

**Overview and History of US Immigration  
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**Introduction:**

The US has always been ambivalent about immigration. We Americans like individual immigrants we work with or who live down the street, but public opinion polls consistently report that there is too much immigration to the US. Our laws and the history of immigration in the United States reflect that ambivalence.

**History:**

The US didn't really have an immigration law until the 1870s. Until then we wanted as many people as we could get to settle this vast continent. By the end of the 1800s, however, Americans began to become concerned about immigration. These concerns were affected by four historical developments:

1. The closing of the U.S. frontier;
2. Burgeoning cities and increasing industrialization;
3. The persistence of immigrants from Southern and Eastern Europe in maintaining their traditions;  
and
4. The Catholic or Jewish religion of most of the new immigrants.

In light of these developments, many Americans began to doubt our country's capacity to welcome and absorb the ever-increasing waves of new immigrants.

In 1907, immigration to the United States reached an all-time high. 1.3 million people immigrated that year. At the same time an economic depression hit the country. That year Congress passed legislation to set up a commission to study the impact of immigration on the United States. This commission, known as the Dillingham commission, came to the following conclusions:

1. Twentieth century immigration differed markedly from earlier movements of people to the United States;
2. The new immigration was dominated by the so called "inferior peoples" - those who were

physically, mentally and linguistically different, and therefore less desirable than either the native born or earlier immigrant groups; and

3. Because of the supposed inferiority of these new immigrants, the United States no longer benefited from liberal immigration admissions policy and should therefore impose new restrictions on entry.

In 1924 Congress enacted permanent quotas to limit immigration. The 1924 law provided for an annual limit of 150,000 Europeans, a complete ban on immigration from Japan, and a quota system based on the contributions of each nationality to the overall U.S. population. This law was designed to preserve the racial and ethnic status quo of the United States as it existed then. The 1924 law rejected cultural pluralism as a U.S. ideal.

Immigration to the United States suffered another blow with the Great Depression. During all of the 1930's only 500,000 immigrants came to the United States, less than 1/8 of the number that had arrived in the previous decade and less than half that had arrived in the single year of 1907.

After WWII Congress got around to enacting a new immigration law. The Immigration and Nationality Act of 1952 basically consolidated previous immigration laws into one statute. In doing so, it preserved the national origin quotas system. The 1952 law also established a system of preferences for skilled workers and the relatives of U.S. citizens and tightened security and screening procedures in light of the Cold War. The 1952 act established a numerical limit of 150,000 per year on immigration from the Eastern Hemisphere.

Congress made major changes to our immigration laws next in 1965. The 1965 law abolished the national origins formula, replacing it with a per country limit of about 20,000 for each country. The new law repealed the old national origins systems and got rid of the racist basis for immigration policy.

Another major development occurred in 1986, when Congress enacted the Immigration Reform and Control Act. That law tried to stop illegal immigration. Its major feature was an imposition of penalties of employers who hire undocumented workers. These are known as employer sanctions.

In 1990, having supposedly conquered the problem of illegal immigration, Congress overhauled the legal immigration system. The 1990 act substantially expanded employment based immigration, provided additional visa numbers for some family-based categories, and created a new category of "diversity immigrants", meant to provide visas to people from low admission countries around the world.

In 1996 Congress again focused on the problem of illegal immigration and passed two major laws to make it easier to remove criminal aliens and others who should not be in the United States. A separate law in 1996 limited the ability of immigrants in the United States to obtain public benefits.

As this short summary of our immigration history has shown, immigration has shown America at its best and worst. Literally tens of millions of noncitizens have been welcomed to our shores. The United States has accepted more refugees than any other country in the world. And in a time of growing restrictionism in most countries of the world, United States admits nearly 1 million immigrants a year. Unlike many of the Western industrialized nations, it is relatively easy for lawfully admitted permanent residents to obtain U.S. citizenship. Moreover, any person born in the United States is automatically a U.S. citizen, irrespective of the nationality of her parents.

This presents the image of the United States as a golden door. But as the United States commission on

civil rights has written, the image of the golden door is a tarnished one. As we have seen, some federal laws have been blatantly racist, prohibiting immigration and naturalization of noncitizens from China and Japan, and favoring Northern and Western Europeans over Southern and Eastern Europeans. People have been excluded or deported for their political beliefs. Enforcement of the immigration laws has, at times, violated fundamental notions of fairness and decency. Noncitizens continue to be scapegoats for some of the problems of American society. This is particularly true today after the terrorist attacks of September 11.

## **Illegal Immigration**

Along with legal immigration comes illegal immigration. Despite various laws passed by Congress, illegal immigration remains a major problem. It is hard to estimate the number of unauthorized immigrants in the United States. The best figures seem to indicate that there are between 8 and 12 million illegal immigrants in the United States. About 40% of them reside in California. About half of the total undocumented population are overstays, meaning that they entered legally on a temporary basis, such as students or tourists, and failed to leave. The other half are people who entered the United States illegally from the beginning. The Immigration and Naturalization Service (INS or Service) has tightened up its border security measures, particularly along the Mexican border, and it is harder than before to enter the United States illegally. Still, hundreds of thousands of people immigrate illegally to the US each year.

## **Stats on immigration today**

Enough about history and law. What do all those laws really mean in terms of the number of people who immigrate to the US each year? Well, 850,000 people legally immigrated to the US in 2000, according to the INS. Sixty-nine percent of all legal immigrants in fiscal year 2000 were family sponsored. 13 percent were employment preferences, and 8 percent were refugees or asylees. Only about 100,000 people a year get a green card through an employer. And that figure includes family members of the immigrant workers. So we see that although many people complain of a brain drain by having foreign students come to the US, not that many seem to stay here permanently, at least in terms of getting a green card through an employer. (Of course, if they are marrying US citizens and getting a green card that way, that's another story!)

In 2000, the leading countries of origin for legal immigrants were Mexico (173,919), the People's Republic of China (45,652), the Philippines (42,474), India (42,046), and Vietnam (26,747). These five countries represented 39 percent of all immigrants in 2000.

## **Stats on international students and scholars today:**

The number of international students attending colleges and universities in the United States in the 2000/2001 academic year was 547,867, according to Open Doors 2001, an annual report by the Institute of International Education. That is a record total, and an increase of 6.4% over the previous year.

China is the leading place of origin for international students (59,939), followed by India (54,664), Japan (46,497), Korea (45,685), Taiwan (28,566), Canada (25,279), Indonesia (11,625), Thailand (11,187), Turkey (10,983) and Mexico (10,670).

While numbers of international students have increased by a total of 15% across every type of higher education institution since 1993, international student enrollment growth is particularly strong at U.S. community colleges, which saw an increase of 50% throughout the same period. In the past year alone the number has risen more than 7% to 91,737.

The number of international scholars (J exchange visitors) has also increased over the years. In 2000-2001 there were a total of over 79,500 international scholars in the US, an increase of 6.8% from the

previous year. They come from essentially the same countries that send international students to the US.

It remains to be seen whether these numbers will continue in light of the Sept. 11 terrorist attacks and other recent developments.

### **Economic Impact of Legal Immigration:**

A 1997 study by the U.S. National Research Council gives the best summary of the macroeconomic impacts of immigration. The study found that immigration produces net economic gains for U.S. citizens, for several reasons. At the most basic level, immigrants increase the supply of labor and help produce new goods and services. Immigration also allows domestic workers to be used more productively by specializing in producing goods at which they are relatively more efficient.

Overall, the study concluded that immigration adds about 10 billion dollars a year to the nation's economic output. While that sounds like a lot, it is less than 1% of the total gross domestic product. The report found that while immigration produces economic benefits for the United States as a whole, it slightly reduces the wages and job opportunities of low skilled U.S. workers, especially high school dropouts.

The report also found that the gap between the wages of immigrants and the wages of native-born U.S. workers is widening. Many recent immigrants come from poorer countries, where the average levels of education, wages and skills are far below those of the United States. The report found that the long-term fiscal impact of an immigrant depends on his or her education. Immigrants with more education have more positive long-term fiscal impacts. For example, the panel calculated that the net present value of the fiscal impact of an immigrant with less than a high school education is a drain of \$13,000 on the U.S. economy. In contrast, the net present value of an immigrant with more than a high school education is a net positive \$198,000 contribution to the U.S. economy over the lifetime of the immigrant. Thus, if the only policy goal were to maximize the positive contributions of immigration to our fiscal budgets, that could be achieved by policies favoring highly educated immigrants and by not admitting immigrants over the age of 50. That would seem to favor the admission of international students and scholars. Alas, after September 11 that may not be the case.

### **Economic impact of international students and scholars:**

International students contribute more than \$11 billion to the U.S. economy, through their expenditures on tuition and living expenses. Department of Commerce data describe U.S. higher education as the country's fifth largest service sector export, as these students bring money into the national economy and provide revenue to their host states for living expenses, including room/board, books and supplies, transportation, health insurance, support for accompanying family members, and other miscellaneous items. Over two-thirds of all international students receive the majority of their funds from family and personal sources. Over three-quarters receive most of their funding from sources outside of the United States.

The most popular fields of study for international students in the U.S. are business and management (19%), engineering (15%), and mathematics and computer sciences (12% and increasing rapidly, with a 18% rise since the previous year.)

### **The impact of September 11**

September 11 has had a profound impact on the US immigration system and on international education. Even though only 2 of the 19 terrorists had student visas, fingers immediately began pointing at the student visa system as one of the culprits for supposedly lax immigration policies. Congress quickly passed a law

requiring all U.S. colleges and universities to track foreign students and scholars electronically by January of 2003. The new electronic system is known as SEVIS, which stands for student and exchange visitor information system. The INS is working mightily to try to make sure it implements SEVIS on time, but it remains to be seen whether they can do so. SEVIS is an Internet-based computer system that will enable schools and program sponsors to transmit electronic information and event notification to the INS and the Department of State throughout an international student's or exchange visitor's stay in the United States.

The INS has also tightened up its border security generally. For example, the INS is scrutinizing documentation from foreign students and others more carefully than in the past. In addition, the INS has said that it will no longer admit part time commuter students from Canada or Mexico. In April the INS also issued a regulation prohibiting nonimmigrant visitors admitted in B-1 or B-2 tourist status from starting studies before they obtain approval of a change to F-1 student status.

The White House has also said that it plans to heighten government scrutiny of up to 2,000 foreign nationals a year who want to study science or technology at U.S. universities, with the intent of tightening access to sensitive research and technology that can be used to threaten national security. President Bush issued an executive order to establish a new federal board known as the Interagency Panel on Advanced Science and Security, or IPASS, charged with identifying sensitive programs and deciding which students will be granted visas to study or work in them. Some of the sensitive areas of study include nuclear and missile technology, aircraft propulsion, information security, and marine technology. The panel will examine a student's country of origin, scientific area of study, and nature of work before recommending to the State Department whether the student should be granted a visa.

Finally and most importantly, in reaction to September 11 the US government plans to create a new cabinet level agency called the Department of Homeland Security. It appears certain that part or all of the Immigration and Naturalization Service will be moved into that new department. In addition, some have proposed that the State Department lose its role of issuing visas and have that done by the new Department instead. All this remains to be worked out in Congress over the next several months.

But the bottom line is that major changes to immigration law and practice are certain to occur; probably the biggest changes in over 50 years. Moreover, all the political signals indicate a tightening up on immigration and visas generally. All these restrictions make the climate generally less favorable for international students and scholars wishing to study in the United States.

**Links:**

<http://www.opendoorsweb.org>

<http://www.nafsa.org>

<http://www.ins.gov>

<http://travel.state.gov>