



The Facts on Immigration Today

By Center for American Progress Immigration Team

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Immigration has been a constant source of economic vitality and demographic dynamism throughout our nation's history. Immigrants are taxpayers, entrepreneurs, job creators, and consumers. But the immigration system is broken and in need of an overhaul. Although the U.S. border is now more secure than ever, decades of ever-increasing border and interior enforcement have exacerbated the dysfunction caused by rigid, out-of-date laws. Immigration reform that comprehensively addresses these systemic problems—including providing a pathway to citizenship for undocumented immigrants living and working in the United States—is supported by large swaths of Americans. Common-sense reform would restore public faith in the system and level the playing field for all Americans, while supercharging the economic benefits from our immigrant population.

Below are the latest and most essential facts about immigrants and immigration reform in our nation today. The facts are broken down into the following sections:

- Today's immigrant population
- Demographics and political power of new Americans
- Immigrants and the economy
- Federal immigration policy
- Public opinion polling on immigration
- In the news: Unaccompanied children at the U.S. southern border

Today's immigrant population

Foreign-born population

- **The foreign-born population consisted of 40.7 million people in 2012.** Broken down by immigration status, the foreign-born population was composed of 18.6 million naturalized U.S. citizens and 22.1 million noncitizens in 2012.¹ Of the noncitizens,² approximately 13.3 million were legal permanent residents,³ 11.3 million were unauthorized migrants,⁴ and 1.9 million were on temporary visas.⁵
- **The past decade saw a significant increase in the foreign-born population.** Between 2000 and 2012, there was a 31.2 percent increase in the foreign-born population. During this period, the immigrant population grew from 31.1 million to 40.8 million people.⁶
- **The foreign-born share of the U.S. population has more than doubled since the 1960s, but it is still below its all-time high.** The immigrant population was 5.4 percent of the total U.S. population in 1960.⁷ By 2012, immigrants made up 13 percent of the total U.S. population.⁸ Still, today's share of the immigrant population as a percentage of the total U.S. population remains below its peak in 1890, when 14.8 percent of the U.S. population had immigrated to the country.⁹
- **The countries of origin of today's immigrants are more diverse than they were 50 years ago.** In 1960, a full 75 percent of the foreign-born population that resided in the United States came from Europe,¹⁰ while in 2012, only 11.8 percent of the immigrant population emigrated from Europe.¹¹ In 2012, 11.6 million foreign-born residents—28 percent of the foreign-born population—came from Mexico; 2.3 million immigrants came from China; 2 million came from India; 1.9 million came from the Philippines; 1.3 million came from both Vietnam and El Salvador; and 1.1 million came from both Cuba and Korea.¹²
- **Immigrants today are putting down roots across the United States, in contrast to trends seen 50 years ago.** In the 1960s, two-thirds of U.S. states had populations in which less than 5 percent of individuals were foreign born. The opposite is true today: In 2012, 61 percent of the foreign-born population lived in the West and the South—a dramatic departure from trends 50 years ago, when 70 percent of the immigrant population lived in the Northeast and Midwest.¹³
- **Today, women outnumber men in the foreign-born population.** In 2012, 51.4 percent of the U.S. immigrant population was female.¹⁴ Until the 1960s, immigrant men outnumbered immigrant women. However, by the 1970s, the number of female immigrants had surpassed the number of male immigrants.¹⁵

- **The foreign-born population is, on average, slightly older than the native-born population.** In 2012, the median age for all foreign-born people was 42, while the median age for all native-born people was 35.¹⁶
- **There are almost 1 million lesbian, gay, bisexual, and transgender, or LGBT, adult immigrants in the United States today.** The estimated 904,000 LGBT adult immigrants are more likely to be young and male compared with the overall immigrant population.¹⁷
- **Immigrants have diverse educational backgrounds.** In 2012, 11.6 percent of immigrants had a master's degree, professional degree, or doctorate degree, compared with 10.8 percent of the native-born population. That same year, 69.4 percent of the foreign-born population had attained a high school diploma, GED, or higher, compared with 89.9 percent of the native-born population.¹⁸
- **More than half of the foreign-born population are homeowners.** In 2012, 51 percent of immigrant heads of household owned their own homes, compared with 66 percent of native-born heads of household. Among immigrants, 65 percent of naturalized citizens owned their own homes in 2012.¹⁹
- **Less than one in five immigrants live in poverty, and they are no more likely to use social services than the native-born Americans.** In 2012, 19.1 percent of immigrants lived in poverty, while 15.4 percent of the native-born population lived in poverty. Of the foreign born, the two largest groups living in poverty were the 3.2 million people who emigrated from Mexico and the 1.4 million people who emigrated from either South or East Asia.²⁰ Despite of this, studies have consistently shown that immigrants use social programs such as Medicaid and Supplemental Security Income at similar rates to native households.²¹
- **The 20 million U.S.-born children of immigrants are significantly better off financially than their immigrant parents.** The median annual household income of second-generation Americans in 2012 was \$58,100, just \$100 below the national average. This was significantly higher than the median annual household income of their parents at \$45,800.²²
- **U.S.-born children of immigrants are more likely to go to college, less likely to live in poverty, and equally likely to be homeowners as the average American.** About 36 percent of U.S.-born children of immigrants are college graduates—5 percent above the national average. Eleven percent of U.S.-born children of immigrants live in poverty—well below the national average of 13 percent. And around 64 percent of them are homeowners, just 1 percent below the national average.²³

- **Immigrants are less likely to commit crimes or to be incarcerated than native-born Americans.** A 2007 study by the Immigration Policy Center found that the incarceration rate for immigrant men ages 18 to 39 in 2000 was 0.7 percent, while the incarceration rate for native-born men of the same age group was 3.5 percent.²⁴ While the foreign-born share of the U.S. population grew from 8 percent to 13 percent between 1990 and 2010, FBI data indicate that violent crime rates across the country fell by about 45 percent, while property crime rates fell by 42 percent.²⁵

Undocumented immigrant population

- **The undocumented population has stayed relatively stable, after declining slightly during the Great Recession.** In 2000, there were an estimated 8.4 million undocumented people residing in the United States. This population peaked in 2007 at 12 million but saw a gradual decline during the Great Recession. In 2012, an estimated 11.7 million undocumented immigrants resided in the United States.²⁶ Since then, the numbers have stabilized. By the end of 2012, there were approximately 11.2 million undocumented immigrants in the United States, and that number remained constant into 2013 with 11.3 million undocumented immigrants.²⁷
- **People from Mexico account for a large part of the undocumented population living in the United States, but their share has diminished in recent years.** In 2012, 6 million people—or 52 percent of the undocumented population—were from Mexico, down from the peak of 6.9 million—or 57 percent—in 2007.²⁸
- **Six states are home to the majority of the undocumented population.** As of 2012, 22 percent of the nation's undocumented population lives in California. Fifteen percent lives in Texas, 8 percent lives in Florida, 7 percent lives in New York, 4 percent lives in Illinois, and 4 percent lives in New Jersey.²⁹
- **The majority of undocumented immigrants are long-term residents, committed to living in the United States.** In 2013, the median length of residence for unauthorized immigrants in the United States was 13 years, at least 5 years longer than it had been in 2003. Currently, 62 percent of undocumented immigrants have been living in the United States for 10 years or longer, and a full 88 percent have been living in the United States for five years or longer.³⁰
- **Many undocumented immigrants could be sponsored for a green card but cannot adjust their status because they are presently undocumented.** Hundreds of thousands of undocumented immigrants could qualify for a green card by virtue of having a relative who is a U.S. citizen, but—because of bars to re-entering the United States that were put in place in 1996—most would have to leave the United States for a period of at least 10 years before becoming eligible to reunite with their families.³¹

- **Undocumented immigrants are often part of the same family as documented immigrants.** 16.6 million people were in “mixed-status” families—those with at least one undocumented immigrant—in 2011. Nine million of these families had at least one U.S.-born child.³²
- **Nearly half of the undocumented population has minor children, many of them born in the United States.** In 2012, 4.7 million undocumented adults were parents of minor children, including 3.8 million whose children were U.S. citizens.³³
- **One in five undocumented immigrant adults has a U.S. citizen or lawful permanent resident spouse.** Of the 10 million adult undocumented immigrants living in the United States in 2012, approximately 767,000 were married to a U.S. citizen and 944,000 were married to a lawful permanent resident.³⁴
- **Undocumented immigrants comprise a disproportionately large percentage of the labor force relative to the size of the overall population.** In 2010, 8.4 million undocumented immigrants were employed in the United States. They represented 5.2 percent of the U.S. labor force, although they comprised only 3.7 percent of the U.S. population.³⁵
- **There are more than a quarter of a million LGBT undocumented adult immigrants in the United States today.** The estimated 267,000 LGBT undocumented adult immigrants as of 2013 are more likely to be male and younger relative to all undocumented immigrants.³⁶ Around 71 percent of LGBT undocumented adults are Hispanic, and 15 percent are Asian American or Pacific Islander.³⁷
- **Nearly half of settled undocumented immigrants are homeowners.** Among undocumented immigrants who had lived in the United States for 10 years or longer, 45 percent were homeowners in 2008. Among undocumented immigrants who had lived in the United States for less than 10 years, 27 percent were homeowners in 2008.³⁸
- **More than half of the undocumented immigrant population has a high school degree or higher.** According to a 2009 Pew Research Center’s Hispanic Trends Project study, 52 percent of undocumented immigrants have a high school diploma or higher and 15 percent have a bachelor’s degree or higher.³⁹

Demographics and political power of new Americans

Growing in number

- **Latinos and Asian Americans comprise a significant segment of the U.S. population.** Latinos comprised 16.9 percent of the total U.S. population in 2012, while Asian Americans made up 5.1 percent of the population.⁴⁰
- **The Latino community is experiencing rapid rates of growth.** The Latino community in the United States grew by 43 percent from 2000 to 2010, as well as by an additional 7 percent from 2010 to 2013. These numbers dwarf the growth of whites, whose population grew by 5.7 percent between 2000 and 2010 and 1.5 percent between 2010 and 2013.⁴¹
- **Asians recently surpassed Latinos as the fastest-growing group of new immigrants to the United States.** The Asian American population saw growth of 46 percent from 2000 to 2010 and growth of 10 percent from 2010 to 2013.⁴²
- **Immigrants and their children are rapidly becoming a larger share of the Latino electorate.** Immigrants and their children made up 55 percent of eligible Latino voters in 2012, up from 49 percent in 1996.⁴³
- **Second-generation immigrants—children of immigrants—are the driving force behind the growth of the Latino electorate.** Between 2012 and 2016, 3.3 million Latino citizens will turn 18 years old. Of these Latino citizens, 57 percent, or nearly 2 million, are the children of immigrants.⁴⁴

And growing in political power

- **Record numbers of Latinos and Asian Americans are eligible to vote today.** In 2014, 24.8 million Latinos are eligible to vote, up from 21.3 million in 2010 and 19.5 million in 2008. As a percentage of all eligible voters, Latinos make up 11.3 percent of the population.⁴⁵ Currently, there are an estimated 9 million Asian American voters, constituting 4 percent of all eligible voters.⁴⁶
- **President Barack Obama was re-elected in 2012 with the support of 71 percent of Latino voters and 73 percent of Asian American voters.** These groups are a key part of the multiethnic, multiracial, and cross-class progressive coalition, which also includes African Americans, women, young people, professionals, and economically populist blue-collar whites. These groups generally support a strong government that will expand opportunities and personal freedom for all Americans.⁴⁷

- **A majority of eligible Latino and Asian American voters stayed home on Election Day in 2012, pointing to significant room for improvement in voter participation.** While a record 11.2 million Latinos cast votes in the 2012 presidential election, 12.1 million eligible Latino voters did not vote, giving Latinos a 48 percent voter participation rate. Similarly, although 3.9 million eligible Asian American voters cast ballots on Election Day in 2012, 4.4 million did not, giving Asian Americans a 47.3 percent voter participation rate.⁴⁸
- **The voter turnout rates for Latinos and Asian Americans in midterm elections lags behind those of other groups.** In 2010, Latino voter turnout was 31.2 percent, while Asian American voter turnout was 31 percent. These populations' voter turnout rates were far below those of African Americans, whose voter turnout rate was 44 percent, and whites, whose turnout rate was 49 percent.⁴⁹
- **The voter turnout rate of Latinos will likely rise in coming years.** Immigrants and their children—who will constitute a larger portion of the Latino electorate in the future—have higher voter turnout rates than Latinos with native-born parents. As this cohort ages and enters the electorate, the voter turnout rate for the Latino electorate as a whole will likely increase.⁵⁰
- **The fast-paced growth of the Latino electorate and the slow or negative growth among non-Hispanic whites will change the voter makeup in the United States by 2016.** Over the next four years, the number of eligible Latino voters nationwide is projected to increase by more than 4 million people to 27.7 million. By 2016, we can expect Texas to have 905,500 new Latino voters, making up 58.1 percent of the net increase in all eligible voters in the state.⁵¹
- **Much of the growth in the number of eligible Latino voters can be attributed to the relative youth of the Latino population.** More than 90 percent of Latinos under age 18 are U.S. citizens, and about 800,000 Latinos turn 18 and become eligible to vote every year.⁵²
- **Millions of legal permanent residents are eligible to become U.S. citizens and vote.** A total of 8.8 million legal permanent residents, or green card holders, were eligible for naturalization in 2012.⁵³ In 2013, a total of 503,104 people naturalized and became eligible to vote.⁵⁴ Barriers to naturalization, including the \$680 application fee, effectively deny many residents the chance to become U.S. citizens and exercise their right to vote.⁵⁵
- **Immigrant women are the drivers of naturalization in their families.** Approximately 84 percent of the women surveyed in a February 2011 poll by New America Media wanted to become citizens. Around 91 percent of women immigrants from Vietnam and 90 percent from Latin American and Arab nations indicated a desire to naturalize. Furthermore, 58 percent of women immigrants surveyed said they felt the strongest in their households about becoming U.S. citizens.⁵⁶

The economic imperative for immigration reform

- **Legalization and naturalization of undocumented immigrants would bolster their wages.** The annual income of unauthorized immigrants would be 15.1 percent higher within five years if they were granted legal status. In addition, if undocumented immigrants earned their citizenship, their wages would rise by an additional 10 percent. This wage increase would occur because legal status provides the undocumented legal protections, grants access to better jobs, promotes investments in education and training, and fosters small-business creation.⁵⁷
- **Immigration reform would increase the earnings of all Americans.** Immigration reform that includes a pathway to citizenship for undocumented immigrants in five years would increase the earnings of all American workers by \$618 billion over the next decade.⁵⁸
- **Permitting undocumented immigrants to gain legal status and citizenship would expand economic growth.** Naturalized workers earn higher wages, consume more goods and services, and pay more in taxes, which in turn creates economic growth. If the undocumented immigrants in our nation were granted legal status today and citizenship in five years, the 10-year cumulative increase in U.S. gross domestic product, or GDP, would be \$1.1 trillion.⁵⁹
- **Granting citizenship to undocumented immigrants would create jobs and increase tax revenues.** If undocumented immigrants acquired legal status today and citizenship in five years, the economy would add an average of 159,000 new jobs per year, and formerly unauthorized workers would pay an additional \$144 billion in federal, state, and local taxes over a 10-year period.⁶⁰
- **Immigration reform would translate into a significant decrease in the federal budget deficit.** The nonpartisan Congressional Budget Office, or CBO, found that S. 744—the Border Security, Economic Opportunity, and Immigration Modernization Act, as passed by the Senate—would reduce the budget deficit by \$135 billion in the first decade after the bill’s passage and by an additional \$685 billion in the second decade, when most undocumented immigrants would become eligible for citizenship.⁶¹
- **Citizenship would allow millions of undocumented immigrants to work on the books and contribute to Social Security.** If undocumented immigrants gained legal status and citizenship, they would provide a net \$606.4 billion contribution to Social Security over the next 36 years—the same time period when retiring Baby Boomers will place the greatest strain on the system. These contributions to the Social Security system would support 2.4 million American retirees.⁶²

- **The solvency of the Medicare trust fund would be extended if the undocumented population were able to gain legal status and citizenship.** Immigrants who are currently living in the United States without legal status could make a net contribution of \$155 billion to Medicare over the next 30 years. Their contribution would extend the solvency of the Medicare trust fund by four years.⁶³
- **Passing the DREAM Act would inject billions of dollars into the American economy, while creating more than 1 million jobs.** The DREAM Act would provide a pathway to legal status for eligible young people who complete high school and some college or military service. At least \$329 billion and 1.4 million jobs would be added to the American economy over the next two decades if the DREAM Act became law.⁶⁴
- **Expanding the Deferred Action program would immediately yield billions of dollars in tax revenues, while increasing wages and job security for all Americans.** Allowing low-priority unauthorized immigrants who have been in the country for five years to apply for deferred action—a temporary work permit and deferral of deportation—would mean that they could earn higher average wages and protection from exploitation. This would have a significant impact on the U.S. economy, yielding \$6.1 billion in payroll tax revenue in the first year and increasing gains of up to \$45 billion over the next five years.⁶⁵

The record on immigrants and the economy

- **Undocumented immigrants pay billions of dollars in taxes annually.** Households headed by unauthorized immigrants paid \$10.6 billion in state and local taxes in 2010. This includes \$1.2 billion in personal income taxes, \$1.2 billion in property taxes, and more than \$8 billion in sales and excise taxes. Immigrants—even legal immigrants—are barred from most social services, meaning that they pay to support benefits they cannot even receive.⁶⁶
- **Research shows that immigrants complement, rather than compete with, native-born American workers—even less-skilled workers.** Research by renowned economists such as David Card, Gianmarco Ottaviano, Giovanni Peri, and Heidi Shierholz shows that American workers are not harmed by—and may even benefit from—immigration. This is because immigrants tend to complement the skillsets of American workers, thus helping them be more productive.⁶⁷
- **Immigration reform will not affect the unemployment rates of native-born Americans.** The CBO estimates that during the 10-year period following passage of immigration reform, unemployment will increase by 0.1 percent. This small increase falls entirely upon the undocumented and is the short-term effect of growth in the labor force and of the labor market adjusting to undocumented workers positioning themselves to be productive for decades to come.⁶⁸

- **Taxes paid by legalized immigrants more than offset any use of social programs.** The CBO found that increases in costs to social programs are modest and will be more than paid for by the tax contributions of immigrants. The increase in spending in Social Security and Medicare from 2024 through 2033, for example, will be \$65 billion—just 4.4 percent of the total increase in tax revenue.⁶⁹
- **As Baby Boomers retire en masse over the next 20 years, immigrants will be crucial to fill these job openings and promote growth in the labor market.** More than two-thirds of new entrants into the labor market will replace retiring workers. However, while 58.6 million new workers will be needed to fill these retirements, only 51.3 million native-born people are projected to enter the workforce, meaning that immigrants and their children will be crucial to filling the additional 7.3 million job openings while also furthering growth in the labor market.⁷⁰

The price of inaction and the cost of mass deportation

- **Inaction on immigration reform carries a heavy cost.** Each day the House of Representatives fails to pass immigration reform costs the United States \$37 million in missed tax revenue. As of October 2014, the House’s inaction has cost more than \$17.7 billion.⁷¹
- **Maintaining the status quo is not revenue neutral.** With only one-third of unauthorized immigrants working in the formal economy and contributing about \$12 billion in payroll taxes each year, the United States loses around \$20 billion in payroll tax revenue annually. This lost revenue would go a long way toward funding the retirement of Americans across the country.⁷²
- **The United States spends more on immigration and border enforcement annually than the annual gross domestic product of 80 countries.** In fact, the United States now spends \$3.5 billion more on immigration and border enforcement—a total of nearly \$18 billion per year—than it does on all other federal law enforcement combined.⁷³
- **A self-deportation regime would cost our economy trillions of dollars.** If all undocumented immigrants in the country were deported or “self-deported”—meaning they choose to leave the country because life is too difficult—the United States’ cumulative GDP would suffer a hit of \$2.6 trillion over 10 years.⁷⁴
- **Mass deportation of the undocumented immigrant population would cost billions of dollars.** Deporting the entire undocumented population would cost \$285 billion over a five-year period, including continued border and interior enforcement efforts.⁷⁵ For that price, we could hire more than 1 million new public high school teachers and pay their salaries for five years.⁷⁶
- **It costs taxpayers more than \$20,000 to carry out the deportation of a single individual.** Apprehending, detaining, processing, and transporting one individual in the deportation process cost \$23,482 in fiscal year 2008.⁷⁷

The Senate's bipartisan immigration reform bill

In June 2013, the Senate passed a bipartisan immigration reform bill with a vote of 68 to 32. The Senate bill remains viable for reconciliation with a House bill until the 113th Congress ends on December 31, 2014.⁷⁸

- **The Senate-passed immigration reform bill, S. 744, provides a tough but achievable pathway to citizenship for undocumented immigrants.** The bill would put the majority of the 11 million undocumented immigrants on a 13-year pathway to citizenship. In the meantime, registered provisional immigrants—the first step on the pathway—who have met certain requirements, passed background checks, and paid fees and fines will be able to live in the United States, work, and travel abroad without fear of deportation.⁷⁹
- **S. 744 significantly increases border security.** The bill mandates significant increases in technology, personnel, fencing, and funding to ramp up border security to an unprecedented level. The bill mandates that the U.S. Department of Homeland Security, or DHS, complete 700 miles of pedestrian fencing, increase the number of full-time U.S. Customs and Border Protection agents from today's 21,391 to 38,405 by 2021, and deploy a litany of technology on the southern border.⁸⁰
- **S. 744 puts substantial resources toward increasing enforcement in the country's interior.** The bill mandates that all employers in the country use E-Verify—the government's Internet-based work-authorization system—within five years of the bill's enactment as a means of ensuring that unauthorized immigrants are not granted employment. It also creates a full electronic entry-exit system that can check machine-readable passport, visa, and biographical information for all immigrants who leave by airports and seaports by the end of 2015. Moreover, it creates a pilot program to put a full biometric exit system in the most heavily trafficked airports and seaports.⁸¹
- **S. 744 includes the most generous DREAM Act provision yet.** The bill allows anyone who entered the country before age 16, who has completed high school and some college or military service, and who has been in registered provisional immigrant status for at least five years to apply for permanent residence and citizenship.⁸²
- **S. 744 clears the long backlog of people who have been approved for a green card.** The bill ensures that the 4.3 million people who have been approved for a green card but have been waiting for years, even decades, to come to the United States because of the long backlogs in the system can finally reunite with their family members. This would clear the backlog within a decade.⁸³

- **S. 744 modernizes the immigration system.** The bill creates a new category of merit-based green cards for individuals who meet certain criteria that are determined to be in the interest of the nation. It expands the number of green cards for highly skilled, advanced-degree professionals; significantly increases the annual cap for H-1B visas; creates a new lesser-skilled “W” visa category; and establishes a bureau tasked with analyzing economic, labor, and demographic data to help set annual limits on each type of visa.⁸⁴
- **S. 744 protects farmworkers and stabilizes the agricultural industry.** The bill authorizes farmworkers who continue working in agriculture to apply for permanent residence five years after the bill’s enactment.⁸⁵
- **S. 744 equips immigrant workers with rights that will decrease workplace violations.** The Senate bill stops employers with a recent history of workplace violations from applying for guest workers. Workers with a “W” visa for less-skilled workers, as well as agricultural workers, will be given greater labor-market mobility, as these workers will be permitted to seek employment with another registered employer. S. 744 also ensures that all workers—even those without status—are entitled to full remedies under U.S. employment and labor laws.⁸⁶

House’s immigration legislation

- **House Republican leaders put out a set of principles on immigration reform in January 2014 but have not brought any immigration bills to the floor.** This list included an endorsement of legalization for the 11.3 million undocumented immigrants living in the country but stopped short of a full pathway to citizenship. One week after releasing these principles, House Speaker John Boehner (R-OH) walked them back, saying his party would not move forward on immigration until members of the House regained their trust that President Obama would enforce immigration laws.⁸⁷ Despite of the House leadership’s best efforts to bury reform in 2014, 30 House Republicans have come out in support of immigration reform with a pathway to citizenship.⁸⁸
- **House Democrats have introduced a version of the Senate-passed immigration reform bill, H.R. 15.** The bill includes almost all parts of the Senate bill, substituting the border provisions with House Committee on Homeland Security Chairman Michael McCaul (R-TX)’s border security bill. In September 2014, the bill had 199 co-sponsors, but House Republican leadership refuses to bring it to a vote.⁸⁹
- **House Republicans have taken multiple votes to defund the Deferred Action Against Childhood Arrivals, or DACA, program.** Instead of passing immigration reform, the House has voted to cut funding for the DACA program. The first of these attempts took place in June 2013, when Rep. Steve King (R-IA) successfully introduced an amendment to the Homeland Security budget bill to defund the program.⁹⁰ House Republicans passed a similar measure in August 2014.⁹¹

- **The president has broad legal authority to take executive action on immigration.** While only Congress can act to permanently fix the nation's broken immigration system, the president has wide legal latitude to begin the process. Through what is known as prosecutorial discretion, the president can focus resources and time to pursue serious criminal offenders, instead of low-priority immigrants. These low-priority immigrants could be granted deferred action, a process by which they could register, pass background checks, and receive a work permit and reprieve from deportation.⁹²
- **The DACA directive went into effect in August 2012.** In June 2012, the Obama administration announced that it would use its inherent executive authority to explicitly protect a group of DREAM Act-eligible undocumented youth from deportation. The program allows this population to apply for temporary protection from deportation and for work authorization. As of March 2014, more than 553,000 applicants were granted deferred action, and just more than 20,000 were denied protection.⁹³
- **In December 2012, U.S. Immigration and Customs Enforcement announced it would limit its detainer policy.** The agency will no longer issue a detainer request to local police directing them to hold someone identified as a potentially undocumented immigrant unless that person has been charged with a serious crime or has been convicted of multiple misdemeanors. This announcement aligns with the agency's evolving effort to apply so-called prosecutorial discretion to immigration cases: prioritizing criminals—rather than long-settled and hardworking immigrants—for detention and deportation.⁹⁴
- **In March 2013, U.S. Citizenship and Immigration Services changed its policy to better observe its principle of family unification.** Effective March 2013, the U.S. government reduced the amount of time that spouses and minor children of U.S. citizens are separated from their families when applying for legal permanent resident status. The new rule allows qualified applicants to apply for a hardship waiver while still in the United States. In the waiver, the applicant must establish that if the family were to be separated, the applicant's spouse or parent with citizenship or legal permanent resident status would suffer extreme hardship.⁹⁵
- **In August 2013, the Obama administration issued a directive that advised immigration authorities to exercise prosecutorial discretion when they detain undocumented immigrant parents.** While the directive does not prevent the deportation of undocumented parents, it does allow detained parents to make some caregiving decisions that were formerly difficult to guarantee, such as ensuring their family members are aware of their detention and are able to care for their children.⁹⁶

- **In November 2013, the Obama administration acted to allow undocumented family members of individuals serving in the U.S. military to be paroled in place.** Parole in place allows certain family members of U.S. military personnel who entered the country without inspection—but who are otherwise entitled to legal status based on their family relationships—to file for adjustment of status and remain in the United States during the process. Without parole, they would be required to leave the country and to endure a potentially lengthy separation from their family.⁹⁷
- **In June 2013, the Supreme Court overturned Section 3 of the Defense of Marriage Act, or DOMA—an important step toward giving equal treatment to same-sex binational couples under immigration law.** The Supreme Court’s historic decision to strike down DOMA, which forced the federal government to ignore legal marriages of same-sex couples, permits legally married same-sex U.S. citizens and lawful permanent residents to sponsor their foreign-born spouses and their spouses’ children for green cards. It also protects LGBT domestic violence survivors from deportation, among other benefits.⁹⁸

Building a 21st century border

- **All of the border-security benchmarks written into the Comprehensive Immigration Reform Act of 2007 have been met or surpassed, even though that bill did not become law.**
 - **Border agents:** 21,391 Border Patrol agents patrolled the borders in 2013—1,391 more than the goal set in 2007.⁹⁹
 - **Fencing:** 651 total miles of fencing have been built along the southwest border as of 2012, just one mile shy of what the Secure Fence Act of 2006 mandates. This includes 352 miles of pedestrian fencing and 299 miles of vehicle barriers.¹⁰⁰
 - **Surveillance:** 179 mobile and video surveillance systems and 168 radar and camera towers have been installed along the border—more than what the 2007 benchmarks required. The increase in unmanned aircraft systems and mobile surveillance systems surpassed the 2007 goals by 2 and 47, respectively.¹⁰¹
 - **Increased consequences:** The Department of Homeland Security has the resources available to detain 1,300 more people per day than the 2007 goal set out to meet. The Border Patrol ended the process of catch and release, a practice where two out of every three border crossers apprehended from outside of Mexico were released into the United States pending removal hearings. The department instead expanded the consequence delivery system to the entire border. This system steps up criminal penalties for people caught illegally crossing the border and often returns immigrants to unfamiliar and far-away border cities in an effort to cut the migrant off from the smuggler who helped with his or her previous border-crossing attempt.¹⁰²

- **“Operational control”**: 81 percent of the U.S.-Mexico border meets one of the U.S. Department of Homeland Security’s three highest standards of security: controlled, managed, and monitored. The remaining sections of the border are in its most inaccessible and inhospitable areas.¹⁰³ That marks significant progress since FY 2006, when only 23 percent of the U.S.-Mexico border was deemed to be under “operational control.”¹⁰⁴ Total control of the border is impossible, but Customs and Border Protection continues to make great strides toward gaining control of important sectors.
- **Apprehensions at the border remain at historic lows, despite a slight increase in the past year.** Border agents now patrol every mile of the U.S. border daily, and in many places, they can view nearly all attempts to cross the border in real time. In 2012, there were 364,768 apprehensions at the U.S. border, a slight increase from the 340,252 apprehensions that took place in 2011. Although elevated, today’s apprehension levels remain well below those seen since the 1970s.¹⁰⁵
- **Even with the influx of child refugees at the southern border, net undocumented immigration is still at historic lows.** Including the 66,127 unaccompanied minors and 66,142 families—mostly mothers with young children—who have arrived at the border in FY 2014,¹⁰⁶ overall unauthorized immigration is still low.¹⁰⁷
- **Net undocumented migration from Mexico is now at or below zero.** Heightened border enforcement and a worsening U.S. job market together have caused a sharp drop in unauthorized migration from Mexico to the United States. In the future, improved Mexican economic conditions and falling Mexican birth rates are expected to continue this trend, even as the American economy continues to recover from the Great Recession.¹⁰⁸

Immigration enforcement is in overdrive

- **President Obama’s administration has deported more than 2 million immigrants during his time in office.** In FY 2013, 368,644 people were deported, bringing the estimated total number of deportations since 2009 to 2 million. That comes out to roughly 1,100 deportations per day.¹⁰⁹
- **Ordinary immigrants without serious criminal records are increasingly being criminalized, prosecuted, and deported.** According to data from the Transactional Records Access Clearinghouse, or TRAC, 55.6 percent of all federal convictions in FY 2014 through March were immigration related. According to the Pew Research Center, unlawful re-entry convictions have seen a 13-fold increase since 1992.¹¹⁰
- **The most serious conviction for many deported immigrants is an immigration or traffic violation.** Forty-seven percent of those deported in FY 2012 for committing a crime were convicted of only immigration or traffic offenses.¹¹¹

- **The rise in deportations of those who have been convicted of immigration or traffic violations has its roots at the start of the Obama administration.** Deportations involving cases where the most serious offense was a traffic violation have more than quadrupled, from 43,000 during the past five years of the Bush administration to 193,000 during the first five years of the Obama administration. Meanwhile, removals related to convictions for entering or re-entering the country illegally tripled to more than 188,000 under President Obama.¹¹²
- **In 2011, at least 5,100 citizen children of undocumented immigrants were living in foster care because their parents were detained or deported.** If the rules are not changed, 15,000 more children will face a similar fate by 2016. An estimated 205,000 parents of children who are U.S. citizens were deported between 2010 and 2012.¹¹³
- **The average daily population of immigrant detainees being held has increased by 1,000 detainees per fiscal year since 2007.** On average, U.S. Immigration and Customs Enforcement detained 34,069 people on any given day in FY 2012, following a congressional mandate that it maintain bed space to detain 34,000 immigrants per day. Keeping these individuals in detention while proper authorities determine their fates costs taxpayers roughly \$2 million per day, and the average detainee spent 26.5 days in detention in FY 2012.¹¹⁴
- **The U.S. Department of Homeland Security's immigration enforcement program—Secure Communities—is active in 100 percent of jurisdictions.** The Secure Communities program checks the immigration status of people booked into county jails in participating jurisdictions. It was expanded from 14 jurisdictions in 2008 to 3,181 jurisdictions in 2014, but several states and cities—such as Washington, D.C., Illinois, and New York—have expressed concerns that the program interferes with local policing priorities and inevitably leads to racial profiling.¹¹⁵
- **Expansion of the E-Verify system will only work in tandem with a legalization program.** E-Verify, an online system to check an employee's work authorization status, is currently used by more than 500,000 businesses in the United States.¹¹⁶ But the program contains significant flaws, including the failure to accurately identify unauthorized immigrants 30 percent of the time.¹¹⁷ If the program became mandatory for all employers today, it would cause 770,000 legally present and legally authorized workers to lose their jobs. Even if E-Verify were fine-tuned, expanding the program to cover all employers could only work in concert with a legalization program that allows the 5 percent of the labor force currently in the shadows to come out and work legally.¹¹⁸
- **The federal government has stepped up enforcement against employers who hire undocumented workers by auditing I-9 forms.** Upon hiring an employee, all workers and employers must complete this federal paperwork. U.S. Immigration and Customs Enforcement conducted more than 3,000 worksite audits in FY 2012, up from the 2,496 in the previous fiscal year and the 503 in FY 2008.¹¹⁹

Public opinion polling on immigration

Americans want immigration reform with a pathway to citizenship

- **A majority of Americans support a pathway to citizenship for undocumented immigrants.** A June 2014 poll conducted by the Public Religion Research Institute and the Brookings Institution found that 62 percent of Americans support an immigration bill that provides a way for undocumented immigrants to become citizens. An additional 17 percent said that they should be allowed to become legal residents, and just 19 percent said that they should be deported.¹²⁰
- **A majority of Americans believe it is imperative that Congress passes immigration reform by the end of 2014.** A July 2014 poll conducted by CBS News found that 59 percent of Americans believe passing legislation that addresses unauthorized immigration is important, while only 6 percent of Americans thought it was not important at all.¹²¹
- **Tea Party Republicans support a pathway to citizenship or legal status.** A May 2014 poll by the Partnership for a New American Economy, Americans for Tax Reform, and the Tea Party Express revealed that 70 percent of Republican primary voters who identify with the Tea Party support a way for the undocumented to attain citizenship or legal status.¹²²
- **Voters in key Republican congressional districts support immigration reform with a pathway to citizenship.** July 2013 Public Policy Polling surveys conducted in seven key congressional districts across California, Colorado, Minnesota, Nevada, and New York unequivocally show that Republican and independent voters want Congress to fix the country's broken immigration system. They also show that many of these voters are less likely to support Republicans if immigration reform stalls.¹²³
- **Americans support executive action on immigration.** An ABC News poll conducted in August 2014 found that 52 percent of Americans support President Obama taking unilateral action on immigration reform if Congress does not act. Forty-four percent say he should not take any action.¹²⁴

Latino voters have a deep connection to immigration and want reform

- **Latino voters want immigration reform before the 2014 midterm elections.** In a June 2014 poll, 71 percent of Latinos said that it is “very or extremely important” for Congress to pass immigration reform in 2014.¹²⁵

- **Latino voters have a direct and personal connection to the immigration debate.** A June 2014 poll found that 62 percent of Latino voters personally know an undocumented immigrant. Of those people, 62 percent said that he or she is a friend or family member.¹²⁶
- **The children of immigrants feel a personal connection to the immigration issue.** A 2014 analysis of Census Bureau data found that 68 percent of Latino children of immigrants—second-generation immigrants—have a family member or close friend who is undocumented. Moreover, 76 percent of second-generation immigrants say that it is “very or extremely important” for Congress and the president to address immigration reform this year.¹²⁷
- **A majority of Latinos would feel less favorable toward Republicans if Speaker Boehner does not allow immigration reform to come to a vote.** A June 2014 poll showed that 74 percent of Latinos would feel “much or somewhat less” favorable to Republicans if the House does not allow the Senate-passed bill to move forward for a vote. The same poll found that Latinos will blame Republicans over Democrats by a 3-to-1 margin if immigration reform does not pass in 2014.¹²⁸
- **A majority of Latino voters would be more likely to support Republicans if the party supported immigration reform with a pathway to citizenship.** In a June 2014 poll, 53 percent of Latinos said that they would feel “much or somewhat more” favorable toward Republicans in Congress if Speaker Boehner allowed the Senate bill to move forward for a vote.¹²⁹
- **Immigration reform can serve as a gateway issue for Republicans and Latino voters.** A June 2014 poll by Latino Decisions found that 61 percent of Latino voters would be more likely to listen to what the Republican Party has to say on other issues if Congressional Republicans support immigration reform and pass a bill that includes a pathway to citizenship.¹³⁰

Demographics and violence

- **Tens of thousands of children and families from Honduras, Guatemala, and El Salvador have fled violence in their countries and come to the United States.** So far in FY 2014, 66,127 unaccompanied children and 66,142 families—generally, mothers with young children—have arrived at the U.S. southern border. The number of children is up 88 percent since last year and 241 percent since 2009; the number of families is up 412 percent since last year.¹³¹
- **These numbers have declined in recent months.** U.S. Customs and Border Protection apprehended only 3,129 unaccompanied child immigrants in August, compared with 5,400 in July and more than 8,000 in June.¹³²
- **These child refugees are fleeing to wherever they can find safety.** According to the U.N. High Commissioner for Refugees, or UNHCR, asylum requests from Honduras, El Salvador, and Guatemala are up 712 percent since 2009 in the neighboring countries of Mexico, Panama, Nicaragua, Costa Rica, and Belize.¹³³
- **Children under age 12 are the fastest-growing group of child arrivals, and more girls than boys have arrived recently.** The number of children under 12 years old arriving in the United States has jumped by 117 percent since last year,¹³⁴ while the number of girls arriving has increased by 77 percent. By contrast, the number of boys arriving has only increased by 8 percent.¹³⁵
- **Honduras is the murder capital of the world, and Guatemala—fourth in homicides—and El Salvador—fifth in homicides—are not far behind.** The murder rates in Guatemala and El Salvador are more than 800 times that of the United States, while Honduras has more than 1,900 times more murders per 100,000 people than the United States.¹³⁶ As the U.S. Department of Homeland Security has illustrated, the cities in these three countries with the highest incidences of violence are also the cities sending the greatest number of children to the United States.¹³⁷

Children in the immigration courts

- **More than half of all child arrivals may be eligible for some form of protection, such as asylum, Special Immigrant Juvenile visas, or other forms of relief.** According to the Refugee and Immigration Center for Education and Legal Services, or RAICES—a legal-services nonprofit with a 98 percent success rate screening people for relief—63 percent of the unaccompanied children at the southern border are eligible for protection.¹³⁸ Similarly, interviews conducted by the UNHCR have found that 58 percent of these children have international protection claims—shorthand for positive refugee claims.¹³⁹

- **The nation's immigration courts are badly backlogged, meaning that children who arrive must wait years before they can have their cases heard.** According to TRAC, the average length of time it takes to have a case heard in today's immigration courts is 567 days.¹⁴⁰
- **Children with legal representation are close to five times more likely to win their cases than those without it.** TRAC has found that children with legal representation win 47 percent of their cases, versus just 10 percent for those without it. Therefore, even those with legitimate protection claims are far less likely to have them heard without access to counsel.¹⁴¹
- **Despite claims to the contrary, almost all children with legal representation show up for their immigration court hearings.** Since FY 2005, 92.5 percent of children who are not detained but do have legal representation have appeared at their immigration court hearings.¹⁴²

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