was 755,000 (or 15 percent) higher than the number in 2004, it was down by almost 800,000 (or 12 percent) from the 6.6 million visas issued in 2008. The decrease was most likely a result of the global recession: Fewer visas were issued for business, for tourism, and for employment.

The number of legal temporary admissions was much greater than the number of visas issued. The Department of Homeland Security (DHS) estimates that there were 163 million legal temporary admissions to the United States in 2009. That estimate includes 126 million admissions not requiring visas by Canadians traveling for business or tourism and certain Mexicans with Border Crossing Cards. It also includes about 36 million admissions of foreign nationals who were required to complete an Arrival/Departure Record (known as an I-94 form); about 16 million of those

admissions were individuals who entered under the Visa Waiver Program, and the rest had visas. Many individuals had multiple admissions because they departed and reentered the United States during the same year.

The number of legal temporary admissions in 2009 was the lowest since DHS began reporting those data in 2003 and was about 10 percent less than the number admitted in 2004.

The numbers presented throughout this document represent the flow of foreign nationals into the United States in accordance with U.S. immigration law. Information on the departures of temporary residents and visitors after their authorized stay is currently not recorded. Official estimates are available only on departures of LPRs.

Naturalization

Legal permanent residents may become citizens of the United States through a process known as naturalization. To become a naturalized citizen, an applicant must fulfill certain requirements set forth in the Immigration and Nationality Act. In general, any legal permanent resident who is at least 18 years old and who has maintained the specified period of continuous residence and presence in the United States can apply for naturalization. In 2009, about 744,000 people became naturalized U.S. citizens, well below the number naturalized in 2008 but close to the average for the past five years. Of the 2009 total, the largest percentages of people were born in Mexico (15 percent) and India (7 percent).

Enforcement of Immigration Policy

In addition to regulating the legal admission of permanent residents and temporary residents and visitors, U.S. law specifies policies for individuals in the United States without legal authorization. People found to be in the United States in violation of immigration law may be allowed to depart voluntarily or may be removed from the country through a formal process of adjudication, which can include the imposition of penalties (such as fines), a prohibition against future entry, or both.

In addition, individuals convicted of certain crimes can be imprisoned before they are removed from the United States.

The Department of Homeland Security is responsible for enforcing immigration law and acts to arrest, detain, return, and remove foreign nationals who violate U.S. laws. In 2009, about 580,000 people who were arrested or detained returned voluntarily under the supervision of a DHS official to their home country or to another country, a figure that is well below the number in recent years. Also in 2009, about 393,000 people were ordered

removed, which is 63 percent more than were ordered removed in 2004. Of those 393,000 removals, 107,000 were carried out using an expedited process designed to speed up the removal of people attempting to enter the country illegally. In 2009, about two-thirds of total removals were for noncriminal violations, such as a lack of proper documentation, and the other one-third were for criminal violations of U.S. laws. (Although various estimates exist, there is no way to count the total number of individuals who enter the country illegally or how many of them leave voluntarily.) ♦



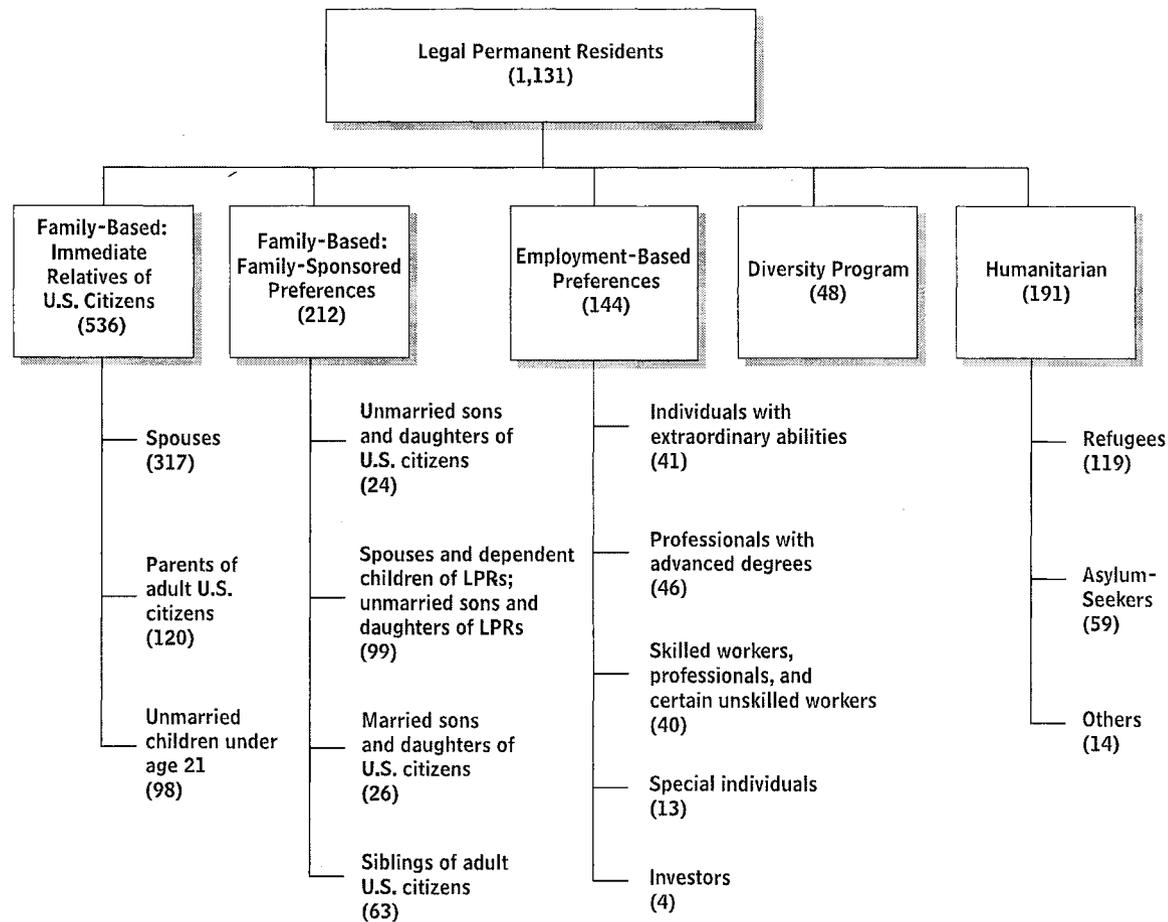
Legal Permanent Residents



Exhibit 1.

Categories of Admission of Legal Permanent Residents, 2009

(Thousands of admissions)



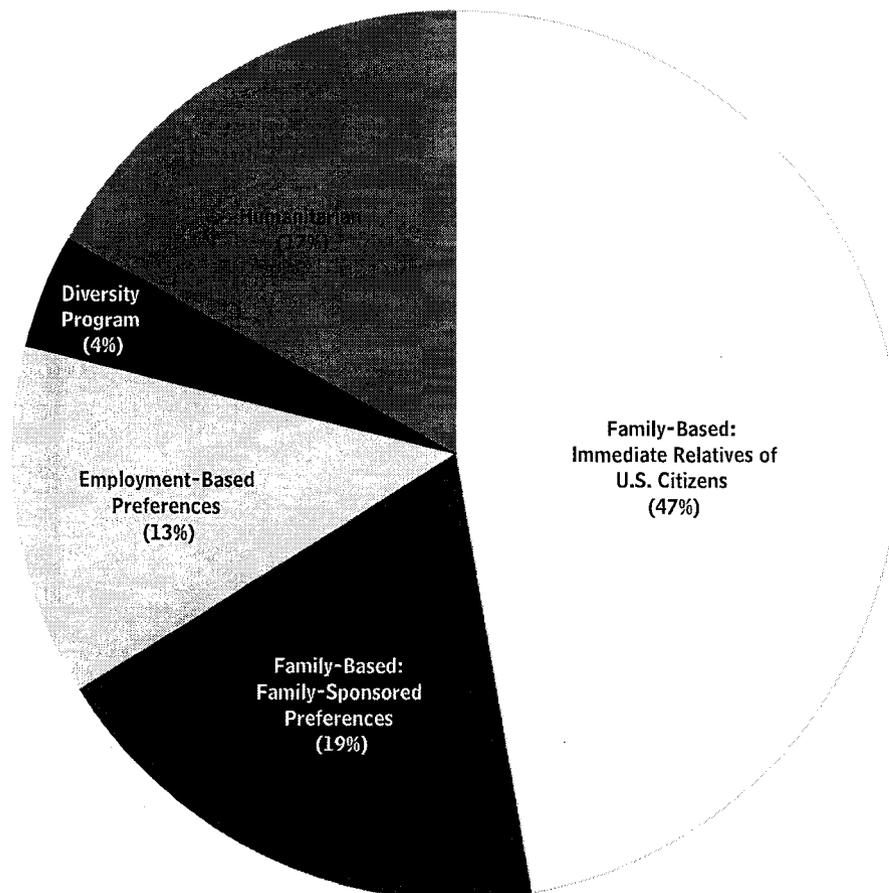
Source: Congressional Budget Office based on Department of Homeland Security, Office of Immigration Statistics, *2009 Yearbook of Immigration Statistics* (August 2010), Table 6.

Note: LPR = legal permanent resident.

People granted permanent admission to the United States are formally classified as legal permanent residents and given a green card. LPRs are eligible to live and work in the United States, own property, and join the armed forces; eventually, they may apply for U.S. citizenship.

The United States grants LPR status to foreign nationals who qualify for admission under one of the following five immigration categories: immediate relatives of U.S. citizens, family-sponsored preferences, employment-based preferences, the Diversity Program, and humanitarian. Foreign nationals who are eligible for the two family-based categories include certain relatives of U.S. citizens and LPRs (such as spouses, parents, and unmarried children under age 21). Under the program of employment-based preferences, the United States grants LPR status to workers with specific job skills, including individuals with extraordinary abilities, professionals with advanced degrees, and unskilled workers in occupations with labor shortages. Other people may enter the United States under the Diversity Program, which provides a pathway for individuals to gain permanent legal residency. Some foreign nationals are admitted to the United States for humanitarian reasons (as refugees or asylum-seekers), which allows them to apply for LPR status.

With the exception of the diversity, humanitarian, and investor categories, a foreign national must be sponsored by a U.S. citizen, LPR, or prospective employer and have an approved petition filed with the U.S. Citizenship and Immigration Services (USCIS) in order to obtain LPR status. Within each major LPR category, additional qualifications are required for admission. ♦

Exhibit 2.**Admissions of Legal Permanent Residents, by Category, 2009**

Source: Congressional Budget Office based on Department of Homeland Security, Office of Immigration Statistics, *2009 Yearbook of Immigration Statistics* (August 2010), Table 6.

In 2009, the United States granted LPR status to 1.1 million individuals, which is about average for the 2005–2009 period. Family-based admissions, which include admissions of immediate relatives of U.S. citizens and admissions under the program of family-sponsored preferences, together accounted for 66 percent of total admissions of legal permanent residents in 2009. The remaining 34 percent comprised humanitarian admissions (17 percent), admissions under employment-based preferences (13 percent), and Diversity Program admissions (4 percent). Admissions based on family-sponsored preferences, employment-based preferences, and diversity are all subject to annual limits; by contrast, admissions of immediate relatives of U.S. citizens and admissions for humanitarian reasons are unlimited.

Those annual limits did not change during the 2004–2010 period, with the exception of the limits on asylum-seekers (which changed in 2005) and employment-based preferences (for which specific legislation allowed extra visas in certain years). ♦

Exhibit 3.**Admissions of Legal Permanent Residents, by Method of Admission, 2004 to 2009**

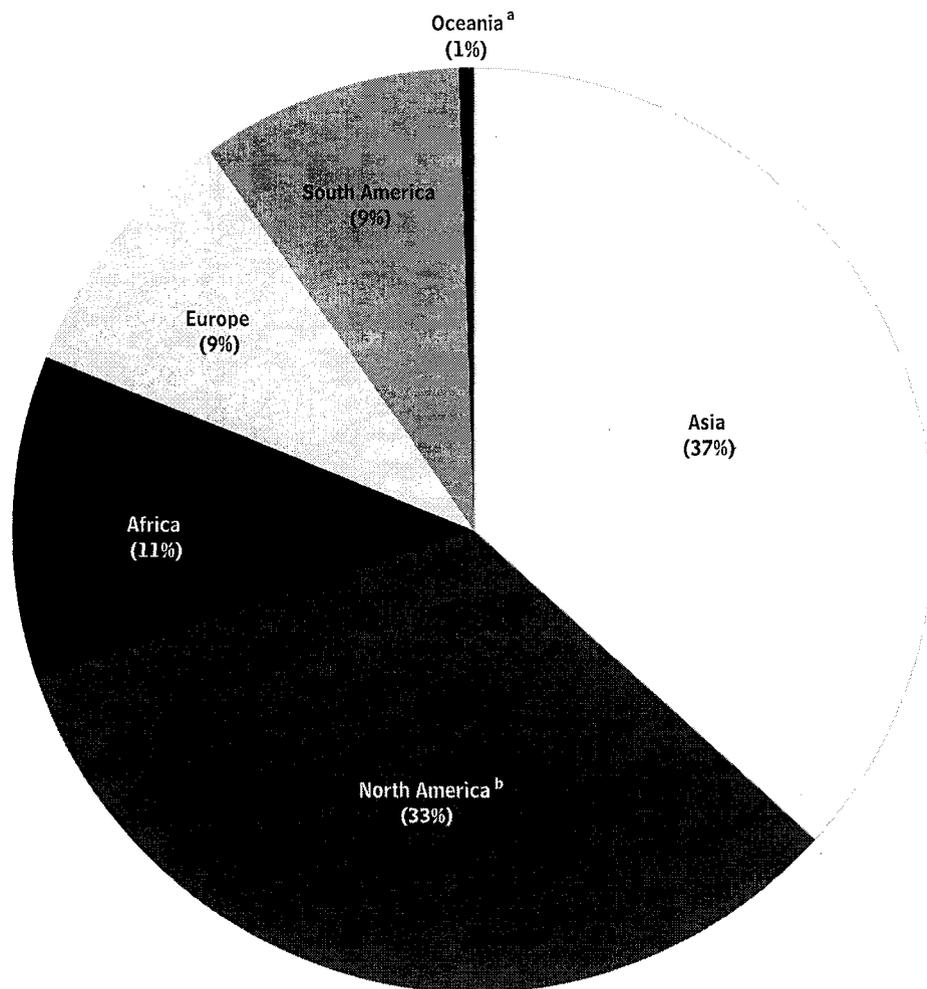
	2004	2005	2006	2007	2008	2009	Percentage Change, 2004 to 2009
Admissions (Thousands)							
First-Time Entry to the United States	374	384	447	431	467	463	24
Change of Status to Legal Permanent Resident	584	738	819	621	641	668	14
Total	958	1,122	1,266	1,052	1,107	1,131	18
Percentage of Yearly Total							
First-Time Entry to the United States	39	34	35	41	42	41	n.a.
Change of Status to Legal Permanent Resident	61	66	65	59	58	59	n.a.
Total	100	100	100	100	100	100	n.a.

Source: Congressional Budget Office based on Department of Homeland Security, Office of Immigration Statistics, *2009 Yearbook of Immigration Statistics* (August 2010), Table 6.

Note: n.a. = not applicable.

In 2009, about 40 percent of the 1.1 million individuals granted LPR status entered the United States for the first time as a permanent resident. The other 60 percent were individuals who were already in the United States when they were granted LPR status. Eligible people who are in the United States can file an application with the U.S. government that, if approved, would change their status from temporary resident or visitor to legal permanent resident. In 2009, about 668,000 changes to LPR status were granted, compared with 463,000 admissions of first-time entrants. Most of those adjustments to LPR status were based on a family relationship with a current U.S. citizen or LPR.

The total number of LPR admissions in 2009 was 173,000 (or 18 percent) more than the number in 2004. LPR admissions granted to first-time entrants to the United States rose by 24 percent, and changes of status for people who were already in the country grew by 14 percent. From year to year within that five-year period, however, the number of people granted LPR status has fluctuated. In 2007, for example, that number declined by 17 percent. According to DHS, fluctuations in the flow of admissions may stem from several factors, including the strength of the world economy and how quickly applications are processed by USCIS. ♦

Exhibit 4.**Admissions of Legal Permanent Residents, by Region of Birth, 2009**

Source: Congressional Budget Office based on Department of Homeland Security, Office of Immigration Statistics, *2009 Yearbook of Immigration Statistics* (August 2010), Table 3.

a. Oceania includes Australia, New Zealand, and the islands of the South Pacific.

b. North America includes Central America.

Of the people granted LPR status in 2009, 413,000 (or 37 percent) were born in Asia and 375,000 (or 33 percent) were born in North America (which includes Central America). Those shares remained relatively constant from 2004 to 2009.

Of the total LPR admissions in 2009, the largest share was people born in Mexico (15 percent) and the second largest share was people born in China (6 percent). ♦

Exhibit 5.**Admissions of Legal Permanent Residents, by Category, 2004 to 2009**

(Thousands)

Category of Admission	2004	2005	2006	2007	2008	2009	Percentage Change,
							2004 to 2009
Family-Based							
Immediate relatives of U.S. citizens	418	436	580	495	488	536	28
Family-sponsored preferences	214	213	222	195	228	212	-1
Employment-Based Preferences							
Diversity Program	50	46	44	42	42	48	-4
Humanitarian	120	180	260	158	183	191	59
Total	958	1,122	1,266	1,052	1,107	1,131	18

Source: Congressional Budget Office based on Department of Homeland Security, Office of Immigration Statistics, *2009 Yearbook of Immigration Statistics* (August 2010), Table 6.

About 536,000—or almost half—of the LPRs admitted in 2009 were immediate relatives of U.S. citizens (spouses, parents of citizens 21 years of age or older, and unmarried children under age 21). Other relatives admitted under family-sponsored preferences constituted the next largest category, accounting for 212,000 new LPRs in 2009.

In recent years, the two uncapped categories of LPR admissions (those of immediate relatives of U.S. citizens and those for humanitarian reasons) were the only ones that experienced any significant growth. From 2004 to 2009, admissions of immediate relatives of U.S. citizens increased by 28 percent (or 118,000 admissions), and humanitarian-based admissions increased by 59 percent (or 71,000 admissions). Those changes are also indicative of longer-term trends. Admissions of immediate relatives over the 2005–2009 period were 26 percent greater than such admissions from 2000 through 2004, and admissions for humanitarian reasons rose by 50 percent. By contrast, admissions in the other three categories (family-sponsored preferences, employment-based preferences, and the Diversity Program) are numerically limited, resulting in relatively little change from 2004 to 2009. However, a one-year spike in admissions under employment-based preferences occurred in 2005 because of a change in law that allowed more visas in that category in that year. ♦

Exhibit 6.**Numerical Ceilings on Family-Based Visas Issued**

Category	Who Qualifies for Category	Ceiling on Visas Issued	Note
Immediate Relatives of U.S. Citizens	Spouses, parents of citizens 21 years of age or older, and unmarried children under age 21	Unlimited	
Family-Sponsored Preferences			
First preference	Unmarried adult (ages 21 and older) sons and daughters of U.S. citizens	23,400	Plus unused visas from fourth preference
Second preference	Spouses and dependent children of LPRs; unmarried sons and daughters of LPRs	114,200	Plus unused visas from first preference
Third preference	Married sons and daughters of U.S. citizens	23,400	Plus unused visas from first or second preference
Fourth preference	Siblings of adult U.S. citizens	65,000	Plus unused visas from first, second, or third preference
Total		226,000	

Sources: Congressional Budget Office based on Department of Homeland Security, U.S. Citizenship and Immigration Services, "Green Card Through Family"; Ruth Ellen Wasem, *U.S. Immigration Policy on Permanent Admissions*, CRS Report for Congress RL32235 (Congressional Research Service, July 20, 2009); and Department of Homeland Security, Office of Immigration Statistics, *U.S. Legal Permanent Residents: 2009*, Annual Flow Report (April 2010).

Note: LPR = legal permanent resident.

The number of immediate family members of U.S. citizens allowed to receive LPR status is not limited under current law; immediate family members consist of spouses, unmarried children under 21 years of age, and parents of citizens who are 21 or older. Those admissions amounted to the single largest category of LPR admissions in 2009.

Family-sponsored visas are also available to a broader set of family members of U.S. citizens and residents. Those visas are governed by a system of preferences, each category of which has a set number of visas available. Unused visas in each preference category may be passed down to the next category, and unused visas in the lowest preference category may be passed up to the first category. For example, unused visas under the ceiling for the fourth preference category (siblings of adult U.S. citizens, which are currently capped at 65,000 plus unused visas from the second and third preference categories) may be used to increase the numerical limit for the first preference category (unmarried sons and daughters of U.S. citizens, which are currently otherwise limited to 23,400). Since 2004, the number of visas issued under family-sponsored preferences has had an annual limit of 226,000. ♦

Exhibit 7.**Family-Based Admissions of Legal Permanent Residents,
2004 to 2009**

(Thousands)

Category of Admission	2004	2005	2006	2007	2008	2009	Percentage Change, 2004 to 2009
Immediate Relatives of U.S. Citizens	418	436	580	495	488	536	28
Family-Sponsored Preferences							
First preference: unmarried adult sons and daughters of U.S. citizens	26	25	25	23	26	24	-9
Second preference: spouses and dependent children of LPRs; unmarried sons and daughters of LPRs	94	100	112	86	103	99	5
Third preference: married sons and daughters of U.S. citizens	29	23	21	21	29	26	-10
Fourth preference: siblings of adult U.S. citizens	66	65	63	65	69	63	-3
Total	214	213	222	195	228	212	-1

Source: Congressional Budget Office based on Department of Homeland Security, Office of Immigration Statistics, *2009 Yearbook of Immigration Statistics* (August 2010), Table 6.

Notes: LPR = legal permanent resident.

Admissions for a category in one year may be over or under its established ceiling on visas issued in that year (see the previous exhibit). On the one hand, actual admissions may exceed the ceiling because immigration law allows unused visas from one category to be allocated to another category or because some individuals are issued an LPR visa in one year but are not actually admitted to the United States until a subsequent year. On the other hand, actual admissions may be less than the established ceiling because of fewer applications for an LPR visa or because of processing backlogs of such applications in certain years.

Under the program of family-sponsored preferences, which is subject to numerical limits, U.S. citizens and LPRs can sponsor certain immediate relatives for permanent admission. In 2009, about 212,000 people (or 19 percent of all new legal permanent residents) were granted admission under that program.

Admissions through the program of family-sponsored preferences were near the limit of 226,000 in most of the years from 2004 to 2009, averaging 214,000 people annually. Admissions for a category (or the program as a whole) in one year may be over or under its established ceiling on visas issued in that year (see Exhibit 6 for details on those ceilings). On the one hand, actual admissions may exceed the ceiling because immigration law allows unused visas from one category to be allocated to another category or because some individuals are issued an LPR visa in one year but are not actually admitted to the United States until a subsequent year. On the other hand, actual admissions may be less than the established ceiling because of fewer applications for an LPR visa or because of processing backlogs of such applications in certain years.

Most of the family-sponsored preferences are allocated to spouses and dependent children of LPRs, unmarried sons and daughters of LPRs, and siblings of adult U.S. citizens. Together, those categories have an annual ceiling of 179,200 visas, which represents almost 80 percent of the visas allocated for family-sponsored preferences. Over the 2004–2009 period, an average of about 164,000 people were admitted per year in those categories.

Exhibit 8.**Numerical Ceilings on Employment-Based Visas Issued**

Category	Who Qualifies for Category	Ceiling on Visas Issued	Note
Employment-Based Preferences			
First preference	Priority workers: individuals with extraordinary ability in the arts, athletics, business, education, or the sciences; outstanding professors; and certain multinational executives and managers	40,040	Plus unused visas from fourth and fifth preferences
Second preference	Professionals who hold advanced degrees or who are considered to have exceptional ability	40,040	Plus unused visas from first preference
Third preference	Skilled workers with at least two years' training or experience in labor sectors deemed to have shortages and professionals with baccalaureate degrees; unskilled workers in labor sectors deemed to have shortages	40,040	Plus unused visas from first or second preference; 10,000 of those are reserved for unskilled workers
Fourth preference	Special individuals: ministers, other religious workers, certain foreign nationals employed by the U.S. government abroad, and others	9,940	Religious workers limited to 5,000
Fifth preference	Employment-creation investors who commit at least \$1 million to the development of at least 10 new jobs. (The amount of the investment may be less for rural areas or areas with high unemployment.)	9,940	3,000 minimum reserved for investors in rural or high-unemployment areas
Total		140,000	Plus unused family-sponsored visas from previous year

Sources: Congressional Budget Office based on Department of Homeland Security, U.S. Citizenship and Immigration Services, "Green Card Through a Job"; Ruth Ellen Wasem, *U.S. Immigration Policy on Permanent Admissions*, CRS Report for Congress RL32235 (Congressional Research Service, July 20, 2009); and Department of Homeland Security, Office of Immigration Statistics, *U.S. Legal Permanent Residents: 2009*, Annual Flow Report (April 2010).

U.S. immigration policy aims to bring in workers with certain job skills (such as workers with extraordinary abilities or advanced degrees). Like family-sponsored visas, employment-based LPR visas are governed by a system of preferences, each with a ceiling on the number of visas available. Immigration law gives priority to individuals with extraordinary abilities (the first preference category), followed by professionals with advanced degrees and other workers in occupations that have labor shortages in the United States. In addition, immigration law provides for two further preference categories with much smaller ceilings: special individuals (such as religious workers) and employment-creation investors. Unused employment-based visas from a given preference category may be passed down to the next category. In addition, any unused family-sponsored visas are made available for employment-based visas.

For most foreign nationals to be admitted under the employment-based program, an employer must first submit a labor certification request to the Department of Labor. The department must then certify that there are not enough U.S. workers available locally to perform the intended work or that the employment of the worker will not adversely affect wages and working conditions in the United States. (Certification is waived for three preference categories: ministers and other special workers, workers with extraordinary abilities, and investors in U.S. businesses.) After receiving certification, the employer must file a petition with USCIS on behalf of the worker. ♦

Exhibit 9.**Employment-Based Admissions of Legal Permanent Residents, 2004 to 2009**

(Thousands)

Category of Admission	2004	2005	2006	2007	2008	2009	Percentage Change, 2004 to 2009
Employment-Based Preferences							
First preference:							
Individuals with extraordinary abilities	31	65	37	27	37	41	31
Second preference:							
Professionals with advanced degrees	33	43	22	44	70	46	40
Third preference:							
Skilled workers, professionals, and certain unskilled workers	86	129	90	85	49	40	-53
Fourth preference:							
Special individuals	5	10	10	5	10	13	149
Fifth preference:							
Employment-creation investors	*	*	1	1	1	4	**
Total	155	247	159	162	167	144	-7

Source: Congressional Budget Office based on Department of Homeland Security, Office of Immigration Statistics, *2009 Yearbook of Immigration Statistics* (August 2010), Table 6.

Notes: * = fewer than 500; ** = not shown because of small number of admissions in 2004.

Admissions for a category in one year may be over or under its established ceiling on visas issued in that year (see Exhibit 8). On the one hand, actual admissions may exceed the ceiling because immigration law allows unused visas from one category to be allocated to another category or because some individuals are issued an LPR (legal permanent resident) visa in one year but are not actually admitted to the United States until a subsequent year. On the other hand, actual admissions may be less than the established ceiling because of fewer applications for an LPR visa or because of processing backlogs of such applications in certain years.

About 144,000 people were admitted in 2009 under employment-based preferences, accounting for roughly 13 percent of total permanent admissions. That number exceeded the statutory ceiling on visas issued by 4,000 because unused family-sponsored visas are made available for employment-based visas.

Overall, about 7 percent fewer individuals were admitted under the program of employment-based preferences in 2009 than in 2004. For the first two preference categories, the number of admissions rose, whereas the number of admissions under the third preference category declined sharply. Admissions for the fourth and fifth preference categories increased from 2004 to 2009, but they represented only a small share of admissions.

The spike in the number of people who were admitted under employment-based preferences in 2005 and the elevated levels in the following years were in part a result of legislation that made more visas available for that category. The American Competitiveness in the 21st Century Act of 2000 (Public Law 106-313) temporarily increased by about 130,000 the number of employment-based visas available over the 2005–2007 period, and the REAL ID Act of 2005 (P.L. 109-13) allowed the Department of State to carry forward about 50,000 unused employment-based visas from previous years (which were used from 2005 through 2007). Admissions in 2008 exceeded the ceiling because unused family-sponsored visas from 2007 were carried forward.

Exhibit 10.**Numerical Ceiling on Diversity Program Visas Issued**

Category	Who Qualifies for Category	Ceiling on Visas Issued
Diversity Program	Citizens of foreign nations with historically low levels of admission to the United States. To qualify for a diversity-based visa, an applicant must have a high school education or its equivalent or at least two years of training or experience in an occupation.	50,000

Sources: Congressional Budget Office based on Department of Homeland Security, U.S. Citizenship and Immigration Services, "Green Card Through the Diversity Immigrant Visa Program"; Ruth Ellen Wasem, *U.S. Immigration Policy on Permanent Admissions*, CRS Report for Congress RL32235 (Congressional Research Service, July 20, 2009); and Department of Homeland Security, Office of Immigration Statistics, *U.S. Legal Permanent Residents: 2009*, Annual Flow Report (April 2010).

The Immigration Act of 1990 introduced the Diversity Program, which aims to increase admissions of people from countries with historically low levels of immigration to the United States. Since 1999, the number of diversity-based visas available each year has been limited to 50,000; before 1999, the annual limit was 55,000.

Diversity-based visas are issued through a lottery administered by the Department of State. Eligible countries are grouped into six regions, and visa limits are set for those regions on the basis of permanent admissions in the past five years and a region's total population. Applicants must have either a high school diploma or its equivalent or two years of work experience within the past five years in an occupation requiring at least two years of training or experience. Countries that accounted for more than 50,000 permanent admissions across all categories during the preceding five years are excluded from the program. Applicants selected by the State Department who meet all of the requirements and complete the application process are granted LPR status. ♦

Exhibit 11.**Diversity Program Admissions of Legal Permanent Residents, by Region of Birth, 2004 to 2009**

(Thousands)

Region	2004	2005	2006	2007	2008	2009	Percentage Change, 2004 to 2009
Africa	20	16	18	19	18	24	19
Asia	8	7	8	7	8	14	67
Europe	19	20	15	12	14	9	-53
North America ^a	*	1	1	*	*	*	**
Oceania ^b	1	1	1	1	1	1	**
South America	2	2	2	2	1	*	**
Unknown	*	*	*	*	*	*	**
Total	50	46	44	42	42	48	-4

Source: Congressional Budget Office based on Department of Homeland Security, Office of Immigration Statistics, 2004–2009 *Yearbooks of Immigration Statistics* (selected years), Table 8 (in 2004) and Table 10 (all other years).

Notes: People categorized as “unknown” are those whose region of birth cannot be verified.

* = fewer than 500; ** = not shown because of small number of admissions.

a. North America includes Central America.

b. Oceania includes Australia, New Zealand, and the islands of the South Pacific.

In 2009, foreign nationals from Africa accounted for 24,000 (or about half) of the people admitted under the Diversity Program, and nationals from Asia accounted for 14,000 (or 28 percent)—even though the two largest Asian countries (China and India) were ineligible for the program that year. China, India, and several other Asian countries were ineligible in 2009 because each accounted for more than 50,000 permanent admissions to the United States during recent years. The other countries that were ineligible in that year include Canada, Mexico, the United Kingdom (except Northern Ireland), and several South American countries. In 2009, Ethiopia and Nigeria accounted for more Diversity Program admissions than any other country; each had nearly 4,000 admissions (or about 8 percent).

In 2004, Asian countries accounted for a smaller share of admissions under the program (8,000, or 16 percent), and African and European countries accounted for most of the foreign nationals admitted under the program. The annual limit on diversity visas issued is not always reached because some applicants do not meet the requirements of the program in certain years. ◆

Exhibit 12.

Numerical Ceilings on Humanitarian Visas Issued

Category	Who Qualifies for Category	Ceiling on Visas	Note
Humanitarian Refugees	Foreign-born individuals who have been granted refugee status in the United States because of the risk of persecution or a well-founded fear of persecution. Refugees must wait one year before petitioning for LPR status.	Unlimited	No limit on adjustments from refugee status to LPR status, but the President determines a ceiling on the number of individuals who may be granted refugee status.
Asylum-Seekers	Foreign-born individuals who have been granted asylum in the United States because of the risk of persecution or a well-founded fear of persecution. Asylum-seekers must wait one year before petitioning for LPR status.	Unlimited	
Others	Various classes of people, such as Amerasians, parolees, certain Central Americans, Cubans, and Haitians, whose status is adjusted to LPR, and certain people granted LPR status following removal proceedings.	Unlimited	Dependent on authority to grant LPR status in applicable legislation

Sources: Congressional Budget Office based on Department of Homeland Security, U.S. Citizenship and Immigration Services, "Green Card Through Refugee or Asylee Status"; Ruth Ellen Wasem, *U.S. Immigration Policy on Permanent Admissions*, CRS Report for Congress RL32235 (Congressional Research Service, July 20, 2009); and Department of Homeland Security, Office of Immigration Statistics, *U.S. Legal Permanent Residents: 2009*, Annual Flow Report (April 2010).

Note: LPR = legal permanent resident.

The U.S. government has the authority to grant LPR status to refugees, asylum-seekers, and other people for urgent humanitarian reasons. Refugees and asylum-seekers are individuals who are at risk of persecution in their country of nationality on account of their race, religion, membership in a particular social group, or political opinions. The two categories are distinct in that refugees apply for that status from outside the United States, whereas asylum-seekers apply from within the United States or at a port of entry. The President sets a limit on the number of refugees who can enter the United States each year.

Refugees and asylum-seekers are eligible to apply for LPR status one year after obtaining refugee or asylum status, and immigration law does not currently limit the number of refugees or asylum-seekers who can be granted LPR status in any year. Until 2005, the number of asylum-seekers authorized to change their status to LPR was limited to 10,000 each year. However, the REAL ID Act of 2005 eliminated that ceiling.

Others granted admission for humanitarian reasons include people (such as Amerasians, Cubans, and Haitians) who were granted eligibility for LPR status by specific legislation. The category also includes parolees—that is, people who would normally not be admitted but are granted temporary admission for urgent humanitarian reasons or when admission is determined to be of significant public benefit. ♦

Exhibit 13.**Humanitarian Admissions of Legal Permanent Residents,
2004 to 2009**

(Thousands)

Category of Admission	2004	2005	2006	2007	2008	2009	Percentage Change, 2004 to 2009
Refugees	61	113	100	55	90	119	95
Asylum-Seekers	10	30	117	81	76	59	473
Others	49	37	44	22	16	14	-71
Total	120	180	260	158	183	191	59

Source: Congressional Budget Office based on Department of Homeland Security, Office of Immigration Statistics, *2009 Yearbook of Immigration Statistics* (August 2010), Table 6.

In 2009, about 191,000 refugees, asylum-seekers, and others were granted LPR status on humanitarian grounds, an increase of 59 percent from 2004. The countries that accounted for the most humanitarian admissions in 2009 were Cuba (18 percent), China (10 percent), and Somalia (7 percent).

In 2005, the Department of Homeland Security reduced a backlog in applications by refugees for LPR status, processing more applications and allowing more refugees to obtain that status. In addition, the REAL ID Act of 2005 eliminated the ceiling of 10,000 admissions for asylum-seekers. Together, those two changes led to a large increase in humanitarian admissions beginning in 2005. ♦



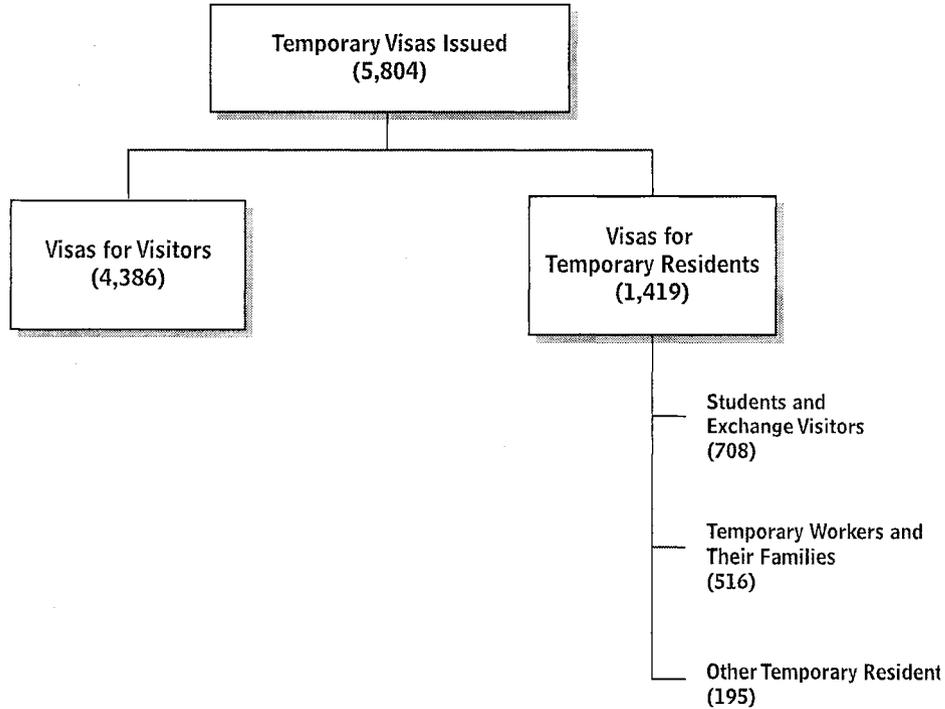
Temporary Residents and Visitors



Exhibit 14.

Types of Visas Issued for Temporary Residents and Visitors, 2009

(Thousands of visas issued)



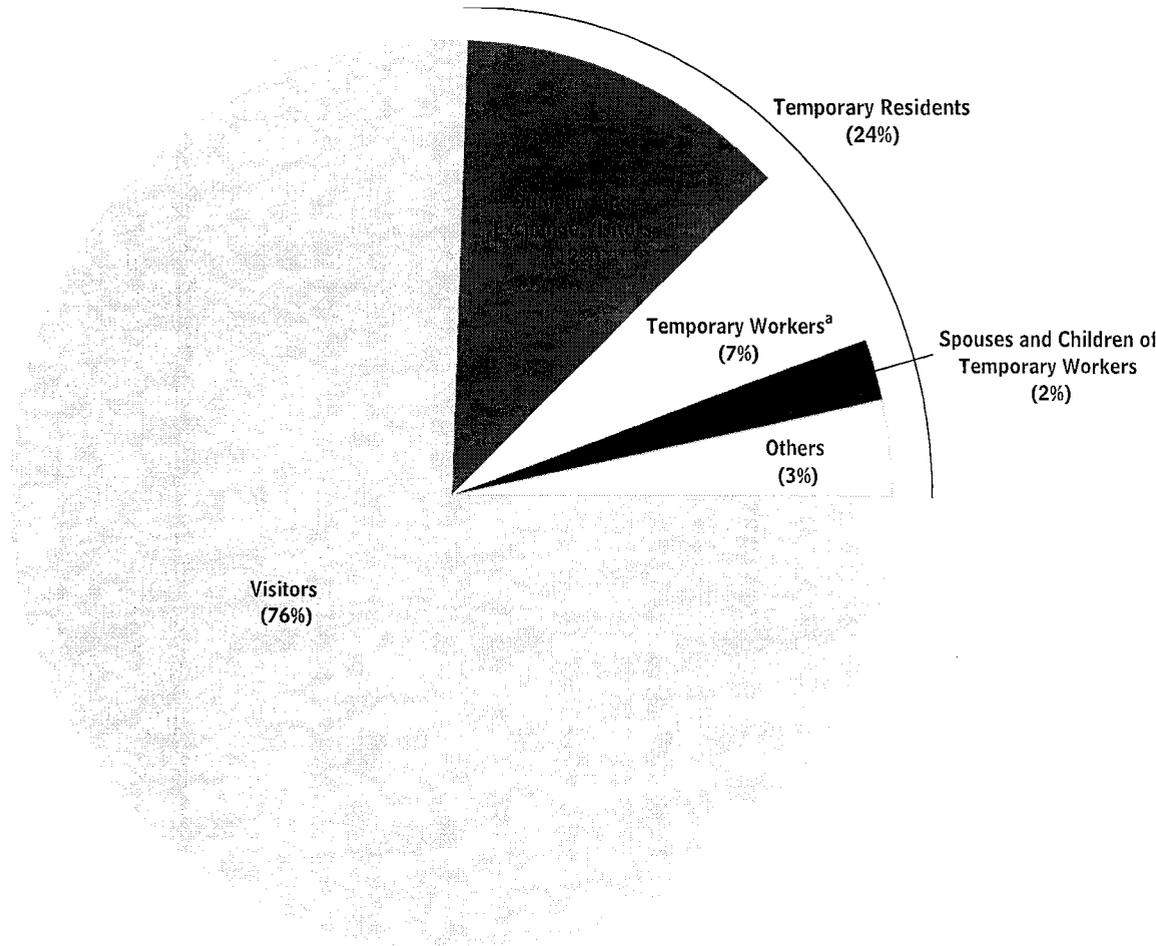
Source: Congressional Budget Office based on Department of State, Bureau of Consular Affairs, *Report of the Visa Office 2009*, Table XVI.

Temporary admission to the United States is granted to foreign nationals who seek entry for a limited time and for a specific purpose—including tourism, diplomacy, work, or study. Such temporary visas can be either visitor visas or temporary resident visas; the latter are generally for a longer period of time.

In general, anyone wishing to obtain a temporary visa for admission into the United States for a specific purpose or activity must provide evidence that the visit will be temporary, agree to depart at the end of the authorized stay, possess a valid passport, maintain a foreign residence, be able to provide proof of financial means (in most cases), and abide by the terms and conditions of admission. For individuals who want to come to the United States lawfully to work temporarily, a prospective employer must generally file a petition on their behalf with the Department of Labor and USCIS. ◆

Exhibit 15.

Visas Issued for Temporary Residents and Visitors, by Visa Class, 2009



According to data from the State Department, the United States issued about 5.8 million temporary visas in 2009. More than 75 percent of those visas were for people visiting the United States for tourism, business, or both. The rest were for temporary residents, mostly students, exchange visitors, and temporary workers.

In 2009 (according to information not shown here), foreign nationals from Asia accounted for 2.1 million (or 36 percent) of the temporary visas issued, and nationals from North America accounted for 1.3 million (or 22 percent). By country, the largest share of visas was issued to nationals of Mexico (15 percent), and the second largest share was issued to nationals of China (9 percent). ◆

Source: Congressional Budget Office based on Department of State, Bureau of Consular Affairs, *Report of the Visa Office 2009*, Table XVI.

a. Includes families of some temporary workers because the Department of Homeland Security does not separately report admissions of those workers and their family members.

Exhibit 16.**Number and Type of Temporary Visas Issued, by Visa Class, 2004 to 2009**

(Thousands)

Visa Types	Visa Class	2004	2005	2006	2007	2008	2009	Percentage Change, 2004 to 2009
Visitors (Excluding Visa Waiver Program)								
Business and tourism	B-1/B-2/BCC	3,414	3,741	4,076	4,514	4,696	4,117	21
Others (Transit visitors, commuter students, sea and air crews)	C, C-1/D, D-Crewlist, F-3, M-3	336	325	303	323	290	269	-20
Subtotal		3,750	4,066	4,379	4,838	4,986	4,386	17
Temporary Residents								
Temporary students and exchange visitors								
Students	F-1, M-1	224	244	281	308	351	340	52
Spouses and children of students	F-2, M-2	19	18	21	22	23	22	16
Exchange visitors	J-1	255	275	310	344	359	314	23
Spouses and children of exchange visitors	J-2	28	29	30	32	33	32	15
Subtotal		525	566	642	706	767	708	35
Temporary workers								
Workers of distinguished merit and ability	H-1B	139	124	135	154	129	110	-21
Seasonal workers in agricultural services	H-2A	32	32	37	51	64	60	89
Seasonal workers in nonagricultural services	H-2B, H-2R	76	89	123	130	94	45	-41
Workers with extraordinary ability	O-1, O-2	9	10	11	12	14	14	56
Internationally recognized athletes or entertainers	P-1, P-2, P-3	31	34	33	35	38	33	6
Intracompany transferees ^a	L-1	63	65	73	85	84	65	3
Treaty-related workers and spouses and children	E	37	37	40	41	40	35	-6
Free trade agreement professionals, shortage area nurses, and trainees	H-1B-1, H-1C, H-3	2	2	3	4	4	3	78
International media workers and spouses and children	I	16	17	16	16	17	15	-7
Cultural exchange workers	Q-1, Q-2	2	2	2	2	2	2	3
Religious workers	R-1	9	9	9	10	10	3	-69
NAFTA professional workers	TN	1	2	3	4	5	4	354
Subtotal		416	423	483	542	503	388	-7
Spouses and children of temporary workers ^b	H-4, L-2, O-3, P-4, Q-3, R-2, TD	149	136	145	167	153	127	-14

Continued

The intended purpose of the visit and other facts determine what type of temporary visa is required under U.S. law. There are more than 80 types of temporary visas available, including those for foreign government officials, visitors for business or tourism, academic and vocational students, and workers. Categories of temporary visas are commonly referred to by the letter and numeral that corresponds to the subsection and paragraph of the Immigration and Nationality Act that authorizes that visa; for example, B-2 for tourists, F-1 for foreign students, and J-1 for cultural exchange participants. Many of those specific categories of visas are part of a major class (for example, H-1B is a specific type in the major class of H visas). Exhibit 16 does not show all 80 subcategories, but instead it combines some subcategories into their major class for simplicity.

Temporary students and exchange visitors, as well as members of their families, received 708,000 visas in 2009. Temporary workers and their families received 516,000 visas in that year. H visas (for distinguished and specialty workers) make up the largest subcategory of temporary visas issued for employment: About 218,000 workers received H visas in 2009. Various subcategories are numerically capped, and they are subject to certain exemptions. Of the various subcategories of H visas, the largest is H-1B, for “workers of distinguished merit and ability”; about 110,000 H-1B visas were issued in 2009.

(Continued)

Exhibit 16.

Continued

Number and Type of Temporary Visas Issued, by Visa Class, 2004 to 2009

(Thousands)

Visa Types	Visa Class	2004	2005	2006	2007	2008	2009	Percentage Change, 2004 to 2009
Temporary Residents (Continued)								
Other temporary residents								
Expected long-term residents ^c	K, V	72	57	49	51	45	41	-44
Diplomats and other representatives	A, G, N, NATO	136	142	138	141	149	154	13
Victims of trafficking or other criminal activity	T, U	*	*	*	*	*	*	**
Subtotal		209	199	187	192	194	195	-7
Total		5,049	5,389	5,837	6,444	6,603	5,804	15

Source: Congressional Budget Office based on Department of State, Bureau of Consular Affairs, *Report of the Visa Office 2009*, Table XVI; and *Report of the Visa Office 2008*, Table XVI.

Note: NAFTA = North American Free Trade Agreement; * = fewer than 500; ** = not shown because of small number of visas issued.

- a. Includes executive, managerial, and specialized personnel with an international firm or corporation.
- b. This category does not include families of treaty-related workers or families of international media representatives because the Department of Homeland Security and the Department of State do not report the number of visas issued or admissions of family members separately.
- c. This category includes spouses, children, and dependents of legal permanent residents, as well as fiancé(e)s of U.S. citizens.

Although the total number of visas issued in 2009 was 755,000 (or 15 percent) greater than the number issued in 2004, the 2009 figure was nevertheless down by almost 800,000 (or 12 percent) from the 2008 figure of 6.6 million visas issued. The decrease probably stemmed from the global recession, because fewer visas were issued for business, tourism, and employment. Over the 2004–2009 period, the number of visas issued was generally lower than it was from the late 1990s through 2001. The number of visas issued dropped from 7.6 million in 2001 to about 5.0 million in 2003, partly because more stringent criteria for visa issuances were put in place following the 2001 terrorist attacks. ♦

Exhibit 17.**Admissions of Legal Temporary Residents and Visitors, by Visa Class or Program, 2004 to 2009**

(Thousands)

Admissions	Visa Class or Program	2004	2005	2006	2007	2008	2009	Percentage Change, 2004 to 2009
Admissions Without I-94 Forms		149,419	143,297	141,433	134,150	136,018	126,368	-15
Visitors								
Business and tourism	B-1/B-2	11,538	12,191	13,943	16,017	16,424	15,089	31
Visa Waiver Program for tourism	WT	13,380	13,463	12,828	13,470	15,099	14,273	7
Visa Waiver Program for business	WB	2,223	2,250	2,355	2,486	2,546	1,977	-11
Others (Transit visitors, commuter students, Guam Visa Waiver Program)	C, F-3, M-3, GB, GT	427	844	1,072	1,329	1,365	1,206	182
Subtotal		27,569	28,748	30,198	33,302	35,434	32,544	18
Temporary Residents								
Temporary students and exchange visitors								
Students	F-1, M-1	620	630	704	801	875	910	47
Spouses and children of students	F-2, M-2	36	34	37	41	43	42	16
Exchange visitors	J-1	322	343	385	443	459	413	28
Spouses and children of exchange visitors	J-2	39	40	42	46	47	46	19
Subtotal		1,017	1,046	1,168	1,331	1,424	1,411	39
Temporary workers								
Workers of distinguished merit and ability	H-1B	387	407	432	462	410	339	-12
Seasonal workers in agricultural services	H-2A	22	26 ^a	46	87	173	150	576
Seasonal workers in nonagricultural services	H-2B, H-2R	87	103 ^a	134	155	110	57	-35
Workers with extraordinary ability	O-1, O-2	33	37	42	47	54	59	75
Internationally recognized athletes or entertainers	P-1, P-2, P-3	54	59	63	70	74	70	29
Intracompany transferees ^b	L-1	314	312	321	364	383	333	6
Treaty-related workers and spouses and children	E	183	193	217	239	243	229	25
Free trade agreement professionals, shortage area nurses, and trainees	H-1B-1, H-1C, H-3	2	3	4	6	6	5	101
International media workers and spouses and children	I	37	42	41	44	46	44	19
Cultural exchange workers	Q-1, Q-2	2	3	2	2	3	3	21

DHS estimated that there were 162.6 million temporary admissions in 2009, although only about 5.8 million temporary visas were issued in that year (see Exhibit 16). Admissions exceed visa issuances because most temporary admissions do not require a visa, and a single visa can last for several years and permit multiple entries into the United States. The number of legal temporary admissions in 2009 was the lowest since DHS began reporting that data in 2003 and was about 10 percent less than the number admitted in 2004.

The total number of admissions in 2009 includes roughly 126 million admissions of Canadians and Mexicans who could enter the United States without a visa and who did not have to fill out an Arrival/Departure Record (an I-94 form) when they entered. That figure includes Canadian nationals traveling for business or tourism and certain Mexican nationals with Border Crossing Cards. (Because there is no form to count, DHS estimates the number of those types of legal temporary admissions to the United States on the basis of its workload.)

The total also includes 36.2 million admissions of foreign nationals who completed I-94 forms, an increase of 5.5 million (or 18 percent) from 2004 to 2009. About 90 percent of those admissions were short-term visitors, authorized to stay in the United States for up to six months, mostly for business or tourism. (The rest were temporary residents, mostly students, exchange visitors, or temporary workers and their families.)

(Continued)

Continued

Exhibit 17.

Continued

Admissions of Legal Temporary Residents and Visitors, by Visa Class or Program, 2004 to 2009

(Thousands)

Admissions	Visa Class or Program	2004	2005	2006	2007	2008	2009	Percentage Change, 2004 to 2009
Temporary workers (continued)								
Religious workers	R-1	22	22	23	25	25	17	-20
NAFTA professional workers	TN	66	65	74	85	88	99	50
Subtotal		1,210	1,272	1,399	1,585	1,615	1,404	16
Spouses and children of temporary workers ^c	H-4, L-2, O-3, P-4, Q-3, R-2, TD	298	300	310	347	334	299	1
Other temporary residents								
Expected long-term residents ^d	K, V	104	85	77	76	59	53	-49
Diplomats and other representatives	A, G, N, NATO	277	287	293	303	315	323	17
Victims of trafficking or other criminal activity	T, U	*	*	*	*	*	*	**
Subtotal		381	372	370	379	374	376	-1
Unknown ^e		307	264	222	205	200	196	-36
Total Admissions With I-94 Forms		30,781	32,003	33,667	37,150	39,382	36,232	18
Estimated Total Admissions		180,200	175,300	175,100	171,300	175,400	162,600	-10

Source: Congressional Budget Office based on Department of Homeland Security, Office of Immigration Statistics, *2009 Yearbook of Immigration Statistics* (August 2010), Table 25.

Note: NAFTA = North American Free Trade Agreement; * = fewer than 500; ** = not shown because of small number of admissions; DHS = Department of Homeland Security.

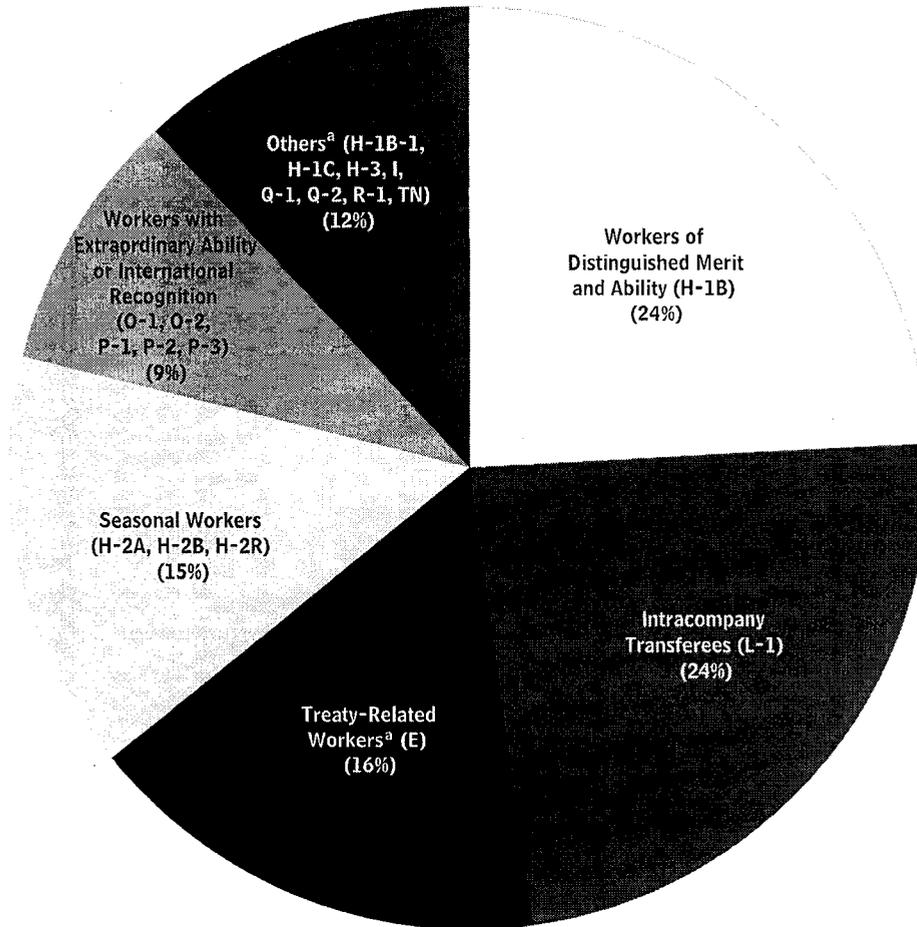
- DHS recorded 129,327 H-2 admissions for 2005 but did not distinguish between H-2A and H-2B. The numbers reported for those categories for 2005 are CBO's estimates based on historical shares of H-2 admissions.
- Includes executive, managerial, and specialized personnel with an international firm or corporation.
- Excludes families of treaty-related workers or families of international media representatives because DHS and the Department of State do not report the number of visas issued or admissions of family members separately.
- Includes spouses, children, and dependents of legal permanent residents, as well as fiancé(e)s of U.S. citizens.
- Comprises people whose I-94 Arrival/Departure Records are incomplete or unreadable.

The I-94 form, which is completed at a port of entry, shows the date the foreign national arrived in the United States and the date the authorized period of stay expires. Temporary residents and visitors with visas are required to fill out an I-94 form for entry into the United States, as are short-term visitors from countries participating in the Visa Waiver Program. Under that program, nationals of participating countries visiting the United States for 90 days or less may enter the country without a visa. However, they are required to complete an I-94 form upon arrival. Thirty-six countries currently participate, mostly European countries, as well as Australia, Japan, and South Korea. (Most of the 16 million admissions under the Visa Waiver Program come from the United Kingdom, Japan, Germany, and France.)

By far, the largest number of temporary admissions in 2009 were from North America (135 million). That figure includes the 126 million admissions of Canadians and Mexicans who did not need a visa to enter the United States; the other 9 million admissions were of temporary residents and visitors who did need a visa and filled out I-94 forms. Of the 36.2 million admissions of temporary residents and visitors who completed an I-94 form, the largest share was citizens of European countries, with 15 million admissions (or 40 percent). The countries with the largest shares were Mexico (18 percent) and the United Kingdom (13 percent). ♦

Exhibit 18.

Admissions of Temporary Workers, by Visa Class, 2009



Source: Congressional Budget Office based on Department of Homeland Security, Office of Immigration Statistics, *2009 Yearbook of Immigration Statistics* (August 2010), Table 25.

a. Includes families of foreign media representatives (I) and treaty-related workers (E) because the Department of Homeland Security does not separately report admissions of those workers and their family members.

To work temporarily in the United States, foreign nationals need a specific visa, based on the type of work they will be doing. For most types of temporary workers, the applicant's prospective employer is required to complete a petition; in some cases, a labor certification from the Department of Labor is also required. The U.S. Citizenship and Immigration Services must approve the petition before the applicant can request a visa.

In 2009, about 1.4 million temporary workers were admitted (see Exhibit 17). The largest numbers were for workers of distinguished merit and ability (339,000, or 24 percent of worker admissions) and intracompany transferees (333,000, or 24 percent), employees of multinational companies who were temporarily relocated to the United States and received L-1 visas.

Workers of distinguished merit and ability enter the country with H-1B temporary work visas. Those visas are issued to workers who have highly specialized knowledge in a field such as engineering, physical sciences, social sciences, medicine, education, law, or the arts. To apply for an H-1B visa, an employer must petition the Department of Labor and USCIS on behalf of the worker. Holders of H-1B visas generally must possess a minimum of a bachelor's degree. However, requisite experience can substitute for education, depending on the individual's circumstances. ◆



Naturalization



Exhibit 19.

Requirements for Naturalization

Characteristics of the Applicant	Preconditions			
	Time as Resident	Continuous Residence ^a	Physical Presence ^a	Time in District/State ^b
Is a permanent resident with no special circumstances	Five years	Five years	30 months	Three months
Has been married to and living with a U.S. citizen for the past three years, and spouse has been a U.S. citizen for the past three years	Three years	Three years	18 months	Three months
Was in the armed forces or discharged less than six months earlier, and served for at least one year	Must be a permanent resident at the time of interview	Not required	Not required	Not required
Was in the armed forces for less than one year, or was in the armed forces for more than one year and discharged more than six months earlier ^c	Five years	Five years	30 months	Three months
Performed active military duty during World War I, World War II, the Korean War, the Vietnam War, the Persian Gulf War, or on or after September 11, 2001	Not required	Not required	Not required	Not required
Is a widow or widower of a U.S. citizen who died during active duty	Must be a permanent resident at the time of interview	Not required	Not required	Not required
Is an employee or an individual under contract to the U.S. government ^c	Five years	Five years	30 months	Three months
Is performing ministerial or priestly functions for a religious denomination or an interdenominational organization with a valid U.S. presence ^c	Five years	Five years	30 months	Three months
Is employed by an American institution of research recognized by the Attorney General, an American-owned firm or corporation engaged in the development of foreign trade and commerce for the United States, or a public international organization of which the United States is a member by law or treaty ^c	Five years	Five years	30 months	Three months

Naturalization is the process by which a legal permanent resident can obtain U.S. citizenship. To be naturalized, an applicant must fulfill certain requirements as set forth in the Immigration and Nationality Act. In general, any legal permanent resident who is at least 18 years old and who has maintained the specified period of continuous residence and presence in the United States can apply for naturalization. By law, to accept an individual for naturalization, U.S. Citizenship and Immigration Services must verify that the applicant is of “good moral character”; has knowledge of U.S. history, government, and the English language; and is willing to support and defend the United States and its Constitution.

Most LPRs may apply for naturalization after three to five years of permanent residency. For certain groups, including those who have served in the U.S. military, the requirements for continuous residence and physical presence may be shortened or waived. The requirements for U.S. residency and local residency also vary according to an applicant’s particular situation. ♦

Exhibit 19.

Continued

Requirements for Naturalization

Characteristics of the Applicant	Preconditions			
	Time as Resident	Continuous Residence ^a	Physical Presence ^a	Time in District/State ^b
Is a spouse of a U.S. citizen who is a member of the armed forces, or in one of the three previous categories, and who is working abroad under an employment contract with a qualifying employer for at least one year (including the time at which the applicant naturalizes)	Must be a permanent resident at the time of interview	Not required	Not required	Not required
Is a U.S. national (a noncitizen who owes permanent allegiance to the United States, such as an American Samoan) and has become a resident of any state, and otherwise qualifies for naturalization ^c	Not required	The same requirements as any other applicant for naturalization, depending on qualifications	The same requirements as any other applicant for naturalization, depending on qualifications	Three months, or not required, depending on qualifications
Served on a vessel operated by the United States or on a vessel registered in the United States and owned by U.S. citizens or a U.S. corporation ^c	Five years	Five years	30 months	Three months
Has been employed for five years or more by a U.S. nonprofit organization that promotes the interests of the United States abroad through the communications media	Five years	Not required	Not required	Not required

Source: Congressional Budget Office based on Department of Homeland Security, U.S. Citizenship and Immigration Services, *A Guide to Naturalization* (August 2010).

Note: In addition to the requirements listed above, all applicants must be at least 18 years of age.

- a. Physical presence means not leaving the United States during the period. Trips outside of the United States for six months or longer constitute a break in continuous U.S. residency.
- b. Most applicants must be a resident of the district or state in which they are applying.
- c. Certain exceptions are made for time spent out of the country for these applicants.

Exhibit 20.**People Naturalized, by Region of Birth, 2004 to 2009**

(Thousands)

Region of Birth	2004	2005	2006	2007	2008	2009	Percentage change,
							2004 to 2009
Africa	35	39	50	42	54	60	75
Asia	224	244	264	244	330	276	23
Europe	84	92	101	82	109	90	7
North America ^a	151	181	223	241	462	250	66
Oceania ^b	4	4	4	3	5	4	11
South America	39	45	60	48	85	62	59
Unknown	1	1	1	1	1	1	**
Total	537	604	703	660	1,047	744	38

Source: Congressional Budget Office based on Department of Homeland Security, *2009 Yearbook of Immigration Statistics* (August 2010), Table 21.

Notes: People categorized as unknown are those whose region of birth cannot be verified.

** = not shown because of small number of naturalizations.

a. North America includes Central America.

b. Oceania includes Australia, New Zealand, and the islands of the South Pacific.

About 744,000 people became naturalized U.S. citizens in 2009. Of that total, the largest share was born in Mexico (15 percent), and the second largest share was born in India (7 percent). Because of variations in the pace of processing applications at the Department of Homeland Security, the number of people naturalized fluctuates from year to year; for that reason, averages over time provide a more accurate indication of the number of naturalizations. Between 2005 and 2009, the number of naturalizations was 23 percent higher, on average, than it was from 2000 to 2004. Over the 2004–2009 period, the regions of birth that experienced the largest percentage increase in naturalizations were Africa, with a 75 percent increase, and North America, with a 66 percent increase.

According to the Department of Homeland Security, people naturalized in 2009 spent a median of seven years as legal permanent residents before becoming U.S. citizens. Processing backlogs can delay the transition in status for many people. In July 2007, for example, a surge in applications before an 80 percent increase in the naturalization fee resulted in a processing backlog at USCIS. By the time that backlog was finally lessened in 2008, more than 1 million people had been naturalized in that year. As of the end of 2009, approximately 230,000 applicants for naturalization still awaited a decision, which is lower than the number of applications left pending at the end of any of the previous five years. ♦



Enforcement of Immigration Policy



Exhibit 21.**Enforcement Efforts, 2004 to 2009**

(Thousands)

	2004	2005	2006	2007	2008	2009	Percentage Change, 2004 to 2009
Apprehensions							
Apprehensions	1,264	1,291	1,206	961	792	613	-52
Removals and Returns							
Nonexpedited Removals	190	159	170	213	245	287	51
Expedited Removals	51	88	111	106	113	107	109
Total removals	241	246	281	319	359	393	63
Voluntary Returns	1,167	1,097	1,043	891	811	580	-50

Source: Congressional Budget Office based on Department of Homeland Security, Office of Immigration Statistics, *Immigration Enforcement Actions: 2009* (August 2010), Table 1; and *2009 Yearbook of Immigration Statistics* (August 2010), Tables 35 and 36.

Notes: The sum of all removals and voluntary returns may not equal total apprehensions for various reasons. Some people who are allowed to withdraw their application for admission at a port of entry are counted as voluntary returns but are not counted as apprehensions. In addition, removal proceedings for some apprehended people may take months or years to resolve, so a person apprehended in one year may not be removed until a later year. Finally, other apprehended individuals may be granted an adjustment of status following an immigration hearing.

The numbers of apprehensions, removals, and returns are counts of events, not individuals. That is, the same individual can be counted as having been arrested, removed, or voluntarily returned more than once in the same year.

The Department of Homeland Security, which is responsible for the enforcement of immigration laws, reported 613,000 apprehensions in 2009 for violations of those laws. Most apprehensions were concentrated at the border; 91 percent (or 556,000) were conducted by the U.S. Customs and Border Protection's (CBP's) Border Patrol agents. The number of apprehensions reported by DHS in 2009 was less than half the number reported in 2004—partly because of changes in reporting practices beginning in 2007. Before 2007, when DHS transferred apprehended individuals between certain programs within the department, it recorded each such transfer as an apprehension. As of 2007, DHS no longer includes those transfers in its data on apprehensions, and as of 2008 it also does not include apprehensions by state and local law enforcement agencies. Some other reasons for the decline after 2006 may be that fewer people are attempting to enter the United States illegally because of increased border security or because of reduced employment opportunities in the United States.

Some foreign nationals who are apprehended attempting to enter the country illegally or who have violated conditions of their immigration status are subject to removal proceedings; others leave voluntarily. Voluntary returns are most common when no criminal violations are evident. In 2009, 580,000 people were allowed to return to another country voluntarily, about half as many as in 2004. (Although various estimates exist, there is no way to count the total number of individuals who enter the country illegally, are not apprehended, and leave voluntarily.) ♦

Exhibit 22.**Reasons for Removal, 2004 to 2009**

	2004	2005	2006	2007	2008	2009	Percentage Change, 2004 to 2009
Removals (Thousands)							
Noncriminal	148	154	182	217	254	265	79
Criminal ^a	92	92	98	102	105	128	39
Total	241	246	281	319	359	393	63
Percentage of Yearly Total							
Noncriminal	62	63	65	68	71	67	n.a.
Criminal ^a	38	37	35	32	29	33	n.a.
Total	100	100	100	100	100	100	n.a.

Source: Congressional Budget Office based on Department of Homeland Security, Office of Immigration Statistics, *2009 Yearbook of Immigration Statistics* (August 2010), Table 38.

Notes: According to the Office of Immigration Statistics, the annual number of removals for previous years was revised in 2006; also, the category Administrative Reason for Removal that was shown in CBO's 2006 report is no longer available for all Department of Homeland Security removals.

n.a. = not applicable; CBP = Customs and Border Protection.

- a. Refers to people removed because of a criminal conviction. However, the numbers for 2008 and 2009 exclude criminals removed by CBP because the agency did not identify whether an individual removed in those years was a criminal. Because all CBP removals are counted as noncriminal removals, the number of criminals removed may be underreported in 2008 and 2009.

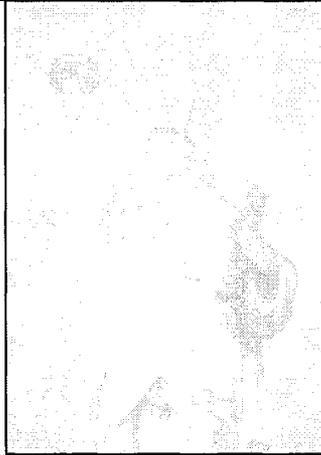
Two agencies within DHS share the authority to enforce immigration law. CBP is responsible for determining the admissibility of all arriving individuals at designated U.S. ports of entry and the apprehension of people attempting to cross land and coastal borders without legal authorization. U.S. Immigration and Customs Enforcement (ICE) is responsible for enforcing immigration laws within the borders of the United States. In 2009, ICE removed 298,000 foreign nationals, and CBP removed 95,000.

Removals increased by 63 percent between 2004 and 2009. Expedited removals (which allow immigration officers to order the removal of a foreign national without a court's involvement) more than doubled during the period, and standard removals (those conducted before an immigration judge) rose by about 50 percent (see Exhibit 21). In 2009, people from Mexico accounted for nearly 75 percent of the 107,000 expedited removals.

In 2009, 265,000 removals (or 67 percent) were for noncriminal reasons, such as a lack of proper documentation or a previous removal from the country. The remaining 33 percent of removals (128,000) in 2009 were based on criminal activity, most commonly illegal drug activity, traffic offenses, or immigration-related violations. CBP did not record whether an individual removed in 2008 or 2009 was a criminal. Because all CBP removals in those years are counted as noncriminal removals, the number of criminals removed may be underreported for 2008 and 2009. ♦

CONGRESS OF THE UNITED STATES
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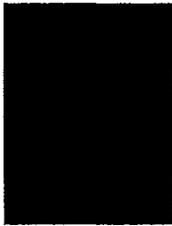
The Impact of Unauthorized Immigrants on the Budgets of State and Local Governments

DECEMBER 2007



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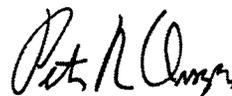
Preface

According to available estimates, there are about 12 million unauthorized immigrants in the United States. Federal, state, and local governments spend public funds that benefit those immigrants, and those immigrants pay individual income, sales, and property taxes. Most available studies conclude that the unauthorized population pays less in state and local taxes than it costs state and local governments to provide services to that population. However, those estimates have significant limitations; they are not a suitable basis for developing an aggregate national effect across all states.

This paper, requested by the Chairman and Ranking Member of the Senate Finance Committee, is one of several reports prepared by the Congressional Budget Office (CBO) that present facts and research on immigration. The paper focuses on the estimated costs that certain state and local governments incur for providing various services—especially those related to education, health care, and law enforcement—to unauthorized immigrants. It also looks at the estimated taxes those individuals pay and at certain types of federal assistance that are available to states to help provide such services. In keeping with CBO’s mandate to provide objective, nonpartisan analysis, the paper makes no recommendations.

Melissa Merrell of CBO’s State and Local Government Cost Estimates Unit wrote the paper under the supervision of Peter Fontaine, Theresa Gullo, and Robert Sunshine. Douglas Hamilton is the coordinator of CBO’s series of reports on immigration. Raymond J. Hall and Eric Schatten reviewed the manuscript for factual accuracy, and Lauren McMahon provided research assistance. David Brauer, Patrice Gordon, Arlene Holen, Leo Lex, Noah Meyerson, Robert Murphy, Paige Piper/Bach, Lisa Ramirez-Branum, Eric Rollins, Ralph Smith, Shinobu Suzuki, and G. Thomas Woodward provided comments on early drafts of the paper, as did Paul Cullinan and Donald B. Marron (both formerly of CBO), and Alan Auerbach of the University of California, Berkeley. (The assistance of external reviewers implies no responsibility for the final product, which rests solely with CBO.)

Loretta Lettner edited the paper, and Christine Bogusz proofread it. Maureen Costantino prepared the paper for publication and designed the cover. Lenny Skutnik printed the initial copies, Linda Schimmel coordinated the print distribution, and Simone Thomas produced the electronic version for CBO’s Web site (www.cbo.gov).

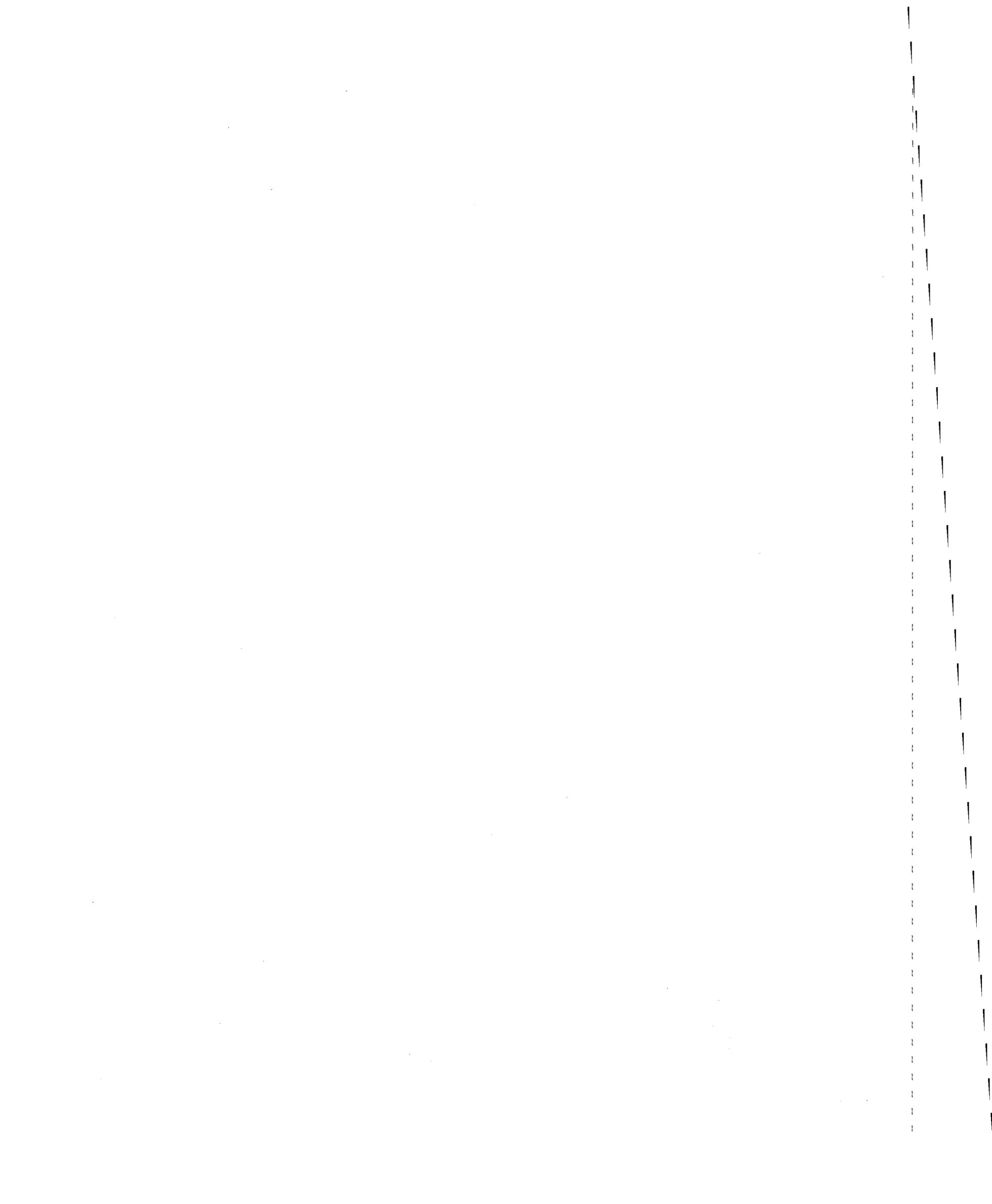


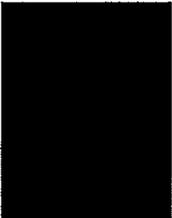
Peter R. Orszag
Director



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The Impact of Unauthorized Immigrants on the Budgets of State and Local Governments

Introduction

Over the past two decades, most efforts to estimate the fiscal impact of immigration in the United States have concluded that, in aggregate and over the long term, tax revenues of all types generated by immigrants—both legal and unauthorized—exceed the cost of the services they use.^{1, 2} Generally, such estimates include revenues and spending at the federal, state, and local levels.³ However, many estimates also show that the cost of providing public services to unauthorized immigrants at the state and local levels exceeds what that population pays in state and local taxes. It is important to note, though, that currently available estimates have significant limitations;

therefore, using them to determine an aggregate effect across all states would be difficult and prone to considerable error.

The impact of unauthorized immigrants on the federal budget differs from that population's effect on state and local budgets primarily because of the types of services provided at each level of government and the rules governing those programs. For instance, most unauthorized immigrants are prohibited from receiving many of the benefits that the federal government provides through Social Security and such need-based programs as Food Stamps, Medicaid (other than emergency services), and Temporary Assistance for Needy Families. At the same time, the federal government requires that state and local governments provide certain services to individuals, regardless of their immigration status or ability to pay, in order for those states or localities to participate in some of its assistance programs. Various court decisions also restrict the authority of state and local governments to avoid or constrain the cost of providing services to unauthorized immigrants who reside in their jurisdictions. In general, state and local governments bear much of the cost of providing certain public services—especially services related to education, health care, and law enforcement—to individuals residing in their jurisdictions. Such programs constitute a major portion of those governments' annual expenditures, but spending by state and local governments on services specifically provided to unauthorized immigrants makes up a small percentage of those governments' total spending.

Another factor that affects state and local spending is the extent to which the unauthorized population uses certain public services. For example, because unauthorized immigrants are less likely to have health insurance, they are

1. The term "unauthorized immigrants" refers to foreign citizens residing in the United States illegally. It applies to two categories of immigrants: those who enter the country without approval of the immigration process and those who violate the terms of a temporary admission without acquiring either permanent resident status or temporary protection from removal. Members of this population are also referred to as illegal or undocumented immigrants or aliens.
2. See Ronald D. Lee and Timothy W. Miller, "The Current Fiscal Impact of Immigrants and Their Descendants: Beyond the Immigrant Household," in James P. Smith and Barry Edmonston, eds., *The Immigration Debate: Studies on the Economic, Demographic, and Fiscal Effects of Immigration* (Washington, D.C.: National Academies Press, 1998); James P. Smith and Barry Edmonston, eds., *The New Americans: Economic, Demographic, and Fiscal Effects of Immigration* (Washington, D.C.: National Academies Press, 1997); Georges Vernez and Kevin F. McCarthy, *The Costs of Immigration to Taxpayers: Analytical and Policy Issues* (Santa Monica, Calif.: RAND Corporation, 1996); and George Vernez and Kevin F. McCarthy, *Immigration in a Changing Economy: California's Experience* (Santa Monica, Calif.: RAND Corporation, 1998).
3. Typically, the estimates measure the costs and revenues attributed to immigrants during a specific period of time, usually one fiscal year.

more likely to rely on emergency facilities or public hospitals for treatment of nonemergency illnesses and other health-related problems. In 2000 and 2001, researchers from the RAND Corporation and the University of California surveyed immigrants in Los Angeles County and found that 65 percent of those respondents who identified themselves as unauthorized had no health insurance in the two years preceding the survey.⁴ In a separate study, the Pew Hispanic Center estimated that in 2004, more than 50 percent of those children who were themselves unauthorized immigrants and almost 60 percent of adult unauthorized immigrants were uninsured. Moreover, 25 percent of those children who, by virtue of their birth, were U.S. citizens—but whose parents were unauthorized immigrants—also lacked health insurance.⁵ In terms of public education, unauthorized immigrants who are minors increase the overall number of students attending public schools, and they may also require more educational services than do native-born children because of a lack of proficiency in English. Analyses from several states indicate that the costs of educating students who did not speak English fluently were 20 percent to 40 percent higher than the costs incurred for native-born students.^{6, 7}

In addition to differences in the types of services that federal, state, and local governments provide and the extent to which the unauthorized population participates in those programs, the income that unauthorized immigrants earn and the taxes they pay also contribute to their net impact on state and local budgets. Unauthorized immigrants typically earn less than do native-born citizens and other immigrant groups and, partly as a result, they also pay a smaller portion of their income in taxes.

One study conducted by analysts at the Urban Institute found that in 1998, unauthorized immigrants in New York State paid an average of 15 percent of their income in federal, state, and local taxes; other immigrant groups paid between 21 percent and 31 percent.⁸ The average household income for unauthorized families is significantly less than that of both legal immigrants and native-born citizens; therefore, that income is taxed at a lower rate than the income of other groups. The Pew Hispanic Center estimates that in 2004, the average annual income for unauthorized families was \$27,400, compared with \$47,800 for legal immigrant families and \$47,700 for native-born families.⁹

A related effect is that lower-paying jobs also result in unauthorized immigrants' having less disposable income to spend on purchases subject to sales or use taxes. State and local governments typically rely more heavily on revenues from those and other sources (such as property taxes) than revenues generated by taxes on income.¹⁰

The Budgetary Effects of Unauthorized Immigrants

In preparing its analysis, the Congressional Budget Office (CBO) reviewed 29 reports published over the past 15 years that attempted to evaluate the impact of unauthorized immigrants on the budgets of state and local governments. (See the bibliography for a complete list of those reports.) CBO did not assess the data underlying those estimates or the validity of the models used to prepare them. The estimates—whether from formal studies, analyses of data on particular topics, or less-formal inquiry—show considerable consensus regarding the

4. See Dana P. Goldman, James P. Smith, and Neeraj Sood, "Legal Status and Health Insurance Among Immigrants," *Health Affairs*, vol. 24, no. 6 (2005), pp. 1640–1653, available at <http://content.healthaffairs.org/cgi/reprint/24/6/1640>.

5. See Jeffrey S. Passel, *Unauthorized Migrants: Numbers and Characteristics* (background briefing prepared for the Task Force on Immigration and America's Future, Washington, D.C., Pew Hispanic Center, June 14, 2005), available at <http://pewhispanic.org/files/reports/46.pdf>.

6. See Jose Cardenas and others, *Bilingual Education Cost Analysis* (San Antonio: Intercultural Development Research Association, 1976).

7. See Albert Cortez, *Insufficient Funding for Bilingual Education in Texas*, IDRA Newsletter (San Antonio: Intercultural Development Research Association, 2004).

8. See Jeffrey S. Passel and Rebecca L. Clark, *Immigrants in New York: Their Legal Status, Incomes, and Taxes* (Washington, D.C.: Urban Institute, 1998).

9. See Passel, *Unauthorized Migrants*.

10. According to data from the Bureau of the Census, in 2005, almost 60 percent of revenue collected by state governments (excluding intergovernmental transfers) came from two sources: general sales taxes and certain taxes on business profits (35 percent) and individual income taxes (25 percent). For local governments, property taxes made up the largest source of revenue (45 percent), while general sales taxes accounted for about 10 percent and individual income taxes represented about 3 percent. See Bureau of the Census, *Federal, State, and Local Governments: State and Local Government Finances: 2004–05*, "State and Local Summary Tables by Level of Government," available at www.census.gov/govs/www/estimate05.html.

overall impact of unauthorized immigrants on state and local budgets. However, the scope and analytical methods of the studies vary, and the reports do not provide detailed or consistent enough data to allow for a reliable assessment of the aggregate national effect of unauthorized immigrants on state and local budgets. (See Box 1 for a discussion of the challenges of estimating such an aggregate effect). After reviewing the estimates, CBO drew the following conclusions:

- **State and local governments incur costs for providing services to unauthorized immigrants and have limited options for avoiding or minimizing those costs.** All of the estimates that CBO reviewed, regardless of the jurisdiction examined or programs considered, reached this conclusion. Rules governing many federal programs, as well as decisions handed down by various courts, limit the authority of state and local governments to avoid or constrain the costs of providing services to unauthorized immigrants. For example, both state and federal courts have ruled that states may not refuse to provide free public education to a student on the basis of his or her immigration status. Furthermore, many states have their own statutory or constitutional requirements concerning the provision of certain services to needy residents.
- **The amount that state and local governments spend on services for unauthorized immigrants represents a small percentage of the total amount spent by those governments to provide such services to residents in their jurisdictions.** The estimates that CBO reviewed measured costs associated with providing services to unauthorized immigrants that ranged from a few million dollars in states with small unauthorized populations to tens of billions of dollars in California (currently the state with the largest population of unauthorized immigrants). Costs were concentrated in programs that make up a large percentage of total state spending—specifically, those associated with education, health care, and law enforcement.¹¹ In most of the estimates that CBO examined, however, spending for unauthorized immigrants accounted for less than 5 percent of total state and local spending for those services. Spending for unauthorized immigrants in certain jurisdictions in California was higher but still represented less than 10 percent of total spending for those services.
- **The tax revenues that unauthorized immigrants generate for state and local governments do not offset the total cost of services provided to those immigrants.** Most of the estimates found that even though unauthorized immigrants pay taxes and other fees to state and local jurisdictions, the resulting revenues offset only a portion of the costs incurred by those jurisdictions for providing services related to education, health care, and law enforcement. Although it is difficult to obtain precise estimates of the net impact of the unauthorized population on state and local budgets (see Box 1), that impact is most likely modest.
- **Federal aid programs offer resources to state and local governments that provide services to unauthorized immigrants, but those funds do not fully cover the costs incurred by those governments.** Some of the reports that CBO examined did not include such federal transfers when estimating the net effect of the unauthorized population on state and local governments.

Size and Characteristics of the Unauthorized Population

There are no comprehensive records that document the number of unauthorized immigrants currently residing in the United States; as a result, the size of that population must be estimated by indirect means.¹² Such estimates are subject to considerable uncertainty because of questions surrounding the following: the extent to which that population is undercounted in the census; rates of emigration and mortality; and whether immigrants who are in the United States in a quasi-legal capacity should be classified as unauthorized.¹³ The Department of Homeland Security has reported that there were approximately

11. On the basis of data collected by the National Association of State Budget Officers, between 1995 and 2006, almost 60 percent of spending from state general funds was used for elementary and secondary education (35 percent), Medicaid (16 percent), and corrections (7 percent). See National Association of State Budget Officers, *State Expenditure Report: Fiscal Year 2005* (Washington, D.C.: 2006), available at www.nasbo.org/Publications/PDFs/2005%20State%20Expenditure%20Report.pdf.

12. See Congressional Budget Office, *A Description of the Immigrant Population* (November 2004).

13. Quasi-legal immigrants include those individuals whose legal authorization has expired but for whom renewals of or adjustments to status have not yet been finalized.

Box 1.**The Challenges of Estimating an Aggregate Effect**

Among the available estimates that the Congressional Budget Office reviewed for its analysis, the general consensus is that unauthorized immigrants impose a net cost on state and local budgets. However, no agreement exists as to the size of, or even the best way of measuring, that cost on a national level. Questions surround both methodology and the available data, including the following:

- *What unit of time should be used for the estimate?* Most of the research available to date measures the impact of unauthorized immigrants in terms of the funds spent and revenues collected within a given period, typically one fiscal year. Some analysts point out that such a method ignores the long-term impact of that population. A better measure, they suggest, would evaluate the lifetime costs that unauthorized immigrants impose on federal, state, and local governments and the lifetime revenues they generate. Generally, immigrants' use of services and their contributions to revenues vary over time as they become better

integrated into U.S. society and labor markets. Most analysts believe that those general trends also apply to the portion of the population that is unauthorized.

- *Are all costs and revenues captured?* Many of the estimates took into account certain selected costs and revenues; no study, including those that reported net costs, attempted to look at total costs and revenues.
- *To what extent does this population pay taxes and consume government-provided services?* Research that examines the extent to which unauthorized immigrants pay taxes is limited, as are available data that examine the extent to which the unauthorized population uses public services. For example, there is little information on the proportion of students participating in specialized language classes who are unauthorized immigrants or the frequency with which those immigrants use publicly funded health services.

11.6 million unauthorized immigrants in the United States in January 2006.¹⁴ Researchers at the Pew Hispanic Center estimated an unauthorized population of between 11.5 million and 12.0 million in March 2006. Using a model developed by the former Immigration and Naturalization Service, Pew estimated that as much as one-half of the population of unauthorized immigrants (4.5 million to 6.0 million people) were admitted legally—with visas or border crossing cards—but overstayed or otherwise violated the terms of their authorization; and the remainder of that population (an estimated 6 million to 7 million individuals) entered the United States illegally.^{15, 16}

14. See Michael Hofer, Nancy Rytina, and Christopher Campbell, *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2006* (Department of Homeland Security, Office of Immigration Statistics, 2007), available at www.dhs.gov/xlibrary/assets/statistics/publications/ill_pe_2006.pdf.

State-level estimates are subject to even more uncertainty than estimates of the total size of the population. Historically, most foreign-born residents, including unauthorized immigrants, have settled in a few states. In 1990, almost 75 percent of the total foreign-born population and almost 90 percent of unauthorized immigrants lived

15. For more information on this model, see Robert Warren, *Estimates of the Undocumented Population Residing in the United States: October 1996* (Immigration and Naturalization Service, Office of Policy and Planning, 1996). As part of the Homeland Security Act of 2002, the functions of the Immigration and Naturalization Service were transferred to the Department of Homeland Security. Immigration and naturalization are the responsibility of Citizenship and Immigration Services. The border enforcement functions are split between two offices: Customs and Border Protection and Immigration and Customs Enforcement.

16. Pew Hispanic Center, *Modes of Entry for the Unauthorized Migrant Population: Fact Sheet* (Washington, D.C.: Pew Hispanic Center, May 22, 2006), available at <http://pewhispanic.org/files/factsheets/19.pdf>.

Box 1.**Continued**

In addition to disagreements about the methods that should be used to determine a national aggregate effect and the lack of reliable and consistent data, a number of other factors make it difficult to compare findings across studies:

- *The estimates use varying sources of data for people and fiscal information.* The studies used data from a variety of sources, including but not limited to the Census Bureau, Immigration and Customs Enforcement, the former Immigration and Naturalization Service, the National Center for Education Statistics, a model developed by the Institute for Taxation and Economic Policy that estimates tax payments, and data from individual state and local programs.
- *The population is not defined in the same way across reports.* Because the estimates looked at different populations of immigrants, few of them are comparable. For example, although most estimates looked only at unauthorized immigrants, others did not differentiate between unauthorized and legal immigrants. Some included all foreign-born residents, regardless of their immigration status, and some included children of unauthorized immigrants who were born in the United States (even though those children are U.S. citizens). If the U.S.-born children of unauthorized immi-

grants had been included in the estimates, the costs of certain programs, particularly education, would be higher.

- *State and local governments vary widely in the types of benefits they provide and how they collect tax revenue.* Benefit programs and tax policies vary greatly among and even within states, making it difficult to produce a national estimate of the aggregate budget impact on all state and local jurisdictions. Even the studies that considered multiple jurisdictions or programs were constrained by those geographic variations.
- *The impact in one jurisdiction cannot be generalized to other areas.* Because many unauthorized immigrants reside in a few states, most studies to date have focused on the jurisdictions in which those immigrants have traditionally lived and therefore are most likely not representative of the effects in other states. Demographic changes suggest, however, that other states whose populations of unauthorized immigrants are rapidly increasing also will face growing fiscal pressures in the future. Recent reports have estimated those costs in states—such as Minnesota, Missouri, North Carolina, and Oregon—that have not traditionally had large populations of unauthorized immigrants.

in six states: California, Florida, Illinois, New Jersey, New York, and Texas.¹⁷ The concentration of that population in just a few states has been diminishing, however, as

more immigrants settle in states not traditionally considered destinations for recent immigrant populations. Using census data, Pew found that, in 2004, 10 times as many unauthorized immigrants lived outside the six traditional settlement states than in 1990. There was a marked increase in the number of unauthorized immigrants settling in states such as Arizona, Georgia, North Carolina, and Tennessee—states that previously had little

17. See “States Ranked by Numeric Difference in the Foreign-Born Population: 1990, 2000, and 2005,” *Migration Information Source* (Washington, D.C.: Migration Policy Institute), available at www.migrationinformation.org/DataHub/acscensus.cfm.

experience with such immigration.^{18, 19} That phenomenon notwithstanding, unauthorized immigrants in most states make up a small portion of the state's population. In California, however, where Pew estimates that one-quarter of all unauthorized immigrants live, those immigrants make up an estimated 8 percent of the total state population.²⁰

Demographic characteristics are key factors in estimating the unauthorized population's fiscal impact on state and local governments. Characteristics such as age, gender, employment status, occupation, and level of income are needed to estimate school attendance and tax revenues, for example. Using data from the Census Bureau's March 2005 Current Population Survey (CPS), Pew analysts found that of the approximately 11 million unauthorized immigrants living in the United States in 2005, 5.4 million were adult males, 3.9 million were adult females, and 1.8 million were children under 18 years of age. An additional 3.1 million children of unauthorized immigrants were U.S. citizens, Pew estimated.²¹ Among Pew's other findings: Members of unauthorized families were typi-

cally much younger and less educated than members of families composed of legal immigrants and U.S. citizens. The unauthorized population included 7.2 million workers, typically employed in lower-wage occupations in the agricultural, construction, and service industries. Analysts at the Urban Institute reported that in 2004, unauthorized immigrant men were less likely to be unemployed than native-born men (4.6 percent compared with 6.5 percent) and unauthorized immigrant women were more likely to be unemployed than native-born women (8.2 percent compared with 5.2 percent).²²

In addition to demographic information, the extent to which this population pays taxes is also an important determinant of the fiscal impact of unauthorized immigrants. Data from the Social Security Administration (SSA) and the Internal Revenue Service (IRS) suggest that some unauthorized immigrants use false or fraudulently obtained Social Security numbers (SSNs) to satisfy paperwork requirements during the hiring process and that employers use those numbers to withhold federal, state, and local income and payroll taxes for employees. Workers who do not qualify for SSNs can use Individual Tax Identification Numbers issued by the IRS to file tax returns, make payments, and apply for refunds. Although there are no reliable data on unauthorized immigrants' rate of compliance with tax laws, the IRS estimates that about 6 million unauthorized immigrants file individual income tax returns each year.²³ Other researchers estimate that between 50 percent and 75 percent of unauthorized immigrants pay federal, state, and local taxes. For example:

■ The SSA assumes that about half of unauthorized immigrants pay Social Security taxes.²⁴

18. Although not traditionally a destination for unauthorized immigrants, Arizona has seen a dramatic increase in that population in recent years, making it the state with the fourth highest estimated number of unauthorized immigrants (about 575,000, in 2007) and one of the states with the highest estimated percentage of unauthorized immigrants (9 percent). See *Immigrants in the United States, 2007: A Profile of America's Foreign-Born Population* (Washington, D.C.: Center for Immigration Studies, November 2007), available at www.cis.org/articles/2007/back1007.html

19. See Jeffrey S. Passel, *Estimates of the Size and Characteristics of the Undocumented Population* (Washington, D.C.: Pew Hispanic Center, March 21, 2005).

20. In 2006, Pew estimated that between 55 percent and 60 percent of all unauthorized immigrants lived in six states: Arizona, California, Florida, New York, Texas, and Illinois. See Pew Hispanic Center, *Estimates of the Unauthorized Migrant Population for States Based on the March 2005 CPS* (Washington, D.C.: Pew Hispanic Center, April 26, 2006). Comparing those estimates to census data, unauthorized immigrants ranged from about 3 percent of the total state population in Illinois to 8 percent in California.

21. See Jeffrey S. Passel, *The Size and Characteristics of the Unauthorized Migrant Population in the U.S.: Estimates Based on the March 2005 Current Population Survey* (Washington, D.C.: Pew Hispanic Center, March 7, 2006), available at <http://pewhispanic.org/files/reports/61.pdf>.

22. See Karina Fortuny and others, *The Characteristics of Unauthorized Immigrants in California, Los Angeles County, and the United States* (Washington, D.C.: Urban Institute, 2007)

23. See Paula N. Singer and Linda Dodd-Major, "Identification Numbers and U.S. Government Compliance Initiatives," *Tax Notes*, vol. 104 (September 20, 2004), pp. 1429–1433.

24. Social Security Advisory Board, Issue Brief No. 1, *The Impact of Immigration on Social Security and the National Economy* (report prepared by Joel Feinleib and David Warner, December 2005), available at www.ssab.gov/brief-1-immigration.pdf.

- Several of the states whose estimates CBO reviewed used a model developed by the Institute for Taxation and Economic Policy (ITEP) to determine state and local taxes paid by unauthorized immigrants. ITEP assumes a 50 percent compliance rate for income and payroll taxes.²⁵
- Researchers from the Urban Institute, the Migration Policy Institute, the Pew Hispanic Center, and the Center for Immigration Studies have assumed a 55 percent compliance rate for income, Social Security, and Medicare taxes.²⁶
- As part of a larger study on migration, the Center for Comparative Immigration Studies at the University of California at San Diego conducted a survey of unauthorized immigrants and found that, in 2006, 75 percent had taxes withheld from their paychecks, filed tax returns, or both.²⁷

Spending by State and Local Governments

Over the past two decades, many state and local governments, as well as researchers and academics, have tried to identify and quantify the fiscal impact of immigration on

state and local governments. Most of those estimates have concentrated on costs associated with unauthorized immigrants, but some include costs related to other categories of people, such as children of unauthorized immigrants born in the United States, legal immigrants, refugees, and asylum-seekers.²⁸ The estimates looked at a range of public services, primarily concentrating on the cost of programs over which states have limited options for controlling costs, such as those related to education, health care, and law enforcement (including incarceration).²⁹

Education

Education is the largest single expenditure in state and local budgets. Because state and local governments bear the primary fiscal and administrative responsibility of providing schooling from kindergarten through grade 12, they incur substantial costs to educate children who are unauthorized immigrants.^{30, 31} In 1982, the Supreme Court ruled that states may not exclude children from public education because of their immigration status.³² Current estimates indicate that about 2 million school-age children (5 to 17 years old) in the United States are unauthorized immigrants; an additional 3 million

25. See Robin Baker and Rich Jones, *State and Local Taxes Paid in Colorado by Undocumented Immigrants*, Issue Brief No. 3 (Denver: Bell Policy Center, June 30, 2006), available at www.thebell.org/PUBS/IssBrf/2006/06ImmigTaxes.pdf; Sarah Beth Coffey, *Undocumented Immigrants in Georgia: Tax Contributions and Fiscal Concerns* (Atlanta: Georgia Budget and Policy Institute, January 2006), available at www.gbpi.org/pubs/garevenue/20060119.pdf; Ruth Ehresman, *Undocumented Workers: Impact on Missouri's Economy* (St. Louis: Missouri Budget Project, June 21, 2006), available at www.mobudget.org/newstatebudgetreports.htm; and New Mexico Fiscal Policy Project, *Undocumented Immigrants in New Mexico: State Tax Contributions and Fiscal Concerns* (Albuquerque: New Mexico Voices for Children, May 2006), available at www.nmvoices.org/attachments/immigrant_tax_report.pdf.

26. See Steve Camarota, *The High Cost of Cheap Labor* (Washington, D.C.: Center for Immigration Studies, 2004); and Randy Capps and others, *Civic Contributions: Taxes Paid by Immigrants in the Washington, D.C., Metropolitan Area* (Washington, D.C.: Urban Institute, 2006).

27. See Wayne A. Cornelius and Jessica M. Lewis, eds., *Impacts of Border Enforcement on Mexican Migration: The View from Sending Communities* (La Jolla, Calif.: University of California at San Diego, Center for Comparative Immigration Studies, 2007).

28. Refugees and asylum-seekers are people who are unable or unwilling to return to their country of origin because of the risk of persecution or because of a well-founded fear of persecution. Refugees apply for admission from outside of the United States; asylum-seekers request legal admission from within the United States or at a U.S. port of entry.

29. Several of the earlier estimates also examined spending on public assistance programs. However, the main federal program for providing public assistance during that time, Aid to Families with Dependent Children, no longer exists, and there have been no comprehensive estimates of the costs imposed by unauthorized immigrants on the program that replaced it, Temporary Assistance for Needy Families. CBO has therefore not included those findings in its analysis.

30. The federal government provides about 10 percent of the total amount spent by all levels of government on kindergarten through grade 12 each year.

31. Most of the estimates that CBO reviewed did not include costs associated with children who were born to unauthorized immigrants in the United States because those children are U.S. citizens. If those children had been included in the estimates, their fiscal impact—particularly on education—would have been higher.

32. *Plyler v. Doe*, 457 U.S. 202 (1982).

children are U.S. citizens born to unauthorized immigrants.³³ According to the most recent population data released by the Census Bureau, as of July 2006, there were 53.3 million school-age children in the United States.³⁴ Thus, children who are unauthorized immigrants represent almost 4 percent of the overall school-age population. Their numbers are growing quickly in some states, adding additional budgetary pressures. For example:

- As part of a larger study on the impact of unauthorized immigrants in Minnesota, the state's Department of Administration estimated that, during the 2003–2004 school year, the state and local governments in Minnesota spent between \$79 million and \$118 million to educate an estimated 9,400 to 14,000 children who were unauthorized immigrants.³⁵ The agency also estimated that an additional \$39 million was spent for children who were U.S. citizens but whose parents were unauthorized immigrants. According to census data, Minnesota state and local governments spent about \$8 billion for elementary and secondary education during the 2003–2004 school year (excluding capital costs for building maintenance and construction). The state estimated that its population of immigrant students—both legal and unauthorized—had almost doubled, from about 9,000 to more than 16,000, between 2000 and 2004.
- On the basis of a population estimate developed by the Pew Hispanic Center, analysts at the New Mexico Fiscal Policy Project reported that, for the 2003–2004 school year, total spending in New Mexico at the state and local levels for 9,200 unauthorized immigrant schoolchildren was about \$67 million.³⁶ The Census

Bureau reports that state and local expenditures for elementary and secondary education during that period in New Mexico totaled almost \$3 billion. Of the estimated 40,000 unauthorized immigrants currently living in New Mexico, 95 percent are believed to be recent arrivals, having lived in that state for fewer than 10 years.

Health Care

Immigrants in the United States, both authorized and unauthorized, are less likely than their native-born counterparts to have health insurance.³⁷ As a result, they are more likely to rely on emergency rooms or public clinics for health care. The federal government requires health facilities that receive federal assistance to provide a certain level of service to residents, regardless of their ability to pay for such medical services or their immigration status. The amount of uncompensated care provided by some state and local governments is growing because an increasing number of unauthorized immigrants are using those services. According to a report commissioned by the United States/Mexico Border Counties Coalition, in 2000, county governments that share a border with Mexico incurred almost \$190 million in costs for providing uncompensated care to unauthorized immigrants; that figure represented about one-quarter of all uncompensated health costs incurred by those governments in that year.³⁸

While those costs are increasing rapidly for some jurisdictions, they account for a small percentage of spending by most state and local governments. For example, in 2006, the Oklahoma Health Care Authority estimated that it would spend about \$9.7 million on emergency Medicaid services for unauthorized immigrants that year, and that 80 percent of those costs would be for services associated

33. See Urban Institute, *Children of Immigrants: Facts and Figures* (Washington, D.C.: Urban Institute, 2006); and Passel, *Unauthorized Migrants*.

34. See Bureau of the Census, *Annual Estimates of the Population by Selected Age Groups and Sex for the United States: April 1, 2000, to July 1, 2006*, Series NC-EST2006-02 (last updated May 17, 2007), available at www.census.gov/popest/national/asrh/NC-EST2006-sa.html. (This estimate includes children 5 to 17 years of age.)

35. See Minnesota Department of Administration, Office of Strategic Planning and Results Management, *The Impact of Illegal Immigration on Minnesota: Costs and Population Trends* (December 8, 2005), available at www.leg.state.mn.us/lrl/issues/immigration.asp.

36. See New Mexico Fiscal Policy Project, *Undocumented Immigrants in New Mexico*.

37. The Census Bureau estimates that foreign-born individuals are between two and two-and-a-half times more likely than native-born residents to lack health insurance. See Robert J. Mills and Shailesh Bhandari, *Health Insurance Coverage in the United States: 2002* (Bureau of the Census, 2003).

38. See MGT of America, *Medical Emergency: Costs of Uncompensated Care in Southwest Border Counties* (report prepared for the United States/Mexico Border Counties Coalition, September 2002), available at www.bordercounties.org.

with childbirth.³⁹ The agency's actual total spending for that year was \$3.1 billion. The agency also reported that, since fiscal year 2003 (the first fiscal year considered), the services provided to unauthorized immigrants have accounted for less than 1 percent of the total individuals served and cost less than 1 percent of the total dollars spent for Medicaid services.

Law Enforcement

Unauthorized immigrants who commit criminal acts or who require law enforcement services to protect them from criminal acts or behavior impose a variety of costs on state and local budgets. Although state and local law enforcement activities related to unauthorized immigrants include the same protections that ordinary citizens rely upon (such as investigating reports of criminal activity that may have targeted an unauthorized immigrant), the estimates that are currently available include only costs related to the prosecution and incarceration of unauthorized immigrants under state and local laws.

Unauthorized immigrants accused or convicted of committing crimes (other than immigration-related offenses) are not deported immediately; rather, they enter into and are processed through the local criminal justice system in the same fashion that any other suspect would be. The federal government may take custody of those who are convicted after they have completed their sentences and then begin the deportation process, but until that point, state and local governments bear the cost of investigating, detaining, prosecuting, and incarcerating such immigrants.

Researchers from Rutgers University have found that, in general, immigrants are less likely than native-born citizens to be incarcerated.⁴⁰ However, the number of unauthorized immigrants in some state and local criminal justice systems adds significantly to law enforcement costs. For example, in 2001, the United States/Mexico Border

39. See statement of Nico Gomez, spokesman for Oklahoma Health Care Authority, before the Oklahoma Senate Task Force on Immigration, September 18, 2006. The Medicaid program is funded jointly by the states and the federal government. This report did not include the federal portion of funding for the program.

40. See Kristin F. Butcher and Anne Morrison Piehl, *Why Are Immigrants' Incarceration Rates So Low? Evidence on Selective Immigration, Deterrence, and Deportation*, Working Paper No. 2005-19 (Chicago: Federal Reserve Bank of Chicago, November 2005), available at www.chicagofed.org/publications/workingpapers/wp2005_19.pdf.

Counties Coalition reported that law enforcement activities involving unauthorized immigrants in four states—California, Arizona, New Mexico, and Texas—cost some county governments that share a border with Mexico a combined total of more than \$108 million in 1999.⁴¹ Of the counties included in the report, San Diego County incurred the largest cost, spending over \$50 million that year, or almost half of all estimated costs incurred by the border counties. That amount represented about 9 percent of San Diego County's total spending (\$541 million) for law enforcement activities that year. The report identified several factors that influenced the fiscal impact on each county, including the number of ports of entry, the population of neighboring Mexican communities, border terrain, and federal programs for deterring illegal entry.

Revenues Versus Spending

The available estimates of the budgetary impact of unauthorized immigrants vary greatly in their timing and scope. Most of the studies that include both revenues and costs for multiple programs show that state and local governments spend more on unauthorized immigrants than they collect in revenues from that population. For example:

- Recent estimates indicate that annual costs for unauthorized immigrants in Colorado were between \$217 million and \$225 million for education, Medicaid, and corrections.⁴² By comparison, taxes collected from unauthorized immigrants at both the state and local levels amounted to an estimated \$159 million to \$194 million annually.⁴³

41. See Tanis J. Salant and others, *Illegal Immigrants in U.S./Mexico Border Counties: The Costs for Law Enforcement, Criminal Justice, and Emergency Medical Services* (report prepared for the United States/Mexico Border Counties Coalition, February 2001). That report included costs incurred by the offices of the sheriff, the marshal, the district attorney, the public defender, the superior court, the medical examiner, and probation and juvenile services. It did not include activities related to border enforcement.

42. See Robin Baker and Rich Jones, *Costs of Federally Mandated Services to Undocumented Immigrants in Colorado*, Issue Brief No. 4 (Denver: Bell Policy Center, June 30, 2006). See also Elizabeth Burger, *Immigration in Colorado: State Impact and Recent Legislation*, Legislative Council, Staff Issue Brief No. 06-04 (Denver: Colorado General Assembly, 2006). This estimate used figures for multiple years for each of the three program areas and offset costs with federal transfers for incarceration and Medicaid.

43. See Baker and Jones, *State and Local Taxes Paid in Colorado by Undocumented Immigrants*.

- The Iowa Legislative Services Agency reported that the estimated 70,000 unauthorized immigrants in the state paid between \$45.5 million and \$70.9 million in state income and sales taxes in fiscal year 2004.⁴⁴ The report did not quantify the costs of providing specific services to unauthorized immigrants. Rather, it estimated an average benefit of \$1,534 per state resident based on total spending from the state's general fund and the number of state residents (including unauthorized immigrants). Using that average benefit calculation, the estimated cost for providing all services to unauthorized immigrants was \$107.4 million in fiscal year 2004.

Some studies estimated that states may collect more in taxes from unauthorized immigrants than they spend to provide education for children who are unauthorized immigrants, but those studies do not include costs associated with health care or law enforcement. For example:

- In 2006, the Missouri Budget Project estimated that unauthorized immigrants paid between \$29 million and \$57 million in state income, property, and excise taxes.⁴⁵ That organization estimated that the state spent between \$17.5 million and \$32.6 million to provide elementary and secondary education for between 5,800 and 10,833 unauthorized immigrants. Local districts incurred between \$26.5 million and \$49.3 million in additional costs for educational services.
- The New Mexico Fiscal Policy Project estimated that the state collects about \$69 million annually in individual income, property, and sales taxes from unauthorized immigrants, about \$1 million to \$2 million more annually than it spends on public elementary and secondary education for children who are unauthorized immigrants.⁴⁶

Another report—prepared by the state comptroller of Texas—estimated that, in 2006, the state collected \$424 million more in revenue from unauthorized immi-

grants than it spent to provide education, health care, and law enforcement activities for that population.⁴⁷ However, the state estimated that local governments incurred \$1.4 billion in uncompensated costs for health care and law enforcement.

Federal Assistance

Federal lawmakers have established several programs to assist state and local governments in funding the additional costs associated with providing services to unauthorized immigrants. Those programs, however, do not offset the full costs of providing those services. Although some of the reports that CBO reviewed included such transfers in their estimates of the net impact of unauthorized immigrants, most did not.

Education

The Department of Education estimates that out of the nearly \$1 trillion slated to be spent nationwide during the 2007–2008 school year on all levels of education, about 90 percent of those funds will come from state, local, and private sources; the federal government typically provides funding for about 10 percent of total educational expenditures nationwide. Most federal funding for kindergarten through grade 12 comes from various grants authorized in the No Child Left Behind Act of 2001 and the Individuals with Disabilities Education Act of 2004; however, some funding also comes from the Head Start program administered by the Department of Health and Human Services and the School Lunch program administered by the Department of Agriculture. Most federal grants for education are allocated to schools at a per-student rate, regardless of the student's immigration status.

The federal government also provides grants specifically intended to subsidize the cost of educating immigrant schoolchildren. The English Language Acquisition program is the primary support program provided under No Child Left Behind. Through that program, schools receive funds for teaching English to children with limited language proficiency. Grants are allocated to states using a formula that awards 80 percent of the funds on

44. See Kerri Johannsen, *Undocumented Immigrants' Cost to the State* (Des Moines: Iowa Legislative Services Agency, February 22, 2007).

45. See Ehresman, *Undocumented Workers*.

46. See New Mexico Fiscal Policy Project, *Undocumented Immigrants in New Mexico*.

47. See Carole Keeton Strayhorn, *Undocumented Immigrants in Texas: A Financial Analysis of the Impact to the State Budget and Economy* (special report prepared by the Office of the Comptroller of Texas, December 2006), available at www.cpa.state.tx.us/specialrpt/undocumented/undocumented.pdf.

the basis of the number of children in the state that participate in limited-English proficiency programs; the remaining funds are allocated proportionally on the basis of the number of children in the state who are immigrants (regardless of their legal status).⁴⁸ In fiscal year 2006, the states received \$621 million through this program. Although those grant programs offset some of the costs that unauthorized immigrants impose on state and local governments, the available funding is targeted only to language education and does not cover costs for general education.

Health Care

Most of the available estimates that CBO reviewed for its analysis were prepared when there was no federal program specifically designed to help state and local governments provide emergency health care to immigrants. However, several federal programs currently subsidize the states' costs of providing medical care to low-income and underserved populations, including, to some extent, uninsured authorized and unauthorized immigrants.

Of the programs that provide federal assistance for emergency health care, Medicaid is the largest. The federal government sets the basic rules governing administration, eligibility, the scope of coverage, and the quantity of services and shares the cost of the program with the states. The states have great flexibility in determining eligibility requirements for their Medicaid programs. Hence, there is great variation from state to state in terms of who qualifies for such services, the types of services provided, and how much the state pays for each service. Historically, the federal government has paid anywhere from 50 percent to 83 percent of all Medicaid costs (the weighted average is about 57 percent), depending on the per capita income of the state.

The Consolidated Omnibus Budget Reconciliation Act of 1986 amended Medicaid law to authorize assistance to health care providers for services related to childbirth and emergency medical treatment delivered to immigrants who would, except for their immigration status, qualify for Medicaid benefits. This program is often referred to as emergency Medicaid.⁴⁹ Unauthorized immigrants may receive care through this program under the following circumstances: if they meet certain income requirements and are pregnant; if they are under the age of 19 or at

least 65 years old; if they are disabled; or if they are the caregiver of a child under the age of 18. However, emergency Medicaid covers only those services that are necessary to stabilize a patient; any other services delivered after a patient is stabilized are not covered.

In 2003, the Congress and the President enacted the Medicare Modernization Act, which appropriated \$250 million annually from fiscal year 2005 through 2008 to be distributed to hospitals and other health care providers for the cost of emergency health services for unauthorized immigrants. (A similar program, authorized in 1997, provided \$25 million to 12 states for each fiscal year from 1998 to 2001; however, that program was not continued.)⁵⁰ By statute, two-thirds of the \$250 million is to be divided proportionally among all states on the basis of the number of unauthorized immigrants residing in each state; the remaining one-third is to be split among the six states with the highest number of removable aliens that have been arrested by federal immigration officials.

According to the Centers for Medicare and Medicaid Services (CMS), more than 15,000 health care providers have registered for payments through this program. Analysis of the awards data shows that the total awards allocated to states have increased each quarter. For the third quarter of fiscal year 2005, CMS disbursed 20 percent of the available funds for that quarter. The amount remaining of the initial allocations for each state is available in the following quarters. By the end of the fourth quarter of fiscal year 2006, CMS awarded almost 95 percent of the newly available funds for that quarter. By the end of fiscal year 2006, providers in eight states—Alabama, Connecticut, Florida, Kansas, Louisiana, Nebraska, Nevada, and Texas—had submitted and received payments for at least 90 percent of the funds allocated to those states. In total, for fiscal years 2005 and 2006, CMS had awarded half of the \$500 million available.

49. Hospitals can submit charges for providing care to “qualified immigrants,” defined as those who are legal permanent residents, refugees, asylum-seekers, immigrants who have had deportation withheld, immigrants granted parole for at least one year, immigrants granted conditional entry, battered immigrants and their child/children, immigrants born in Canada who are at least 50 percent Native American, and immigrants who are Cuban or Haitian entrants.

50. Letter to state Medicaid directors from Sally K. Richardson, Director, Center for Medicaid and State Operations, Health Care Financing Administration, November 24, 1997.

48. These programs may also be referred to as English as a Second Language, bilingual education, or dual immersion classes.

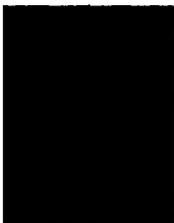
Law Enforcement

The Immigration Reform and Control Act of 1986 authorized the federal government to help state and local governments pay for some of the costs of incarcerating unauthorized immigrants who were convicted of committing crimes other than immigration-related offenses. The Department of Justice started providing assistance to states in 1994 through the State Criminal Alien Assistance Program (SCAAP). State and local governments apply for those funds annually by submitting demographic data on individual unauthorized immigrants who have been incarcerated, the length of each prisoner's incarceration, and the total costs per facility for the salaries of correction officers. The Department of Justice uses that information to determine the number of inmates meeting the program's requirements and to allocate available funding to each facility in proportion to the amount of money spent for the salaries of correction officers.

Between 2000 and 2006, the Department of Justice awarded almost \$2.8 billion in SCAAP funds to more than 800 state and local jurisdictions, including all 50

states and the District of Columbia. Since the program began, those funds have offset only a portion of the amounts that state and local governments spent to incarcerate those criminals. In 2005, the awards represented 33 percent of eligible requests.

For several reasons, the total costs reported by state and local governments for incarcerating unauthorized immigrants exceed federal payments. First, according to the program's guidelines, applicants may request assistance only for unauthorized immigrants who have committed felonies or multiple misdemeanor offenses and who have been incarcerated for at least four days. Second, the formula used to calculate each jurisdiction's aid includes only the costs of providing correction officers' salaries. The department then allocates whatever funds are appropriated for the program on the basis of the number of verified prisoners and the salary costs per facility. The program does not include costs for the detention of aliens who do not meet program guidelines or for the costs of housing, feeding, or providing medical care to those prisoners. State and local governments bear those costs.



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- Reports that served as the backdrop for CBO's analysis. These reports specifically explore the impact of unauthorized immigrants on the budgets of state and local governments;
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- Related studies and publications.

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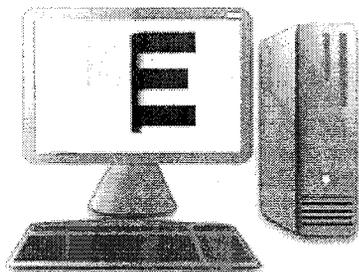
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U.S. Citizenship and Immigration Services

What is E-Verify?



E-Verify is an Internet-based system that compares information from an employee's Form I-9, Employment Eligibility Verification, to data from U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility.

Why E-Verify?

Why do people come to the United States illegally? They come here to work. The public can, and should, choose to reward companies that follow the law and employ a legal workforce.

The U.S. Department of Homeland Security is working to stop unauthorized employment. By using E-Verify to determine the employment eligibility of their employees, companies become part of the solution in addressing this problem.

Employment eligibility verification is good business and it's the law.

Who Uses E-Verify?

More than 225,000 employers, large and small, across the United States use E-Verify to check the employment eligibility of their employees, with about 1,000 new businesses signing up each week.

While participation in E-Verify is voluntary for most businesses, some companies may be required by state law or federal regulation to use E-Verify. For example, most employers in Arizona and Mississippi are required to use E-Verify. E-Verify is also mandatory for employers with federal contracts or subcontracts that contain the Federal Acquisition Regulation E-Verify clause.

This page provides general information about E-Verify and is meant to provide an overview of the program. For instructions and policy guidance, visit the For Employers and For Employees sections of the website.

Last updated: 09/30/2010

[Plug-ins](#)



U.S. Citizenship and Immigration Services

About the SAVE Program

This section provides an overview of the Systematic Alien Verification for Entitlements (SAVE) Program, along with the advantages to using it and the processes you should be aware of when applying for the SAVE Program.

What is the SAVE Program?

The SAVE Program is an inter-governmental initiative designed to aid benefit-granting agencies in determining an applicant's immigration status, thereby ensuring that only entitled applicants receive federal, state, or local public benefits and licenses. The program is an information service for benefit-granting agencies, institutions, licensing bureaus, and other governmental entities.

What is SAVE's Mission?

The SAVE Program will provide timely customer-focused immigration status information to authorized agencies in order to assist them in maintaining the integrity of their programs. It will promote the use of automated systems to enhance interagency collaboration, customer service, efficiency, and information privacy.

What are the eligibility requirements to participate in the SAVE Program?

An agency is eligible to participate in the SAVE Program if:

The agency is a federal, state, or local government agency or licensing bureau

AND

The agency provides a public benefit, license, or is otherwise authorized by law to engage in an activity for which the verification of immigration status is appropriate.

What are the advantages of using the SAVE Program?

The advantages of using the SAVE Program include:

- Verifying immigration status information quickly and efficiently via the online SAVE system
- Retrieving information from more than 100 million records including official immigration status data contained in Department of Homeland Security databases
- Receiving training and customer service support tailored to an agency's needs
- Complying with legislative mandates to verify applicants' immigration status and ensure that only entitled applicants receive federal, state, or local public benefits and licenses

What are the costs of participating in the SAVE Program?

SAVE assesses certain transaction charges based upon the type of query. To learn more, visit the [SAVE Access Methods and Transaction Charges](#).

How does an agency apply and register?

To learn about the application process, visit the [Sign-up for the SAVE Program](#).

Last updated: 06/11/2010

[Plug-ins](#)

Fact Sheet: Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act¹

The ICE 287(g) Program: A Law Enforcement Partnership

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security, is responsible for enforcing federal immigration laws as part of its homeland security mission. ICE works closely with federal, state and local law enforcement partners in this mission.

The 287(g) program, one of ICE's top partnership initiatives, allows a state and local law enforcement entity to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), in order to receive delegated authority for immigration enforcement within their jurisdictions.

287(g) Reform: Updated Facts

In 2009, ICE fundamentally reformed the 287(g) delegated authority program, strengthening public safety and ensuring consistency in immigration enforcement across the country by prioritizing the arrest and detention of criminal aliens.

ICE ACCESS: A Partnership Approach

The 287(g) program is one component of the ICE ACCESS (Agreements of Cooperation in Communities to Enhance Safety and Security) program, which provides local law enforcement agencies an opportunity to team with ICE to combat specific challenges in their communities.

The 287(g) program is only one component under the ICE ACCESS umbrella of services and programs offered for assistance to local law enforcement officers. ICE developed the ACCESS program in response to the widespread interest from local law enforcement agencies who have requested ICE assistance through the 287(g) program, which trains local officers to enforce immigration law as authorized through section 287(g) of the Immigration and Nationality Act.

Terrorism and criminal activity are most effectively combated through a multi-agency/multi-authority approach that encompasses federal, state and local resources, skills and expertise. State and local law enforcement play a critical role in protecting our homeland because they are often the first responders on the scene when there is an incident or attack against the United States. During the course of daily duties, they will

¹ **Source:** Republished from the website of U.S. Immigration and Customs Enforcement (ICE), *Fact Sheet: Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act*, <http://www.ice.gov/news/library/factsheets/287g.htm> (last visited Jan. 7, 2011).

often encounter foreign-born criminals and immigration violators who pose a threat to national security or public safety.

History of 287(g)

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 added Section 287(g), performance of immigration officer functions by state officers and employees, to the Immigration and Nationality Act. This authorizes the secretary of DHS to enter into agreements with state and local law enforcement agencies, permitting designated officers to perform immigration law enforcement functions, provided that the local law enforcement officers receive appropriate training and function under the supervision of ICE officers.

The cross-designation between ICE and state and local patrol officers, detectives, investigators and correctional officers allows these local and state officers necessary resources and latitude to pursue investigations relating to violent crimes, human smuggling, gang/organized crime activity, sexual-related offenses, narcotics smuggling and money laundering. In addition, participating entities are eligible for increased resources and support in more remote geographical locations.

Memorandum of Agreement

The MOA defines the scope and limitations of the authority to be designated. It also establishes the supervisory structure for the officers working under the cross-designation and prescribes the agreed upon complaint process governing officer conduct during the life of the MOA. Under the statute, ICE will supervise all cross-designated officers when they exercise their immigration authorities. The agreement must be signed by the ICE Assistant Secretary, and the governor, a senior political entity, or the head of the local agency before trained local officers are authorized to enforce immigration law.

Officer Selection Requirements

Participating officers in the 287(g) program must meet the following requirements:

- U.S. citizenship
- Current background investigation completed
- Minimum two years experience in current position
- No disciplinary actions pending

Training Requirements

ICE offers a 4-week training program now held at the Federal Law Enforcement Training Center (FLETC) ICE Academy (ICEA) in Charleston, SC, conducted by certified instructors.

287(g) Results and Participating Entities

Currently ICE has 287(g) agreements with 71 law enforcement agencies in 25 states. Since January 2006, the 287(g) program is credited with identifying more than 185,000 potentially removable aliens -- mostly at local jails. ICE has trained and certified more than 1,213 state and local officers to enforce immigration law.

MUTUALLY SIGNED AGREEMENTS (71) AS OF 10/29/2010

STATE	LAW ENFORCEMENT AGENCY	SUPPORT TYPE	DATES SIGNED	MOA
ALABAMA	Alabama Department of Public Safety	TASK FORCE	2003-09-10	link
ALABAMA	Etowah County Sheriff's Office	JAIL ENFORCEMENT	2008-07-08	link
ARIZONA	Arizona Department of Corrections	JAIL ENFORCEMENT	2005-09-16	link
ARIZONA	Arizona Department of Public Safety	TASK FORCE	2007-04-15	link
ARIZONA	City of Mesa Police Department	JAIL & TASK FORCE	2009-11-19	link
ARIZONA	City of Phoenix Police Department	TASK FORCE	2008-03-10	link
ARIZONA	Florence Police Department	TASK FORCE	2009-10-21	link
ARIZONA	Maricopa County Sheriff's Office	JAIL ENFORCEMENT	2007-02-07	link
ARIZONA	Pima County Sheriff's Office	JAIL & TASK FORCE	2008-03-10	link
ARIZONA	Pinal County Sheriff's Office	JAIL & TASK FORCE	2008-03-10	link
ARIZONA	Yavapai County Sheriff's Office	JAIL & TASK FORCE	2008-03-10	link
ARKANSAS	Benton County Sheriff's Office	JAIL & TASK FORCE	2007-09-26	link
ARKANSAS	City of Springdale Police Department	TASK FORCE	2007-09-26	link
ARKANSAS	Rogers Police Department	TASK FORCE	2007-09-25	link
ARKANSAS	Washington County Sheriff's Office	JAIL & TASK FORCE	2007-09-26	link
CALIFORNIA	Los Angeles County Sheriff's Office	JAIL ENFORCEMENT	2005-02-01	link
CALIFORNIA	Orange County Sheriff's Office	JAIL ENFORCEMENT	2006-11-02	link

MUTUALLY SIGNED AGREEMENTS (71) AS OF 10/29/2010

STATE	LAW ENFORCEMENT AGENCY	SUPPORT TYPE	DATES SIGNED	MOA
CALIFORNIA	Riverside County Sheriff's Office	JAIL ENFORCEMENT	2006-04-28	link
CALIFORNIA	San Bernardino County Sheriff's Office	JAIL ENFORCEMENT	2005-11-19	link
COLORADO	Colorado Department of Public Safety	TASK FORCE	2007-03-29	link
CONNECTICUT	City of Danbury Police Department	TASK FORCE	2009-10-15	link
DELAWARE**	Delaware Department of Corrections	JAIL ENFORCEMENT	2009-10-15	link
FLORIDA	Bay County Sheriff's Office	TASK FORCE	2008-06-15	link
FLORIDA	Collier County Sheriff's Office	JAIL & TASK FORCE	2007-08-06	link
FLORIDA	Florida Department of Law Enforcement	TASK FORCE	2002-07-02	link
FLORIDA	Jacksonville Sheriff's Office	JAIL ENFORCEMENT	2008-07-08	link
GEORGIA	Cobb County Sheriff's Office	JAIL ENFORCEMENT	2007-02-13	link
GEORGIA	Georgia Department of Public Safety	TASK FORCE	2007-07-27	link
GEORGIA	Gwinnett County Sheriff's Office	JAIL ENFORCEMENT	2009-10-15	link
GEORGIA	Hall County Sheriff's Office	JAIL & TASK FORCE	2008-02-29	link
GEORGIA	Whitfield County Sheriff's Office	JAIL ENFORCEMENT	2008-02-04	link
MARYLAND	Frederick County Sheriff's Office	JAIL & TASK FORCE	2008-02-06	link
MINNESOTA	Minnesota Department of Public Safety	TASK FORCE	2008-09-22	link
MISSOURI	Missouri State Highway Patrol	TASK FORCE	2008-06-25	link
NEVADA	Las Vegas Metropolitan Police Department	JAIL ENFORCEMENT	2008-09-08	link
NEW JERSEY	Hudson County Department of Corrections	JAIL ENFORCEMENT	2008-08-11	link
NEW JERSEY	Monmouth County Sheriff's Office	JAIL ENFORCEMENT	2009-10-15	link
NEW MEXICO	New Mexico Department of Corrections	JAIL	2007-09-17	link

MUTUALLY SIGNED AGREEMENTS (71) AS OF 10/29/2010

STATE	LAW ENFORCEMENT AGENCY	SUPPORT TYPE	DATES SIGNED	MOA
		ENFORCEMENT		
NORTH CAROLINA	Alamance County Sheriff's Office	JAIL ENFORCEMENT	2007-01-10	link
NORTH CAROLINA	Cabarrus County Sheriff's Office	JAIL ENFORCEMENT	2007-08-02	link
NORTH CAROLINA	Gaston County Sheriff's Office	JAIL ENFORCEMENT	2007-02-22	link
NORTH CAROLINA	Guilford County Sheriff's Office	TASK FORCE	2009-10-15	link
NORTH CAROLINA	Henderson County Sheriff's Office	JAIL ENFORCEMENT	2008-06-25	link
NORTH CAROLINA	Mecklenburg County Sheriff's Office	JAIL ENFORCEMENT	2006-02-27	link
NORTH CAROLINA	Wake County Sheriff's Office	JAIL ENFORCEMENT	2008-06-25	link
OHIO	Butler County Sheriff's Office	JAIL & TASK FORCE	2008-02-05	link
OKLAHOMA	Tulsa County Sheriff's Office	JAIL & TASK FORCE	2007-08-06	link
RHODE ISLAND	Rhode Island State Police	TASK FORCE	2009-10-15	link
SOUTH CAROLINA	Beaufort County Sheriff's Office	TASK FORCE	2008-06-25	link
SOUTH CAROLINA	Charleston County Sheriff's Office	JAIL ENFORCEMENT	2009-11-09	link
SOUTH CAROLINA	Lexington County Sheriff's Office	JAIL ENFORCEMENT	2010-08-19	link
SOUTH CAROLINA	York County Sheriff's Office	JAIL ENFORCEMENT	2007-10-16	link
TENNESSEE	Davidson County Sheriff's Office	JAIL ENFORCEMENT	2007-02-21	link
TENNESSEE	Tennessee Highway Patrol / Department of Safety	TASK FORCE	2008-06-25	link
TEXAS	Carrollton Police Department	JAIL ENFORCEMENT	2008-08-12	link

MUTUALLY SIGNED AGREEMENTS (71) AS OF 10/29/2010

STATE	LAW ENFORCEMENT AGENCY	SUPPORT TYPE	DATES SIGNED	MOA
TEXAS	Farmers Branch Police Department	TASK FORCE	2008-07-08	link
TEXAS	Harris County Sheriff's Office	JAIL ENFORCEMENT	2008-07-20	link
UTAH	Washington County Sheriff Office	JAIL ENFORCEMENT	2008-09-22	link
UTAH	Weber County Sheriff's Office	JAIL ENFORCEMENT	2008-09-22	link
VIRGINIA	Herndon Police Department	TASK FORCE	2007-03-21	link
VIRGINIA	Loudoun County Sheriff's Office	TASK FORCE	2008-06-25	link
VIRGINIA	Manassas Park Police Department	TASK FORCE	2008-03-10	link
VIRGINIA	Manassas Police Department	TASK FORCE	2008-03-05	link
VIRGINIA	Prince William County Police Department	TASK FORCE	2008-02-26	link
VIRGINIA	Prince William County Sheriff's Office	TASK FORCE	2008-02-26	link
VIRGINIA	Prince William-Manassas Regional Jail	JAIL ENFORCEMENT	2007-07-09	link
VIRGINIA	Rockingham County Sheriff's Office	JAIL & TASK FORCE	2007-04-25	link
VIRGINIA	Shenandoah County Sheriff's Office	JAIL & TASK FORCE	2007-05-10	link

ACTIVE MOAS PENDING 'GOOD FAITH' NEGOTIATIONS (1) AS OF 10/29/2010

STATE	LAW ENFORCEMENT AGENCY	SUPPORT TYPE	DATES SIGNED
MASSACHUSETTS	Massachusetts Department of Corrections	JAIL ENFORCEMENT	2007-03-26

Note:* *Do not have 287(g) trained officers.