

THE FACTS: UNDOCUMENTED IMMIGRANTS



RULES GOVERN WHO CAN BE DEFINED AS UNDOCUMENTED.

A person who is an “undocumented immigrant” is either:

- A person who did not have permission to enter the U.S. (approximately 55% of cases)¹ or
- A person who came with permission, but overstayed their visa (up to 45% of cases).²

In the current immigration debate, different groups have used the terms “illegal immigrant” and “undocumented immigrant” to refer to the same group of people. Here, “undocumented immigrant” is used.

The word “illegal” connotes harmful criminal behavior, arousing unfounded fears and suspicions toward a group of people that have come to the U.S. to make a better life for themselves and their families. Most undocumented immigrants are here to work and to join family members and are contributing a lot to our society and our economy. (See “Immigration and the Economy.”)

OUR IMMIGRATION SYSTEM IS BROKEN.

Our immigration system inadequately addresses our nation’s economic needs and the reality of globalization. Put simply, we do not issue as many visas as the market demands. This is not a new problem. In 1986 and 1996, Congress passed immigration legislation, but failed both times to adequately address legal pathways for future immigrants. Thus, today, we still have a large undocumented population. When people speak of our immigration system being “broken,” they are likely referring to the following problems:

- There are no legal paths to immigrate for most low-skilled workers. All sides agree that illegal immigration is a problem. It has expanded the profitable human smuggling industry, and has led to increasing numbers of deaths of migrants due to exposure and drowning.³ In response, immigrant advocates call for “comprehensive immigration reform” that gives legal paths to people who are already a part of our society and economy and provides opportunities for future immigration.
- The legal paths that do exist take years to navigate, due to bureaucratic backlogs and visa limitations. For example, a Lawful Permanent Resident (LPR) trying to bring a spouse or child from Mexico must wait 4-7 years. An LPR trying to bring a brother from the Philippines must wait up to 23 years!⁴
- In the past, circular migration was more common. Heads of households worked for months or years in the U.S. and then returned home to visit their families. However, the dangers associated with border crossings and the demand for year-round labor have led to increases in migrants staying permanently and bringing their families to accompany them.⁵

UNDOCUMENTED IMMIGRANTS INCLUDE A DIVERSE GROUP OF PEOPLE.

Presently, there are approximately 11-12 million undocumented people in the U.S.⁶ They include **asylum seekers** fleeing persecution, **students** who overstayed their visa terms, **workers** who could not get a visa, and **family** members who came to join their loved ones. The following statistics describe the undocumented population:

- **Approximately 55% came without permission and 45% overstayed visas.**⁷
Little more than half of all undocumented people entered without permission. Since many people enter with documentation and overstay their visas, border security measures (the “enforcement-only” or “enforcement-first” policy ideas) simply will not work. In order to address all of the problems with our immigration system, we need “comprehensive immigration reform.”
- **1.8 million are children.**⁸
Undocumented children are particularly vulnerable. They are growing up with a negative stigma and without

the same opportunities as other children. There are approximately 1.3 million children who have lived in the U.S. for five or more years and who were enrolled in K-12 schools in the year 2002.⁹ Only 1 out of every 20 (5%) undocumented high school seniors attend college,¹⁰ as a result of various factors that include limited access to in-state college tuition.

- **57% came from Mexico, 23% came from the rest of Latin America, 10% came from Asia, 5% came from Europe and Canada, and 5% came from other areas.**¹¹
These statistics reflect many stories – the absence of available visas, U.S. labor market demand, past and present U.S. trade policies, and growing economic disparities between nations.
- **60% arrived before the year 2000; 40% arrived between 2000-2006.**¹²
Many of the undocumented immigrants present before 1986 were granted amnesty under a law passed in 1986 – the first attempt at comprehensive immigration reform.
- **Undocumented men have a 96% labor force participation rate.**¹³
This rate exceeds that of legal immigrants and U.S. citizens, suggesting very high self-sufficiency among undocumented men. “Undocumented men are younger and less likely to be disabled, retired, or in school.”¹⁴
- **Unauthorized immigrants represent 5% of the U.S. labor force.**¹⁵
Much of this labor force participation is concentrated in construction and service sectors.¹⁶ Top economists argue that immigrant labor is vital to our economy and boosts our labor force.¹⁷
- **0% of 9/11 terrorist attackers arrived without authorization.**
Not a single 9/11 terrorist entered the U.S. illegally, indicating that immigration status does not determine whether a person poses a threat to the United States. Solely focusing on securing our borders will not extinguish terrorism. A report from Appleseed, one of the nation’s largest legal pro-bono networks, states that: “Since 9/11, many elected officials, community leaders, and law enforcement professionals, including CIA and FBI counter-terrorism experts, have argued for the need to de-link immigration and counter-terrorism policies, saying that the immigrant-focused security measures passed after 9/11 have made us less safe.”¹⁸



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SOURCES FOR “UNDOCUMENTED IMMIGRANTS”

¹ Pew Hispanic Center. “Modes of Entry for the Unauthorized Migrant Population.” May 22, 2006.

² *Ibid*

³ Reyes, Belinda I. et. al. “The Effect of the Recent Border Build-up on Unauthorized Immigration.” 2002. Public Policy Institute of California. Accessed in August 2006 from http://www.ppic.org/content/pubs/report/R_702BRR.pdf.

⁴ United States Department of State. “Visa Bulletin.” August 2006. Number 96 Volume VII. Washington D.C. Accessed in July 2006 from http://travel.state.gov/visa/frvi/bulletin/bulletin_2978.html.

⁵ Reyes, Belinda I. et. al. “The Effect of the Recent Border Build-up on Unauthorized Immigration.” 2002. Public Policy Institute of California. Accessed in August 2006 from http://www.ppic.org/content/pubs/report/R_702BRR.pdf.

⁶ Urban Institute. “Children of Undocumented Immigrants.” May 16, 2006. Accessed August, 2006 from: <http://www.urban.org/publications/900955.html>.

⁷ Pew Hispanic Center. “Modes of Entry for the Unauthorized Migrant Population.” May 22, 2006.

⁸ “Recently Arrived Migrants and the Congressional Debate on Immigration.” Pew Hispanic Center. April, 2006.

⁹ Protopsaltis, Spiros. “Undocumented Immigrant Students and Access to Higher Education: An Overview of Federal and State Policy.” The Bell Policy Center. 2005. Accessed Feb. 06 from: http://www.thebell.org/pdf/UndocumentedStudents_HigherEd.pdf.

¹⁰ *Ibid*.

¹¹ “Undocumented Immigrants: Facts and Figures.” Urban Institute. January 2004. Accessed June, 2006 at <http://www.urban.org/publications/1000587.html>.

¹² “Recently Arrived Migrants and the Congressional Debate on Immigration.” Pew Hispanic Center. April, 2006.

¹³ Passel et al. “Undocumented Immigrants: Facts and Figures.” Urban Institute. January 12, 2004. Accessed June, 2006 at <http://www.urban.org/publications/1000587.html>.

¹⁴ *ibid*

¹⁵ *ibid*

¹⁶ “The Labor Force Status of Short-Term Unauthorized Workers.” Pew Hispanic Center. April 13, 2006.

¹⁷ The Independent Institute. *Open Letter on Immigration*. June 19, 2006. Accessed July 2006 from:

<http://www.independent.org/newsroom/article.asp?id=1727> and Peri, Giovanni, Ph.D. “Immigrants, Skills, and Wages: Measuring the Economic Gains from Immigration.” *Immigration Policy In Focus*. Vol. 5, Issue 3. p.4. March 2003.

¹⁸ Appleseed. “Forcing Our Blues Into Gray Areas: Local Police and Federal Immigration Enforcement.” p. 5. January, 2006. Accessed August, 2006 from: <http://appleseeds.net/servlet/PublicationInfo?articleId=70>.