

# National Foundation for American Policy

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## **New Research on America's Legal Immigration System: Legislation Would Reduce Economic Growth, Eliminate Over 4 Million People Waiting in Legal Immigrant Backlogs**

### **Legal Immigration Has Not Been Rising, Nor Is High By Historical Standards; Without Immigrants U.S. Labor Force Growth Would Fall**

Arlington, Va. – Despite recent calls for new immigration restrictions, reducing legal immigration would lead to less economic growth and a lower U.S. standard of living, and would not help native-born lower-skilled workers nor make America safer, according to a new report released by the National Foundation for American Policy (NFAP), an Arlington, Va.-based policy research group. Without immigrants, U.S. labor force growth – an essential element of economic growth – would fall.

Both the RAISE Act, endorsed by the Trump administration, and the SECURE Act would dramatically reduce legal immigration to the United States, including by eliminating most family immigration categories and more than 4 million people waiting years in legal immigrant backlogs. The SECURE Act was introduced on December 6th by Judiciary Committee Chair Sen. Charles Grassley (R-IA) as part of a bargaining effort to respond to demands for legislative action on Dreamers. The bills would not admit more high-skilled immigrants but focus instead on admitting fewer immigrants overall by eliminating several avenues to immigrate legally to the United States.

The report, "Understanding America's Legal Immigration System," is available at [www.nfap.com](http://www.nfap.com).

"While the case for legal immigration is strong – and the case for reducing it is weak – we should remember that additional values are at work, including America's long tradition as a nation of immigrants," said NFAP Executive Director Stuart Anderson, former head of policy at the Immigration and Naturalization Service under President George W. Bush and author of the report.

Among the key findings of the research:

- Legal immigration to the United States has not been rising, but remained at approximately the same level between 2001 and 2015. In fact, the number of lawful permanent residents admitted was slightly lower in 2015 than in 2001.
- The current flow of legal immigrants (approximately 1 million a year) is not high by U.S. historical standards. The 2015 legal immigration level of only 0.3 percent of the U.S. population is about 1/5 the level of 1907 as a percentage of the U.S. population. Back in 1907, the U.S. accepted approximately 1.3 million immigrants when America's population was at only 87 million people – an annual flow of immigrants representing 1.5 percent of the U.S. population.

- Neither the RAISE Act or the SECURE Act, two bills under consideration, would increase the number of high-skilled individuals allowed to immigrate to the United States. Both bills would dramatically reduce legal immigration and eliminate the ability of Americans to sponsor any family members for immigration except for a spouse or child under 18 years old. The Trump administration has proposed new immigration restrictions on immigrants and refugees, and taken no actions to facilitate the entry of the highly skilled. To the contrary, U.S. businesses and immigration attorneys have viewed administration policies as detrimental to the entry of high-skilled professionals and researchers.
- Illegal entry has declined by about 80% along the Southwest border since 2000. The overall unauthorized immigrant population has dropped by at least 1 million since 2009. "In FY17, CBP recorded the lowest level of illegal cross-border migration on record, as measured by apprehensions along the border and inadmissible encounters at U.S. ports of entry," according to a report from U.S. Customs and Border Protection (CBP). "CBP recorded 310,531 apprehensions by U.S. Border Patrol agents and 216,370 inadmissible cases by CBP officers in FY17, a 23.7% decline over the previous year."
- By 2035, without future immigrants, "the total U.S. working-age population would drop by almost 8 million (or more than 4%) from the 2015 working-age population," reports the Pew Research Center.
- Family and employment-based immigrants can now wait decades for permanent residence due to low annual quotas and per-country limits.
- The education levels of recent immigrants have been rising and today are higher, on average, than native-born levels.
- "Chain migration" is a contrived term that relies on casual observers being unaware of important facts. Immigrants have always come to America, succeeded and later supported the immigration of close family members. It is an important part of American history and an outgrowth of the natural human inclination to help one's family. The difference today is immigration is more restrictive than in the past and Americans can only sponsor family members in preference categories under strict numerical limits established by Congress.
- The timeframe between the application of a first immigrant and the entry of a second family-sponsored immigrant can take 45 years, according to an analysis of data published by the U.S. Citizenship and Immigration Services Ombudsman and the U.S. Department of State. To use the Ombudsman's example, the wait for a Mexican-born married adult son or daughter of a U.S. citizen would be about 20 years. If the spouse of that adult son becomes a citizen after 5 years and petitions for her brother in Mexico, then it would take another 20 years for the brother to arrive – a total of at least 45 years between the first application and the arrival of the second immigrant.
- Further evidence refuting the claims of endless "chains" of immigrants can be seen in a simple fact: Legal immigration to the United States has not risen since 2001.
- There are no "extended family" categories in the U.S. immigration system and claims to the contrary are untrue. U.S. citizens can sponsor a spouse, child, sibling or parent.
- The spouses and minor children of U.S. citizens and lawful permanent residents make up nearly two-thirds (about 62 percent) of family-based immigration. Approximately 82 percent of family-based immigration consists of the spouses, minor children (under 21) and parents of U.S. citizens and the spouses and minor children of lawful permanent residents.
- In trying to eliminate the immigration category for the sons and daughters of U.S. citizens, some critics imply children cease to be members of a family once they turn 21 years old,

even though no Americans consider their children to be “extended family members” just because they turn 21 years of age.

- Trump administration officials seized on the case of Akayed Ullah, a 27-year-old man who blew up an explosive device in New York City, to argue for eliminating most family immigration. Ullah immigrated from Bangladesh in 2011 through the brothers and sisters category as the child of a principal sponsored in the category and, according to law enforcement officials, became radicalized in 2014 after viewing “pro-ISIS materials online.” The rationale for eliminating an entire immigration category based on one individual, particularly one who did not present a threat until years after immigrating, seems questionable. Millions of people throughout U.S. history have immigrated by being sponsored or helped by a family member, including a sibling.
- Family immigrants have proven highly adaptable to the labor market, particularly because they are not recruited for specific jobs. Family immigrants start many of America’s small businesses, pooling capital and labor in cities across America. “Immigrants account for more than 90 percent of the growth in self-employment since 2000,” according to economist Magnus Lofstrom.
- The evidence indicates assimilation is alive and well. “Among 18-to-24-year-old children of immigrants, [only] 7% have not completed high school and are not enrolled in school,” reports the Pew Research Center.
- Immigrants increase the supply of labor, including by serving as caregivers in families so mothers can work, and expand the economy’s productive capacity, particularly when compared with reducing legal immigration and eliminating family categories.
- Immigration to America has been made up of millions of individual stories of immigrants (and their children) achieving the American Dream. The contributions to America made by immigrant entrepreneurs, Nobel Prize winners, cancer researchers, and workers across the skill spectrum are an essential part of the country’s economy and culture. The children of immigrants are vital to strong families and keeping the country growing, while also important to the nation’s future in science and engineering.

America’s legal immigration system is far from perfect. The system is plagued by long waits for family and employment-based immigrants and lacks a sufficient number of visas and flexibility for high-skilled professionals. America’s immigration laws also lack a reliable way for employers to hire workers to fill year-long jobs in hospitality, construction, dairy, landscaping and other sectors. That has contributed to approximately 11 million unauthorized immigrants living in the United States, including many young people brought to America as children and who face deportation to countries they barely know. The solutions include addressing the situation of those in the United States without legal status (including individuals who arrived as children), increasing the number of employment visas, eliminating or modifying per-country limits for employment and family-based immigrants, and establishing a new work visa that would reduce the incentive for individuals to enter the U.S. unlawfully to work.

America’s legal immigration system is ultimately in the hands of the American people. Commenting on the uniqueness of America, Ronald Reagan once told a class of students: “I got a letter from a man the other day, and I’ll share it with you. The man said you can go to live in Japan, but you cannot become Japanese – or Germany, or France – and he named all the others. But he said anyone from any corner of the world can come to America and become an American.”

### **About the National Foundation for American Policy**

Established in the Fall 2003, the National Foundation for American Policy (NFAP) is a 501(c)(3) non-profit, non-partisan public policy research organization based in Arlington, Virginia focusing on trade, immigration and related issues. The Advisory Board members include Columbia University economist Jagdish Bhagwati, Ohio University economist Richard Vedder, former U.S. Senator and Energy Secretary Spencer Abraham and former INS Commissioner James W. Ziglar. Over the past 24 months, NFAP's research has been written about in the *Wall Street Journal*, the *New York Times*, the *Washington Post*, and other major media outlets. The organization's reports can be found at [www.nfap.com](http://www.nfap.com). Twitter: [@NFAPResearch](https://twitter.com/NFAPResearch)

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