



Beyond DAPA and DACA: Revisiting Legislative Reform in Light of Long-Term Trends in Unauthorized Immigration to the United States¹

Robert Warren
Center for Migration Studies

Donald Kerwin
Center for Migration Studies

Executive Summary and Introduction

In December 2014, the Center for Migration Studies of New York (CMS) released a paper that provides new estimates of the US unauthorized resident population (Warren 2014). The paper describes the development of a new dataset which has detailed information about unauthorized residents, derived from data collected in the US Census Bureau's American Community Survey (ACS). The dataset will be useful to scholars, researchers, service-providers, and government officials in crafting, implementing, and evaluating programs that serve noncitizens, including the unauthorized. In addition, the new estimates provide an opportunity to examine the dramatic changes in unauthorized immigration in the past two decades and the assumptions that have shaped US policies and public opinion.

The new dataset, recent estimates of the unauthorized (Warren and Warren 2013) and statistics on the noncitizen population from IPUMS-USA (Ruggles et al. 2010) highlight several trends related to the decline in the unauthorized population, particularly from Mexico, and the increasing salience of visa overstays in constituting this population. Some trends defy conventional wisdom and all of them have public policy consequences. In particular, we find that:

- The unauthorized resident population was about a million lower in 2013 than in 2007.
- The “Great Recession” was not the principal cause of population decline.

¹ The authors gratefully acknowledge the contributions of Jose Pacas to this research and paper. The study was made possible through the support of the John D. and Catherine T. MacArthur Foundation.

Long-Term Trends in Unauthorized Immigration

- Annual arrivals into the unauthorized population increased to more than one million in 2000, then began to drop steadily, and have now reached their lowest levels since the early 1980s.
- From 2000 to 2012, arrivals from Mexico fell by about 80 percent.
- Between 2010 and 2013, the total unauthorized population from Mexico declined by eight percent.
- In 2006, the number of arrivals from Mexico fell below the total number of arrivals from all other countries (combined) for the first time.
- The number who stayed beyond the period authorized by their temporary visas (overstays) exceeded the number who entered across the southern land border without inspection (EWIs) in each year from 2008 to 2012.

While the CMS estimates are based on sample data and assumptions that are subject to error, these trends are consistent with the best empirical information available.

In November 2014 the Obama Administration announced an unprecedented set of executive action initiatives. At this writing, the Deferred Action for Parental Accountability (DAPA) program and the expanded Deferred Action for Childhood Arrivals (DACA) program, which would provide work authorization and temporary reprieve from removal to eligible persons, have been preliminarily enjoined. The temporary injunction, which the US Department of Justice plans to appeal to the Fifth Circuit Court of Appeals, comes in response to a legal challenge to the two programs by 26 states under Article II, section 3 of the US Constitution which requires the President to “take Care that the Laws be faithfully executed,” and under the Administrative Procedure Act (APA). In addition, the Republican majorities of the 114th Congress have vowed to prevent the implementation of these programs. However, the administration has expressed confidence that it will ultimately prevail in court and in its battle with Congress over these programs. Meanwhile, nongovernmental organizations (NGOs), community-based organizations (CBOs), and others continue to plan intensively for the DAPA and DACA programs, as well as for other executive action initiatives.

This paper provides estimates of those who are potentially eligible for DAPA and DACA. However, it also looks beyond DAPA and DACA to make the case for broad legislative reform in light of long-term trends in unauthorized migration to the United States and the unauthorized resident population. In particular, it argues that substantial declines in the unauthorized population—a goal shared by partisans on both sides of the immigration debate—will require reform of the legal immigration system, legalization of a substantial percentage of the unauthorized, and a more effective response to nonimmigrant visa overstays.

Definitions

The following terms are used extensively in this paper.

CMS data (or CMS database). This refers to the detailed estimates of the unauthorized resident population for 2010 through 2013 that CMS derived primarily from ACS data for those years (Warren 2014). An overview of the methods used to derive the estimates is provided in the Appendix.

Arrivals. In this paper, the term “arrivals” refers to unauthorized immigrants who moved to the United States in a given year or period. This differs from the more familiar year-of-entry data in which the population is estimated, for example for 2013, and then that population is distributed into years or periods of entry. The latter concept omits those who entered the population and then left it before the date of the estimate. Arrivals, as used here, are *actual* arrivals and not the number who resided in the country at a later date.² The methodology used to estimate annual arrivals for 1982 to 2012 is described in the Appendix.

Departures. As used here, the term “departures” refers to those who leave the unauthorized resident population. Unauthorized residents can leave that population in four ways: they can adjust to legal status; be removed from the United States; leave the United States voluntarily; or die. Annual estimates of each of these four components for 1990 to 2009 are shown in Table 1.

EWI (entry without inspection). The term “EWIs” usually refers to migrants who enter across the southern land border without legal documents. For this paper, EWI arrivals were computed as (a) 90 percent of the estimated arrivals from Mexico, plus (b) 88 percent of the estimated arrivals from four Central American countries: El Salvador, Guatemala, Honduras, and Nicaragua. Details about the methods used to estimate annual entries of EWIs and overstays are provided in the Appendix.

Overstays. The term “overstays” refers to foreign-born persons who enter the United States with nonimmigrant (temporary) visas and overstay their period of admission or otherwise violate the terms of their admission. Unauthorized immigrants from all but a few countries (primarily Mexico and Central American countries) are overstays. For this paper, overstay arrivals were computed as total arrivals minus estimated EWI arrivals.

Trends Related to New Estimates of the US Unauthorized Population

Trend 1. The unauthorized resident population was about a million lower in 2013 than in 2007.

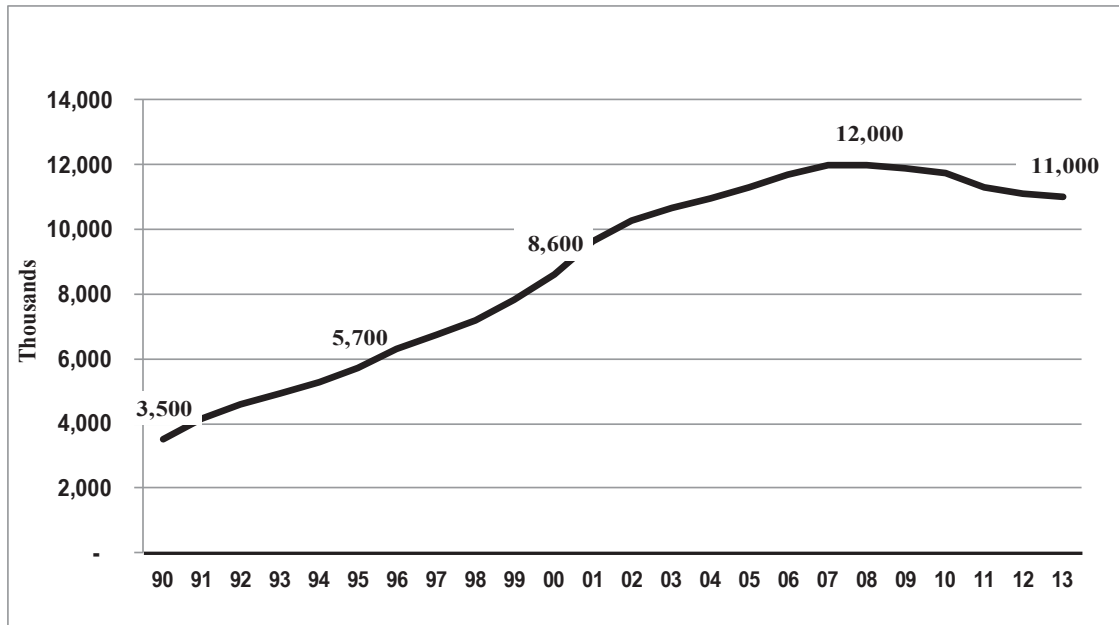
Figure 1 shows annual estimates of the US unauthorized resident population from 1990

² To illustrate the difference, if one million unauthorized persons arrived in year X and by five years later (year Y) 500,000 of the year X arrivals had left the unauthorized population, “year-of-entry” data (in year Y) would indicate a year X unauthorized population of 500,000; that is, one million arrivals in year X, minus the 500,000 departures between years X and Y. By contrast, “arrivals” for year X would still be counted as one million.

Long-Term Trends in Unauthorized Immigration

to 2013. The population increased steadily from 1990 to about 1997 and then grew more rapidly between 1998 and 2001. From 2002 to 2007, the population continued to grow but at a decreasing rate. The population approached zero growth in 2007, reaching its peak of about 12 million in that year. From 2008 to 2013, the population declined at an average annual rate of 200,000 per year, falling to 11 million in 2013 (Figure 1).

Figure 1. Estimates of the Total Unauthorized Resident Population in the United States: 1990 to 2013



Source: 1990 to 2009, Table 1, column 1; 2010 to 2013, CMS database. Estimates rounded to 100,000s.

Trend 2. The “Great Recession” was not the principal cause of population decline.

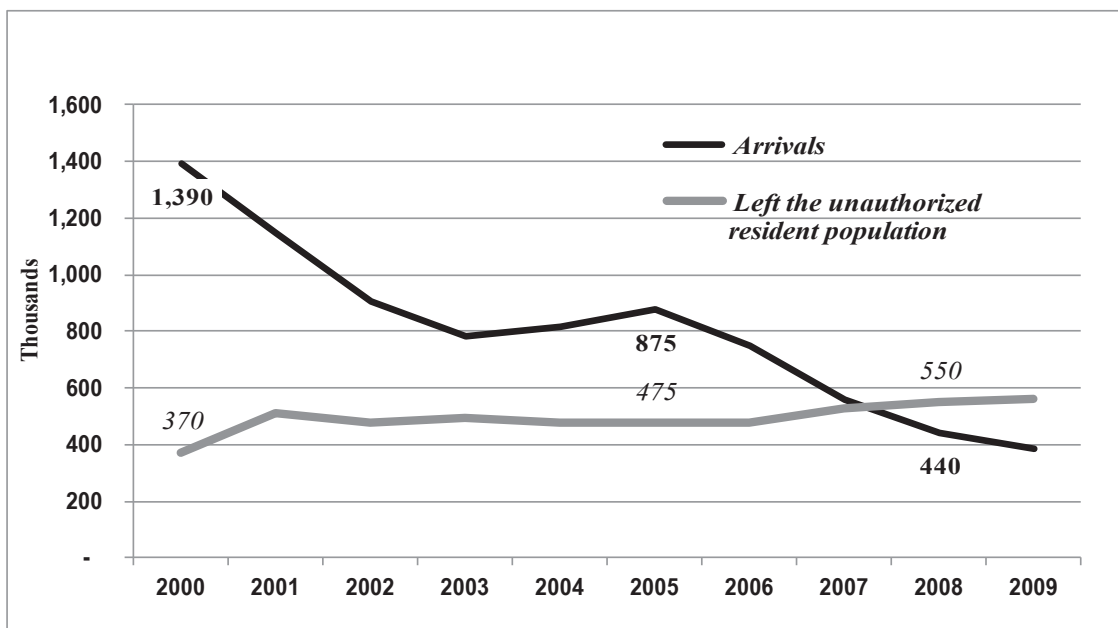
The Great Recession officially began in December 2007 and ended in June 2009. The total unauthorized resident population began to decline in 2008, which many attribute to the economic downturn that occurred at about the same time. This assumption is often accompanied by the corollary assertion that renewed economic growth will lead to a return to previous level of growth. In fact, these assertions find little, if any, support in the data. The trends in arrivals and departures shown in Figure 2 and Table 1 demonstrate that the population would have begun to decline in 2008 even if the recession had not occurred. As Figure 2 shows, the number of arrivals declined rapidly and steadily³ from 2006 through 2009; the recession seems to have had little effect on the trend line.

³ The estimated arrivals shown in Figure 2 were computed using a three-year moving average, primarily to reduce the effects of heaping (the well-recognized phenomenon in which persons erroneously choose year-of-entry dates that end in zeros and fives). Note, however, that the unadjusted numbers also show a similar decline for the 2006 to 2009 period. The original estimates were: 695,000 (2006), 570,000 (2007), 390,000 (2008), and 395,000 (2009).

Until recently, departures generally have been ignored in discussions of unauthorized population growth. The number of departures doubled in the 1990s, increasing from 180,000 in 1990 to 360,000 in 1999 (Table 1). Departures from the population between 2000 and 2009 are represented by the gray line in Figure 2. After 2000, departures exceeded 450,000 in most years, and they increased to more than 500,000 in the 2007 to 2009 period.

As shown in Figure 2, the trend lines crossed in 2008—departures exceeded arrivals—and population growth stopped and then reversed. In summary, the data indicate that the decline in the unauthorized population that began in 2008 was the result of a downward trend in arrivals after 2000, marked by a steady decline after 2005, accompanied by a gradual long-term increase in departures. In short, fairly ordinary demographic trends, and not the recession that began at about the same time, led to the decline.

Figure 2. Number of Unauthorized Immigrants who Arrived and the Number who Left the Population: 2000 to 2009



Source: Warren and Warren 2013, Table 3.

The continued decline in arrivals shown in Figure 3 for 2010, 2011, and 2012 (the solid black line in Figure 3) undermines the proposition that renewed economic growth will lead to a return to previous levels of unauthorized population growth. However, the level of population growth in recent years has been so close to zero that it is difficult to discern a clear trend. The future course of unauthorized population growth probably will be determined by policy responses to the new information presented in this paper’s analysis on long-term trends in arrivals, especially the historic decline in arrivals from Mexico since 2000, and the emergence of overstays as the principal mode of entry.

Table 1. Estimated Unauthorized Resident Population and Components of Population Change: 1990 to 2009

Rounded to 5,000s

Year	Estimated unauthorized population.	Annual population change	Total arrivals	Left the unauthorized population	<i>Reason for leaving the population</i>			
					<u>Left the United States</u>		Adjusted to legal status	Died
					Voluntarily	Removed by DHS*		
(1)	(2)=3-4	(3)	(4)= sum, 5 to 8	(5)	(6)	(7)	(8)	
2010	11,725							
2009	11,900	-175	385	560	245	165	105	45
2008	12,010	-110	440	550	250	150	100	45
2007	11,980	25	560	530	260	135	95	45
2006	11,715	265	750	480	255	115	65	45
2005	11,315	395	875	475	250	105	80	45
2004	10,980	340	815	475	245	100	85	40
2003	10,690	285	780	495	245	90	120	40
2002	10,260	435	905	475	235	80	115	40
2001	9,620	640	1,145	510	225	70	175	35
2000	8,600	1,020	1,390	370	200	65	75	35
1999	7,825	775	1,130	360	200	65	60	35
1998	7,210	615	955	340	180	65	60	30
1997	6,765	450	760	310	170	60	55	30
1996	6,290	470	755	285	160	40	55	25
1995	5,720	570	820	250	150	35	40	25
1994	5,255	465	700	235	140	35	40	20
1993	4,925	325	555	230	130	35	45	20
1992	4,585	340	560	220	125	35	45	20
1991	4,135	450	650	195	115	30	35	15
1990	3,500	635	815	180	105	25	40	15

Note: The figures in column 6 are for unauthorized residents who lived in the United States for at least six months. *DHS stands for the Department of Homeland Security.

Source: Warren and Warren 2013, Table 3.

So far in this analysis, we have relied heavily on estimates of arrivals and departures for 1990 to 2009 that were derived using the residual method.⁴ In those estimates, arrivals were derived through a detailed demographic accounting of the four components of population shown in Table 1, columns 5 to 8. From here on, we shift our focus to estimates of long-

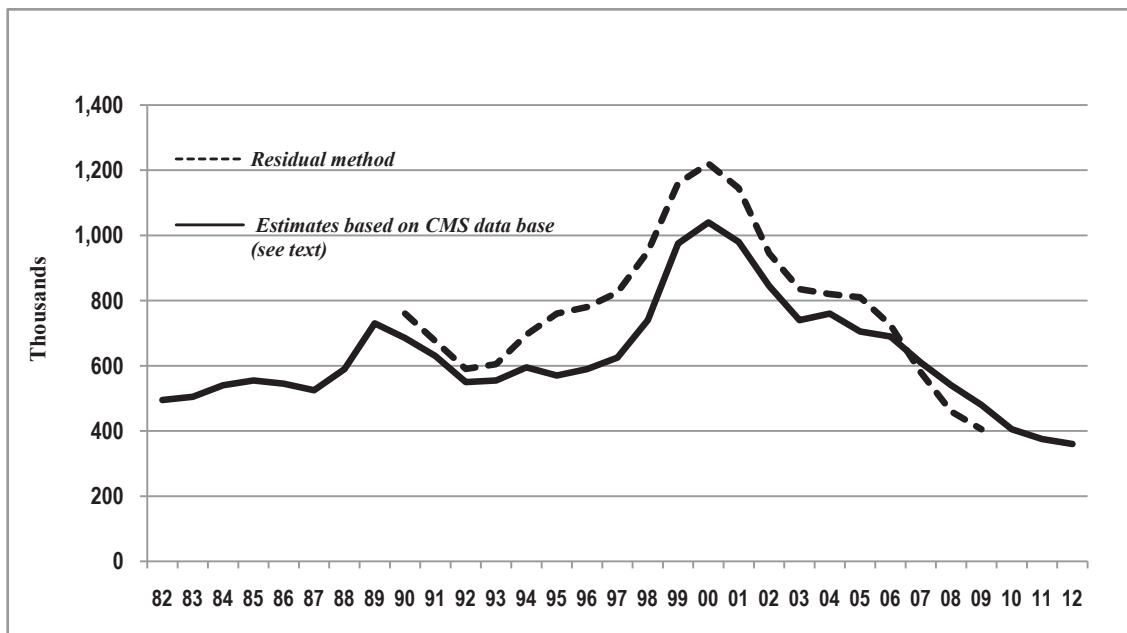
⁴ Under the residual method, estimates of the US unauthorized population are derived by subtracting the legal foreign-born resident population from US Census or survey data on the total foreign-born population, with adjustments typically made to account for under-enumeration. Estimates based on the residual method often rely on other demographic techniques as well (Warren 2014).

term trends in arrivals between 1982 and 2012 derived from the CMS database.

Figure 3 shows a comparison of estimated trends in arrivals based on the residual method, along with estimated trends based on CMS data. The broken black line in Figure 3 illustrates: (1) the similarity in the estimated long-term patterns of arrivals based on disparate methodologies; and (2) that the method we used to estimate arrivals produces patterns that are comparable to the only other estimates available.

The trend line in arrivals based on the residual method is generally higher than the trend line derived from CMS data. Sorting out the reasons for these differences is beyond the scope of this paper; the important point is that the procedure that we devised to estimate the long-term trends in arrivals works as well as the much more detailed accounting procedures used in the residual method. The Appendix provides detailed information about the methods used to estimate arrivals for 1982 to 2012.

Figure 3. Trends in Unauthorized Immigration Based on Alternative Methods of Estimating Arrivals: 1982 to 2012



Source: Arrivals derived from CMS estimates of the total unauthorized resident population in 2013, compiled by year of entry. See Appendix for method of estimation. Estimates rounded to 5,000s and trend line smoothed using a three-year moving average.

Trend 3. Annual arrivals into the unauthorized population increased to more than one million in 2000, then began to steadily drop, and have now reached their lowest levels since the early 1980s.

The solid black trend line in Figure 3 shows the estimated number of arrivals each year from 1982 to 2012. With one exception, arrivals fluctuated in the 500,000 and 600,000 range from the early 1980s through the late 1990s. That exception is for the years following

the passage of the Immigration Reform and Control Act of 1986 (IRCA). Estimated arrivals increased somewhat from 1988 to 1991 and then returned to their pre-IRCA levels. In the years following passage of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, which has been characterized as the “harshest” immigration legislation in 70 years (Wheeler 2014), arrivals “surged” to possibly their highest levels in US history. Since 2001, however, annual arrivals have plummeted, reaching their lowest levels in at least three decades (Figure 3).

As annual arrivals have fallen and departures have increased, the average length of residence of the US unauthorized population has increased. As Table 2 shows, 46 percent of the unauthorized population in 2000 had resided in the United States for less than five years and 26 percent for 10 years or more. By 2013, only 16 percent had resided in the United States for less than five years, and a remarkable 60 percent for 10 years or more.

Table 2. Estimated Unauthorized Resident Population, 2013 and 2000, by Years in the United States

Years in US	Unauthorized population, 2013		Unauthorized population, 2000	
	Number (1)	Percent (2)	Number (3)	Percent (4)
Total population	11,010,000	100%	8,600,000	100%
0 to 4 years	1,730,000	16%	3,995,000	46%
5 to 9 years	2,670,000	24%	2,355,000	27%
10 years or more	6,610,000	60%	2,250,000	26%

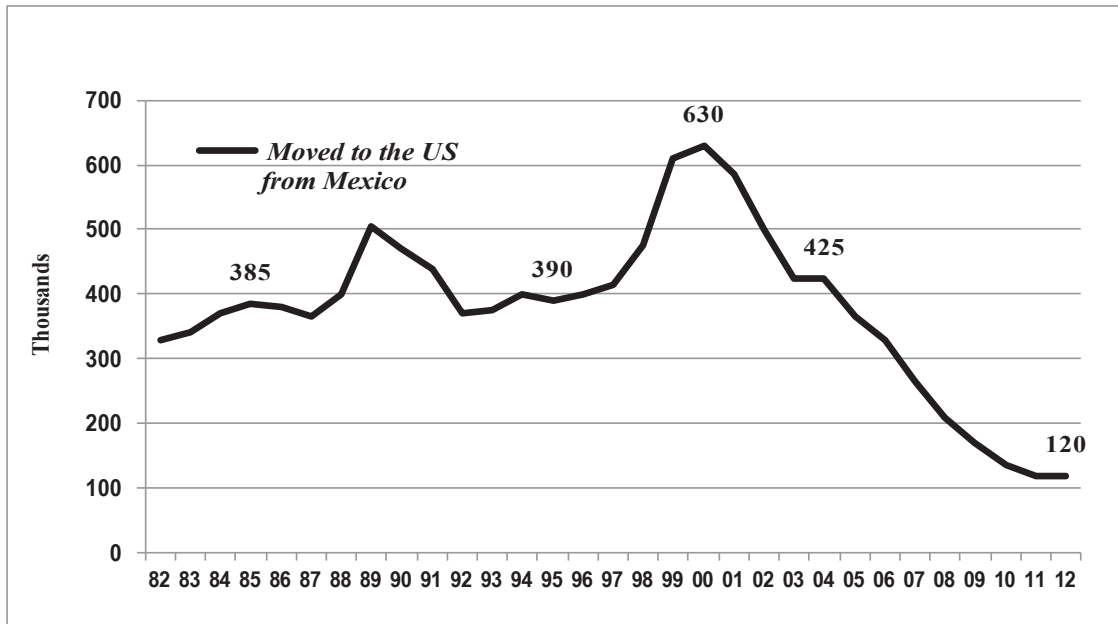
Source: Column 1, CMS database; Column 3, estimates derived by Warren and Warren 2013.

Trend 4. From 2000 to 2012, arrivals from Mexico fell by about 80 percent.

The number of immigrants arriving from Mexico fell from 630,000 in 2000 to 120,000 in 2012, a drop of about 80 percent. Arrivals from Mexico most likely reached a historic peak in 2000; just twelve years later they had dropped to their lowest levels since the 1970s (Figure 4).

From the early 1980s to 1997, the number of arrivals from Mexico gradually increased, from about 350,000 per year to about 400,000 per year. There is a noticeable break in the trend line, however, from 1988 to 1991 (Figure 4). In the first few years following the passage of IRCA, arrivals from Mexico increased temporarily and then returned to their pre-IRCA level. Overall, approximately 225,000 more unauthorized immigrants arrived from Mexico in this period than would have arrived in the absence of IRCA. Arrivals from Mexico currently are *less than one third* of the pre-1998 levels shown in Figure 4.

Figure 4. Estimated Number of Unauthorized Immigrants who Moved to the United States from Mexico Each Year: 1982 to 2012



Source: Arrivals derived from CMS estimates of the unauthorized resident population from Mexico in 2013, compiled by year of entry. See Appendix for method of estimation. Estimates rounded to 5,000s and trend line smoothed using a three-year moving average.

Trend 5. From 2010 to 2013, the total unauthorized resident population from Mexico declined by eight percent.

Mexican nationals have long constituted the majority of unauthorized residents, with particularly large numbers residing in California and a handful of other states. Reliable estimates for 2013, for example, indicate that Mexicans comprise about 54 percent of the unauthorized resident population, with 30 percent living in California and additional large percentages in Texas, Illinois, New York, Florida and New Jersey (Warren 2014).

As shown in Table 3, the unauthorized resident population from Mexico declined by about one-half million, or eight percent, from 2010 to 2013. Table 3 shows the changes for the top 20 states of residence. The largest percentage drop was in Alabama where the overall numbers are relatively low; the population fell by a third from 2010 to 2013. In Utah, the population fell by 11,000, or 16 percent, between 2010 and 2013. In twelve of the top 20 states, the population from Mexico declined by eight to 13 percent over the three-year period (Table 3).

The unauthorized resident population from Mexico was unchanged from 2010 to 2013 in four western states: Texas, Washington, Oregon, and New Mexico (Table 3). The number from Mexico *increased* in only four states (not shown here): Louisiana, Idaho, Wisconsin, and Connecticut. The total number living in those four states increased about 20 percent.

Long-Term Trends in Unauthorized Immigration

The substantial drop in unauthorized residents from Mexico—a contiguous country that accounts for the most US unauthorized residents—offers further evidence of the decline of the unauthorized population.

Table 3. Change in the Unauthorized Resident Population from Mexico for the Top 20 States of Residence: 2010 to 2013

Numbers in thousands; change computed based on unrounded numbers

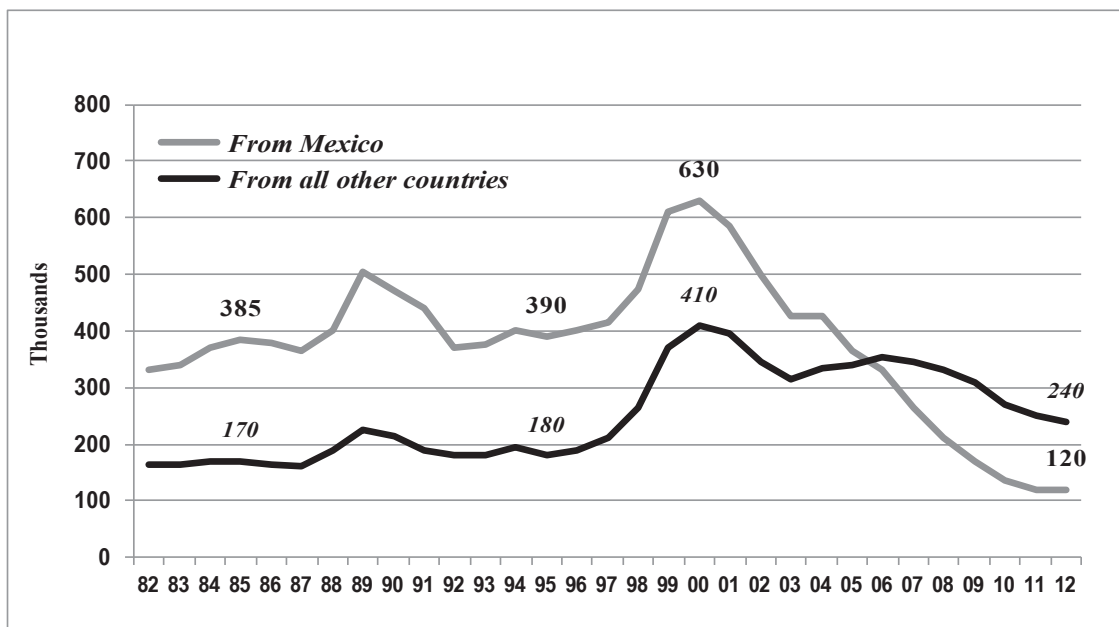
State and percent change	2010 (1)	2013 (2)	Change (3)
Total from Mexico (-8%)	6,600	6,090	-515
<i>Two states had the largest percent declines</i>			
Alabama (-34%)	62	41	-21
Utah (-16%)	68	58	-11
<i>Nine states declined 10 to 13 percent</i>			
Florida, Colorado, Nevada, South Carolina, Georgia, New York, California, Illinois, and New Jersey	3,476	3,099	-378
<i>Three states declined 8 or 9 percent</i>			
North Carolina, Indiana, and Arizona	553	505	-47
<i>Six states had low or near-zero declines</i>			
Oklahoma (-5%)	78	73	-4
Tennessee (-4%)	76	73	-3
Oregon (-2%)	101	99	-2
New Mexico (-1%)	75	74	-1
Washington (rounds to zero)	151	150	-0
Texas (rounds to zero)	1,329	1,329	0
All other states (-8%)	634	586	-48

Source: Warren 2014.

Trend 6. In 2006, the number of arrivals from Mexico fell below the total number of arrivals from all other countries (combined) for the first time.

In the previous section, we examined the long-term trend in arrivals of unauthorized residents from Mexico. In this section, we compare those arrivals with arrivals from all other countries. Figure 5 shows the annual number of arrivals from 1982 to 2012 from Mexico and all other countries. Over this period, arrivals from Mexico exceeded arrivals from all other countries by approximately 200,000 per year (Figure 5). In 2002, the difference began to narrow as arrivals from Mexico dropped rapidly while arrivals from other countries leveled off. The trends crossed in 2006, and arrivals from all other countries exceeded those from Mexico. In 2012, about half as many arrived from Mexico as from all other countries (Figure 5).

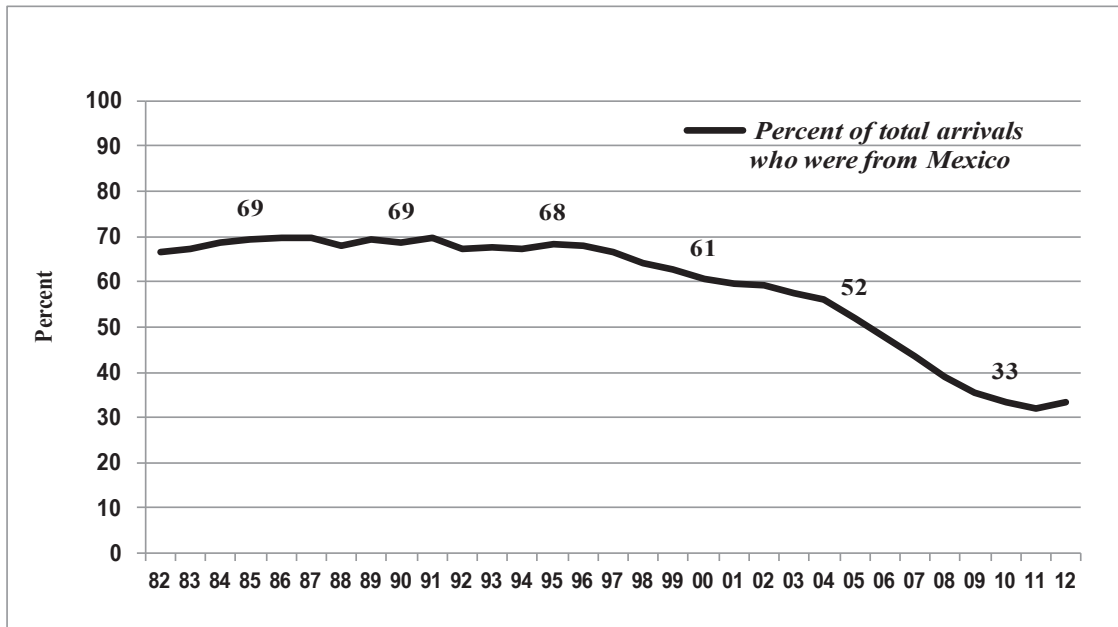
Figure 5. Annual Number of Unauthorized Residents who Arrived from Mexico and from All Other Countries: 1982 to 2012



Source: Arrivals derived from CMS estimates of the unauthorized resident population from Mexico and all other countries in 2013, compiled by year of entry. See Appendix for method of estimation. Estimates rounded to 5,000s and trend lines smoothed using a three-year moving average.

To illustrate the historic decline in unauthorized immigrants arriving from Mexico, we computed the percent of total arrivals in the 1982 to 2012 period that were from Mexico. From 1982 to 1997, the percent arriving from Mexico was consistently just below 70 percent (Figure 6). From 1997 to 2004, the percentage from Mexico dropped gradually, falling to slightly more than half of all arrivals in 2004. After 2004, the percent from Mexico fell more rapidly; currently, as noted above, about one third of all arrivals are from Mexico.

Figure 6. Estimated Percent of Total Unauthorized Immigrant Arrivals who were from Mexico: 1982 to 2012



Source: The estimates used to construct figures 3 and 4 were used to compute these percents; see those figures for the sources of data.

Trend 7. The number who stayed beyond the period authorized by their temporary visas (overstays) exceeded the number who entered across the southern land border (EWIs) in each year from 2008 to 2012.⁵

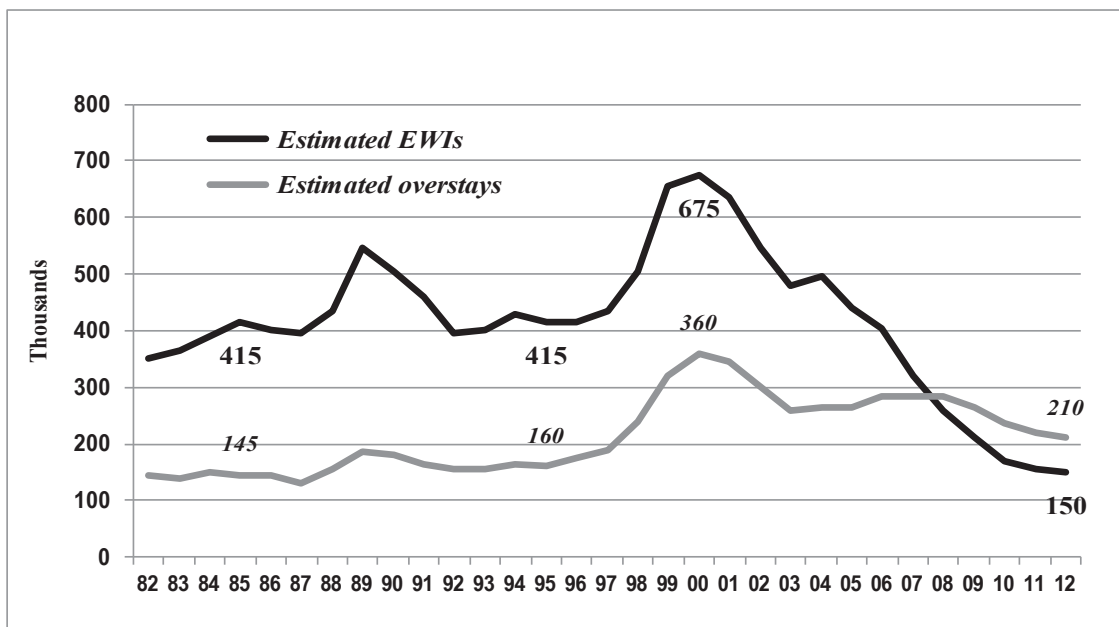
Much of the public discussion on immigration in recent years has focused on unauthorized entries across the US-Mexico border. In addition, the lion’s share of the Department of Homeland Security (DHS) immigration-related funding supports border enforcement. DHS’s enacted budget in 2014 included \$12.4 billion in funding for Customs and Border Protection (CBP), including \$3.7 billion for border security and control between ports of entry, \$3.2 billion for border security inspections and trade facilitation, and additional amounts for air and marine interdiction (\$805 million) and border fencing, infrastructure and technology (\$351 million) (DHS 2014).⁶ Moreover, the House of Representatives is now considering the Secure Our Borders First Act of 2015 (H.R. 399), which would authorize additional appropriations of \$1 billion per year for each fiscal year between 2016 through 2025 for border fencing, enforcement technology, roads, staffing, and drones, as well as monies for the acquisition of condemned property in the border region (CBO 2015).

Far less attention and enforcement funding, however, has been devoted to persons who enter with nonimmigrant (temporary) visas and who overstay their period of admission or

⁵ See appendix for an explanation of how we derived estimates of the unauthorized, including overstays.
⁶ In contrast, the 2014 enacted budget for Immigration and Customs Enforcement (ICE), DHS’s other immigration enforcement agency, was \$5.6 billion, with \$2.8 billion for detention and removal operations (DHS 2014).

otherwise violate the terms of their visa.⁷ Estimates of the number of overstays were first reported about 25 years ago (Bean, Edmonson, and Passel 1990; GAO 1995; Warren 1997). In 2014, the Congressional Research Service (CRS) reported that “overstay estimates” had “ranged from 31% to 57% of the unauthorized population (depending on methodology)” and that reliable estimates were still “not available” because DHS lacked “reliable data on emigration and nonimmigrant departures from the United States” (Wasem 2014). We used data on country of origin and year of entry from the CMS database to derive information about trends in EWIs and overstays over the past 30 years.

Figure 7. Trends in the Number of Unauthorized Residents who Moved to the United States, by Mode of Arrival: 1982 to 2012



Source: Arrivals derived from CMS estimates of the unauthorized resident population by country of birth in 2013, compiled by year of entry. See Appendix for method of estimation. Estimates rounded to 5,000s and trend lines smoothed using a three-year moving average. EWIs are defined as 90 percent of the population from Mexico⁸ plus 88 percent of those from Central American countries. Overstays are computed as total population minus EWIs.

Figure 7 shows estimated trends in the number of overstays and EWIs from 1982 to 2012. These estimates are subject to a number of possible errors, both sampling and non-

7 The full cost of DHS’s work on visa overstays is not broken down in its detailed budget justification documents. However, CBP’s Arrival and Departure Information System is the “only federal government system that provides a comprehensive record of non-US-citizens’ immigration status, including information identifying those that stayed longer than their allotted time or left the country after staying longer than their allotted time” (DHS 2015, 113). CBP devoted \$29 million for operations and maintenance of this system in FY 2015 (ibid., 146).

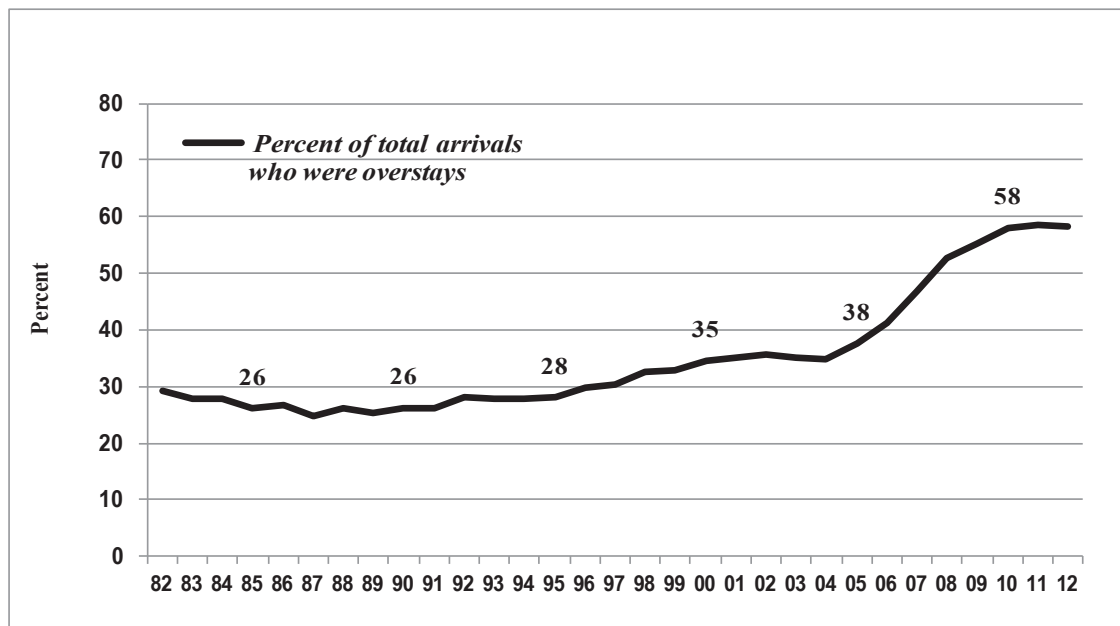
8 Estimates derived in the 1990s (GAO 1995; Warren 1997) indicate that 16 percent of the unauthorized resident population from Mexico resulted from overstays. We used a more conservative estimate of 10 percent for Mexico to derive these estimates (see Appendix).

Long-Term Trends in Unauthorized Immigration

sampling. However, reasonable⁹ alternative assumptions produce *patterns* that are similar to the ones shown.

As shown in Figure 7, both EWIs and overstays generally increased from the early 1980s until about 1997, surging to a peak in 2000 before declining rapidly from 2001 to 2003. Note that the IRCA-related “bump” in 1988-1991 was more pronounced for EWIs than for overstays. For more than two decades, from 1982 to 2003, the trends were roughly parallel, with EWIs exceeding overstays by about 250,000 to 300,000 each year. However, after 2003, the trend lines converge; EWIs declined sharply, falling from a half million in 2004 to about 150,000 in 2012 (Figure 7). Overstays also declined from 2004 to 2012, but the drop was not as steep or as consistent as the decline in EWIs. The largest shift in the number of overstays relative to EWIs occurred from 2003 to 2008. In the 2008 to 2012 period, a total of 270,000 more overstayed than arrived as EWIs. Entries of EWIs are now far below the levels estimated from 1982 to 2006, while overstays have remained near their long-term levels.¹⁰

Figure 8. Estimated Percent of Total Unauthorized Immigrant Arrivals who were Overstays: 1982 to 2012



Source: The estimates used to construct figure 7 were used to compute these percents; see figure 7 for the sources of data.

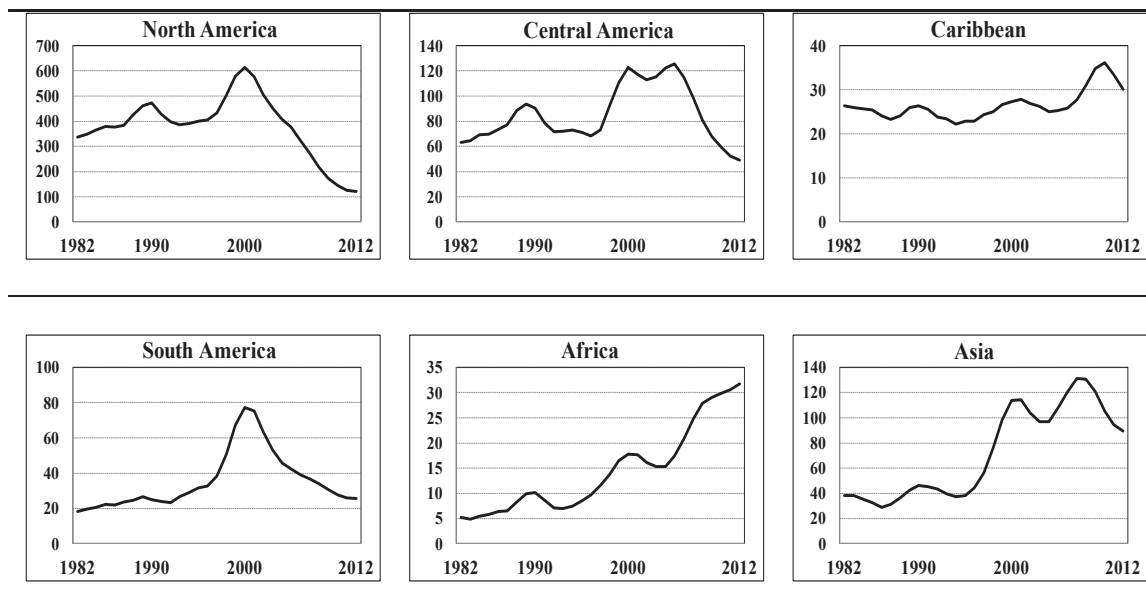
⁹ An unreasonable assumption would be one that produced trend lines that implied *no* population growth from 1982 to 1997 or that implied more population growth than has been reported (see, for example, Table 1, column 2).

¹⁰ Note also that the gray trend line for the most recent years shown for overstays in Figure 7 is likely to *rise* somewhat over the next few years as visitors and others who entered with temporary visas in recent years are in the country long enough to overstay. For example, the temporary visitor who is in a legal status in late 2012, but subsequently fails to depart, will not appear in the estimates as an overstay in 2012. However, when comparable data are compiled in, say 2015, that person will report 2012 as the year of entry and will appear in the data as an overstay who entered in 2012.

Figure 8 charts the long-term trend in the *percent* of all arrivals that were overstays. Until the mid- to late 1980s, between 25 and 30 percent of all unauthorized immigrant arrivals were overstays. In the 1998 to 2004 period, overstays increased to just over one-third of all arrivals; after 2004, the percent of overstays increased rapidly, finally becoming the majority of arrivals from 2008 to 2012 (Figure 8).

The next step in assessing long-term trends in overstays compared to EWIs is to plot the pattern of arrivals from each continent or area. Figure 9 provides an overview of the trends in arrivals from North, Central, and South America, the Caribbean, Africa, and Asia. Europe and Oceania have been omitted because the numbers are relatively small. The graphs imbedded in Figure 9 do not show EWIs or overstays separately; however, the trends in EWIs and overstays can be discerned in Figure 9 because most of the arrivals from North and Central America are EWIs and most of the arrivals from the rest of the world are overstays. Note that the vertical scales vary in the graphs shown in Figure 9; the intent is to show *patterns* of entry and not relative levels of arrivals.

Figure 9. Trends in Arrivals of Unauthorized Immigrants by Continent or Area: 1982 to 2012
Numbers in Thousands



Source: Arrivals derived from CMS database, adjusted to be actual arrivals as described in the Appendix. Estimates rounded to 5,000s and trend lines smoothed using a three-year moving average.

The trend lines in Figure 9 point to:

- A decline in arrivals from Mexico after 2000 (North America);
- The sharp decrease in arrivals from El Salvador, Guatemala, and Honduras in recent years;¹¹

¹¹ The migration of unaccompanied children and parents with children from these three nations rose dramatically in FY 2013 and FY 2014 (CBP 2015a and 2015b).

Long-Term Trends in Unauthorized Immigration

- An increase in arrivals from the Dominican Republic in 2010 (Caribbean);
- Similar trends in arrivals from the four South American countries with the most arrivals, Argentina, Brazil, Colombia, and Ecuador;
- Arrivals from Africa, while still low compared to other areas, increased rapidly over the entire 30-year period;
- The African countries with the largest number of arrivals, Cameroon, Egypt, Ethiopia, Ghana, and Nigeria, had long-term patterns of arrivals that were similar to each other;
- Arrivals from Asia averaged about 40,000 before 1997, surged to 100,000 in 1999, and then averaged about 115,000 per year from 2000 to 2010.

The patterns of arrival illustrated in Figure 9 help to explain why nonimmigrant visa overstays exceeded EWIs from 2008 to 2012. Arrivals from North and Central America (the source of most EWIs) fell to historic lows, while arrivals from the Caribbean, Africa and Asia (who are very nearly all overstays) continued at previous levels or increased.

Policy Discussion

Over the last decade, Congress has failed to pass comprehensive reform legislation. In response, in November 2014 the Obama administration announced an unprecedented set of executive action initiatives.¹² According to our estimates, there are 3.9 million parents of US citizens and lawful permanent residents (LPRs) who would be *prima facie* eligible for work authorization and a temporary reprieve from removal under the Deferred Action for Parental Accountability (DAPA) program (Warren 2014). An additional 1.5 million unauthorized persons, who were brought to the United States as children, would potentially qualify for the expanded Deferred Action for Childhood Arrivals (DACA) program (*ibid.*).¹³ Tables 4 and 5 show our estimates of the persons potentially eligible for the DAPA and DACA programs in the top 15 states of residence and the top 15 countries of origin.¹⁴

¹² Although the DAPA and DACA programs have received the most attention among the Obama administration's recently announced executive action initiatives, a third initiative has the potential to facilitate family unity and legal status for large numbers of persons with family ties to US citizens and lawful permanent residents (LPRs) that qualify them for an immigrant visa. To explain, after a family-based visa petition has been approved (signifying the existence of a qualifying family relationship), many unauthorized persons choose to wait in the United States (without status) until their visa priority date becomes "current." At that point, they must leave the country to secure the visa through "consular processing." However, once they leave, they become "inadmissible" based on their past unauthorized presence in the United States. The ground of inadmissibility can be waived based on "extreme hardship" to a US citizen or LPR spouse or parent, but the waiver process has historically taken place abroad and its outcome is uncertain. As a result, many opt to remain in the United States and forego the possibility of a visa. In January 2013, DHS issued a rule that allowed the spouses, parents and minor children of US citizens to seek a waiver of inadmissibility before they leave the United States. Once a waiver has been approved, they can then leave the country to pursue consular processing with the assurance they will be permitted to return. In November 2014, the President announced the expansion of this process to cover the spouses, sons and daughters of LPRs, and the adult and married sons and daughters of US citizens. This measure will benefit thousands of family members of US citizens and LPRs each year into perpetuity.

¹³ As stated, the 114th Congress has vowed to derail these programs, and 26 states have challenged their constitutionality.

¹⁴ An estimated 262,000 persons are eligible for both DAPA and DACA.

Table 4. Estimated Population Eligible for DAPA: Top 15 States and Countries of Origin

State of residence	Number (1)	Percent (2)	Country of origin	Number (3)	Percent (4)
US total	3,890,000	100%	Total	3,890,000	100%
California	965,000	25%	Mexico	2,520,000	65%
Texas	685,000	18%	El Salvador	205,000	5%
New York	230,000	6%	India	185,000	5%
Illinois	215,000	6%	Guatemala	150,000	4%
Florida	180,000	5%	Honduras	95,000	2%
New Jersey	145,000	4%	China	90,000	2%
Georgia	130,000	3%	Ecuador	50,000	1%
North Carolina	125,000	3%	Philippines	50,000	1%
Arizona	120,000	3%	Korea	45,000	1%
Washington	100,000	3%	Dominican Rep.	35,000	1%
Virginia	85,000	2%	Peru	30,000	1%
Colorado	65,000	2%	Colombia	30,000	1%
Nevada	65,000	2%	Haiti	25,000	1%
Maryland	60,000	2%	Brazil	25,000	1%
Oregon	45,000	1%	Vietnam	25,000	1%
All other	670,000	17%	All other	330,000	9%

Source: CMS database.

In the absence of federal legislation, a dynamic new immigration federalism has emerged, with states and localities taking remarkably diverse approaches to unauthorized residents and their family members, ranging from strategies to exclude, marginalize and spur their “self-deportation,” to measures that would extend to them many of the benefits and conditions of legal residency (Suro 2015).

Immigration enforcement has been a priority of successive administrations and Congresses (Kerwin 2014, 329-332). Yet many border residents resent the intrusiveness of enforcement policies in their lives and the repeated characterization of their communities as dangerous and insecure (Heyman 2013). In FY 2014, there was a dramatic increase in migration to the United States by unaccompanied children and parents with minor children from the Northern Triangle nations of Central America. In response, the United States has sought to deter further migration through removals, detention of families, increased border enforcement, and work with sending states.¹⁵

15 Statement by Secretary of Homeland Security Jeh Johnson before the Senate Committee on Appropriations, July 10, 2014. Available at: <http://www.dhs.gov/news/2014/07/10/statement-secretary-homeland-security-jeh-johnson-senate-committee-appropriations>.

Table 5. Estimated Population Eligible for DACA: Top 15 States and Countries of Origin

State of residence	Number (1)	Percent (2)	Country of origin	Number (3)	Percent (4)
All states	1,520,000	100%	All countries	1,520,000	100%
California	410,000	27%	Mexico	925,000	61%
Texas	265,000	17%	El Salvador	65,000	4%
New York	100,000	7%	Guatemala	50,000	3%
Florida	100,000	7%	Honduras	40,000	3%
Illinois	75,000	5%	Korea	35,000	2%
New Jersey	55,000	4%	Philippines	35,000	2%
Arizona	45,000	3%	Dominican Rep.	25,000	2%
Georgia	45,000	3%	China	25,000	2%
North Carolina	35,000	2%	Colombia	20,000	1%
Washington	30,000	2%	Jamaica	20,000	1%
Virginia	30,000	2%	India	20,000	1%
Nevada	25,000	2%	Peru	15,000	1%
Colorado	25,000	2%	Haiti	15,000	1%
Maryland	25,000	2%	Ecuador	15,000	1%
Oregon	20,000	1%	Vietnam	15,000	1%
All other	240,000	16%	All other	195,000	13%

Source: CMS database.

Some view these developments—in combination—as evidence that the United States is on a slow path to consensus on immigration reform. Others think that meaningful immigration reform discussions have reached a dead-end, and will not be revived for years. We believe that the trends outlined in this paper argue for re-engagement of the debate on the need for broad legislative reform, whatever its political prospects and whatever the ultimate fate of the DAPA and expanded DACA programs. Before we discuss the policy implications of the trends set forth in this paper, however, we should pause to acknowledge the importance of now *having* the information needed to chart those trends via the CMS database, as well as through other scholarship, research, and data tools.

Growth of the Unauthorized Resident Population

In the 1980s and 1990s, it seemed that the unauthorized population might continue to grow indefinitely. We could not have anticipated the remarkable decline in unauthorized arrivals after 2000. Nor did demographers have sufficient data to recognize the steady growth in the number of departures from the population—primarily through voluntary emigration, removal by DHS, or adjustment to legal status.

The question of why the population stopped growing in 2008 is not just an academic exercise. The generally accepted but erroneous assumption that the recession was the cause of the decline reveals a widely shared assumption that unauthorized population growth is inevitable. That mindset has led to a perpetual sense of crisis. One of the purposes of this paper is to help policymakers and the public dispel the myth of inevitable population growth and to appreciate fully the dramatic changes that have occurred over the past fifteen years. That should set the stage for a renewed consideration of comprehensive reform.

It would be risky for demographers to try to predict whether the population will start to grow again and, if so, why and at what rate. However, *if* we assume continued robust levels of border enforcement, and *if* Congress and DHS start to focus more attention on tracking, reducing and preventing the admission of likely overstays, it appears likely that the era of large increases in the unauthorized resident population will have ended.¹⁶ Moreover, providing a reprieve from removal for millions of parents of US citizens and LPRs, as well as for an expanded group of unauthorized persons brought to the United States as children, would allow DHS to concentrate its substantial enforcement resources on high-priority targets, like human traffickers, transnational criminal enterprises, and national security threats. At the same time, as discussed below, substantial future declines in the US unauthorized population are likely to come only from reform of the legal immigration system and creation of a path to citizenship for US unauthorized residents.

Unauthorized Immigration as a Transitional Status and the Increase in the Average Length of Residency of US Unauthorized Immigrants

These estimates also strongly affirm past research on the transitional nature of immigration status, as evidenced by the high percentages of unauthorized immigrants who may already be eligible for LPR status (Wong et al. 2014) and the high percentage of new LPRs who once lacked immigration status (Jasso et al. 2008). As Figure 3 illustrates, an estimated 19.5 million¹⁷ persons joined the unauthorized population in the 31-year period from 1982 to 2012. Of this number, 11.0 million were still living in the United States without status in 2013. That leaves about 8.5 million who: (a) were no longer in the United States; or (2) were able to adjust to legal status. Although DHS does not compile the number of adjustments from unauthorized to legal status, estimates such as those shown in Table 1 for the 1990 to 2009 period indicate that approximately two million adjusted to legal status in the 1982 to 2012 period. Thus, 6.5 million who entered in 1982 to 2012 left voluntarily, were removed, or died.

The fluidity of the US unauthorized population has received only sparse attention in the public debate on immigration reform. However, it has profound implications for reform of the legal immigration system and for immigration enforcement strategies. In particular, it casts doubt on the wisdom of seeking to remove persons who are already on the path to LPR status. These include a substantial number of the 4.4 million persons whose family-

¹⁶ We would note, however, that whatever its deterrent effect on unauthorized migration, the growth in border enforcement has irrefutably reduced return migration rates to Mexico (Massey, Durand, and Pren 2014, 1042-43).

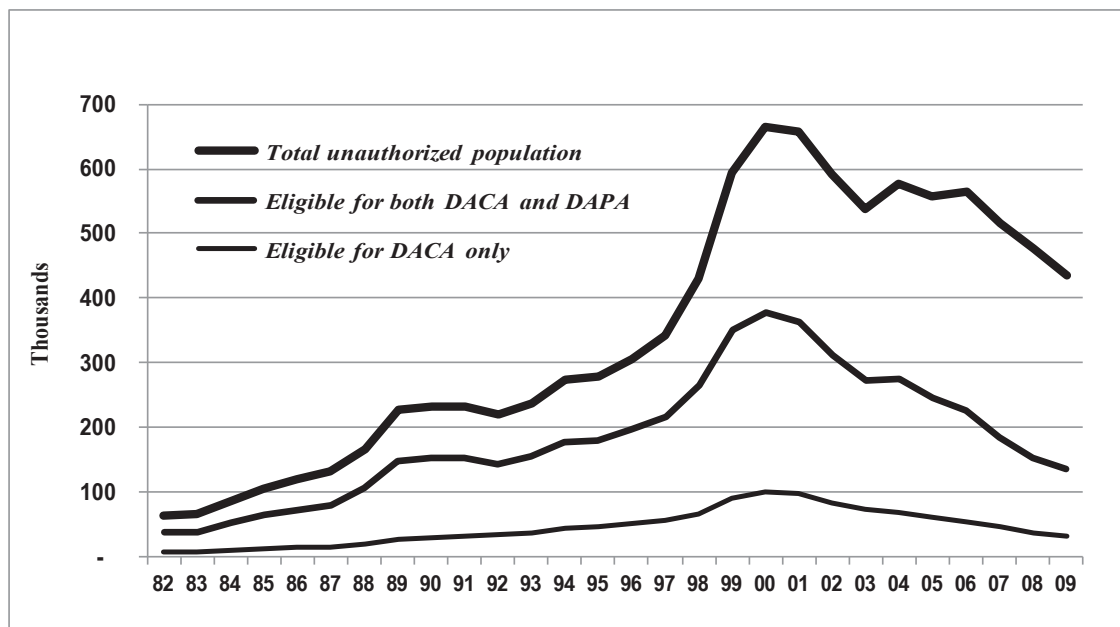
¹⁷ The sum of the annual arrivals shown in Figure 3 (the solid black line) is 19.5 million.

Long-Term Trends in Unauthorized Immigration

based visa petitions have been approved, but who wait in visa backlogs due to per-country visa limits and annual caps on visas in family-based preference categories (Bergeron 2013, 7). An unknown, but certainly a high percentage of those with approved family-based visa petitions choose to reside in the United States (in unauthorized status) as they wait for their visa priority date to become current. Moreover, the US unauthorized population includes high percentages of persons with long tenure, including 1.9 million with 20 years or more of US residency, 1.6 million with 15 to 19 years of US residency, and 3.1 million with 10 to 14 years of US residency (Warren 2014).

As discussed, the average length of residency of the US unauthorized population has increased significantly in recent years, and this trend will persist if arrivals to the unauthorized population remain low and departures from this population continue to increase or level off. These long-term residents, which include high percentages of potential DAPA and DACA beneficiaries, will continue to build family and other equitable ties to the United States, diminishing the likelihood that they will ever return permanently to their countries of birth. As Figure 10 shows, many of the potential DAPA and DACA beneficiaries are long-term residents; in both cases, more than half of them arrived before 2000.

Figure 10. Unauthorized Immigrants Residing in the United States in 2013, by Eligibility Status and Year of Entry: 1982 to 2009



The escalating numbers of long-term US unauthorized residents argue, in particular, for revisiting a legalization policy option that has received scant attention in the debate on immigration reform. “Registry” provides LPR status to unauthorized US residents who have entered the country by a statutorily established date (currently January 1, 1972), have lived continuously in the country since entry, are not removable on select grounds of

inadmissibility or deportability, and are not ineligible for citizenship.¹⁸ Since 1929, Congress has advanced the registry date several times, most recently through IRCA (Kerwin 2010). As a result, more than 72,000 persons have received legal status via registry, including more than 63,000 in the post-IRCA years from 1987 through 1990 (ibid.). Advancing the registry date would be an effective way to address the long-term unauthorized population that includes 1.9 million persons who have lived in the United States for 20 years or more, and 1.6 million unauthorized residents for 15 to 19 years (Warren 2014). To move ahead the registry cut-off date on a rolling basis (automatically) thereafter would prevent the re-emergence of a long-tenured unauthorized population.

In short, the trends in unauthorized immigration support what policymakers increasingly recognize: that self-deportation or removal-only policies would be harmful to the unauthorized, their families, and their communities, and that ultimately reform of the legal immigration system and a path to citizenship for some substantial percentage of the unauthorized will be the best and perhaps only feasible policy option.

Entries across the Southern Land Border

The decade-long drop in arrivals from Mexico after 2000—to approximately *one-third* of the number of annual arrivals in the early 1980s—may be the most striking trend described in this paper. The Pew Research Center attributed the decline in net migration from Mexico (legal and unauthorized) to “many factors, including the weakened US job and housing construction markets, heightened border enforcement, a rise in deportations, the growing dangers associated with illegal border crossings, the long-term decline in Mexico’s birth rates and broader economic conditions in Mexico” (Passel, Cohn, and Gonzalez-Barrera 2012, 6). An analysis of Mexican Migration Project data has attributed the “marked decline” in first unauthorized migration “entirely to the rising average age of household heads at risk of taking a first undocumented trip” (Massey, Durand, and Pren 2014, 1055). The increase in average age of potential migrants—from 22.5 to 45.9 years old between 1970 and 2010—is due, in turn, to the steep drop in the Mexican fertility rate, coupled with “the steady selection of young men out of the population at risk of taking a first trip by migration itself” (ibid.).

From a policy perspective, the time has come to reform the US legal immigration system, with the goals of better serving the nation’s economic, family and humanitarian interests; further reducing arrivals into the unauthorized population; permanently diminishing this population; and increasing the effectiveness of the immigration enforcement system. Channeling needed workers legally through ports of entry would change the dynamics at the border. It would allow CBP to shift the substantial resources it devotes now to the apprehension of economic migrants, to the prevention of entries by public safety and national security risks, to interdiction of the flow of illegal narcotics to the United States, and to curtailing flows of illegal firearms and drug profits from the United States to Mexican cartels. More targeted enforcement strategies would also lessen the resentment of many border residents at the omnipresence of the Border Patrol and at intrusive enforcement activities in their communities.

18 Immigration and Nationality Act (INA), §249.

Long-Term Trends in Unauthorized Immigration

The surge in arrivals by Central American and Mexican youth, peaking in 2014, illustrates the limits of border enforcement policies. It points to the need to address the structural conditions leading to their migration—primarily violence and poverty—through social reform, economic development, rule-of-law initiatives, and humanitarian programs in sending communities. The migration of children is also strongly tied to the migration history of their parents, including (for many) their parents' residence in the United States (Donato and Sisk 2015). This phenomenon argues for legalization and legal immigration policies that reflect the nation's commitment to family unity. Such policies, in turn, have the potential to reduce unauthorized migration and contribute to a more effective and humane enforcement system.

Overstays

As unauthorized entries across the US-Mexico border have declined, overstays have become a much more important source of unauthorized immigration. The “reversal” in modes of entry should lead to an increased emphasis on preventing likely overstays, and keeping track of visitors and others who are admitted temporarily. A 1994 report from the Immigration and Naturalization Service stated: “...it is clear that nonimmigrant overstays make up a large percentage of the unauthorized immigrant population residing in the United States. Yet this group has generally been overlooked in discussions of US policy options for reducing unauthorized immigration” (Warren 1994). More than two decades later, this trend persists.

As of June 2013, DHS had more than one million arrival records which lacked matching departure records in its Arrival and Departure Information System (ADIS) database (GAO 2013, 16). A GAO analysis of unmatched arrival records in November 2012 found that the average elapsed time since the date of required departure was 2.7 years (ibid., 18). Not surprisingly, a particular challenge in identifying overstays has been “incomplete collection of departure data from nonimmigrants at ports of entry, particularly land ports of entry” (20). This remains an immense challenge along the US-Mexico border, as does inaccurate information provided by air carriers on passenger departures (25). In recent years, DHS has taken steps to enhance data sharing between ADIS and other DHS databases that allow it to identify persons who have departed in a timely manner or changed status (i.e., non-overstays), as well as overstays who fall within ICE enforcement priorities (20-21). Yet in 2014, CRS observed that DHS still did not “have reliable data on emigration and nonimmigrant departures from the United States” and that a “way forward on the issue of nonimmigrant overstays seems out of reach, absent a reliable method to measure emigration or an effective exit-monitoring system” (Wasem 2014).

This is not an argument for revisiting the exit requirements of the automated “entry-exit” system mandated by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 and subsequent acts of Congress. In any event, recent reports indicate that DHS has no plans to implement biometric exit capabilities at land ports of entry (GAO 2013, 28). However, our finding that overstays have outnumbered EWIs for the past five years speaks to the urgent need for a viable statistical system to collect information about *all* entries to and departures from the United States. Investment in a more reliable and efficient entry/exit and tracking system would allow DHS to monitor a significant portion

of the unauthorized population that has gone largely unnoticed and ignored until now. More importantly, intensive tracking and evaluation of overstays would generate detailed feedback that could assist DHS and embassy personnel to identify visa applicants that are at high risk of becoming overstays.

Summary

This report documents profound recent changes in unauthorized immigration to the United States. Between 2000 and 2012, arrivals of unauthorized immigrants from Mexico fell by 80 percent, and the total population (and the population from Mexico) began to decline. These developments were offset somewhat by an unexpected trend. After 2008, entering legally with a temporary visa and overstaying became the predominant way to enter the unauthorized resident population. The decline of the unauthorized population in the future will depend on reform of the legal immigration system, legalization of a large percentage of the unauthorized, and making overstays an enforcement priority. In other words, it will require the administration and Congress to work together to develop a more effective and humane immigration system.

Appendix

Overview of the Methodology Used to Derive Center for Migration Studies (CMS) Estimates

The estimates are based partly on the reported characteristics of non-US citizens in the micro data of the 2010 American Community Survey (ACS). The ACS is an annual statistical survey covering approximately one percent of the total US population. The survey gathers information previously obtained in the decennial census—the ACS questionnaires are very similar to the 2000 census long form. The survey provides detailed social and economic data for all states, as well as all cities, counties, metropolitan areas, and population groups of 100,000 people or more.

Nearly all of the unauthorized resident population in the ACS is in the category of noncitizens that entered the United States after 1981. Very few who entered before 1982 would still be residing in the country as unauthorized residents in 2010 because: (1) a large percentage of those who entered before 1982 obtained legal status under the Immigration Reform and Control Act of 1986 (IRCA);¹⁹ and, (2) the remainder have had about 30 years in which to leave the unauthorized resident population—that is, to adjust to legal status, be removed, leave voluntarily, or die.

¹⁹ IRCA went into effect in 1987. Two main groups were eligible for legalization, each with their own residency requirements: legalization applicants who continuously resided in the United States since before January 1, 1982 and Special Agricultural Workers (SAWs) who had 60 days of seasonal agricultural work experience in qualifying crops from May 1985 to May 1986. About 1.6 million legalization applicants and 1.1 million SAW applicants were approved.

Long-Term Trends in Unauthorized Immigration

The methodology involved four major steps.

1. A series of edits, referred to as “logical edits,”²⁰ were used to identify as many legal residents as possible based on responses in the survey. Those judged to be legal residents were removed from the data. At this point about 86 percent of those remaining were likely to be unauthorized residents.
2. Separate population estimates of unauthorized residents counted in the 2010 ACS, for 145 countries or areas, were derived for use as population controls.
3. The population controls for each country were used to make final selections of individual respondents in the ACS to be classified as unauthorized residents.
4. Finally, the results of step 3 were adjusted for under-enumeration. The most recent entrants are assumed to have the highest undercount rates (about 13 percent), and the undercount rate drops steadily with length of residence, falling to less than two percent for those who entered in 1982. The estimated undercount rate for the total population is about 7.5 percent.

The technique of controlling the likely unauthorized population to 145 country controls produced estimates by age, year of entry, and state of residence that are very similar to the best available residual estimates. The estimates for each country used as population controls for the 2010 estimates are based partly on administrative data from the Department of Homeland Security (DHS), estimates and assumptions consistent with Warren and Warren (2013), and a variety of other sources, including foreign-born data from the 2000 Census, legalization applications by country from IRCA, and estimates of nonimmigrant overstays, by country, derived by DHS annually from 1988 to 1992. For a complete description of the procedures for deriving the population controls for each country, see Warren (2014).

For most countries the logical edits (step 1) produce numbers that are fairly close to the control totals. However, the logical edits do not shift *all* of the legal residents out of the likely unauthorized category. As a result, a small percentage of those remaining in the database actually are legal residents. On the other hand, a sizeable proportion of these legal residents had previous experience as unauthorized residents. Overall, the database consists of an estimated 89 percent unauthorized residents, but adding in those with previous unauthorized experience raises the total to 93 percent.

Methodology for Estimating *Actual Arrivals*

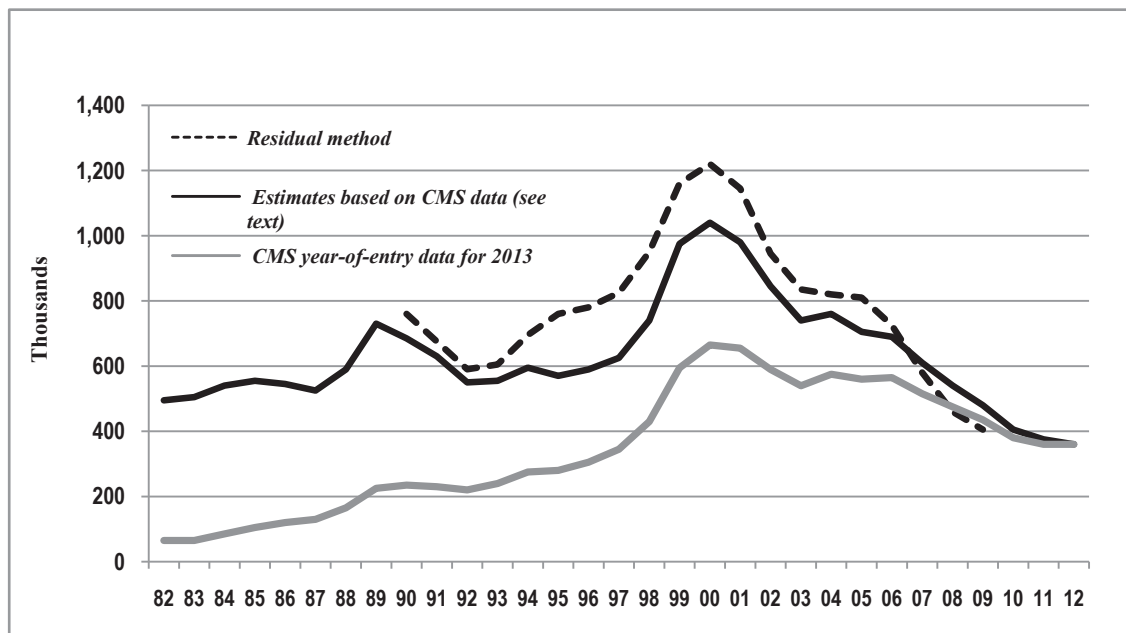
The usual way of describing entry data for immigrants is to tabulate the number of immigrants who lived in the United States in a particular year, for example those counted in the 2013 ACS, and distribute the data into years or periods of entry. This procedure

²⁰ The term “logical edit” refers to the process of determining probable legal status by examining survey data. Respondents were assigned to the legal category if they worked in occupations that generally require legal status, were legal temporary migrants, were immediate relatives of US citizens, received public benefits, were from countries where most arrivals would be refugees, or were age 60 or older at entry. This method was developed by Jeffrey Passel and Rebecca Clark (1998), extended by Passel, Bean and Van Hook (2004), and refined by Passel and others in recent years at the Pew Research Center.

is useful for some purposes, such as describing the current population or planning for administrative programs in which length of residence is important. However, this approach is inadequate for describing trends in the number who *actually arrived* each year. For example, the number of unauthorized immigrants who moved to the United States in 1988 will be greatly diminished by 2013; that is, a large percentage of those who entered in 1988 will have left the unauthorized population in one of four ways: adjusted to legal status, been removed by DHS, left voluntarily, or died. To examine long-term trends in arrivals, we need to know how many actually arrived each year, not just the number still residing in the United States in 2013.

If adequate detailed information had been available, we would have started with the 2013 count of those who entered in 1988, for example, and “added back” all of those who left in any of the four ways listed above. Unfortunately, the information needed for such cohort restoration is not available by *country of birth*. However, sufficient data was available and that technique was used successfully to estimate total actual arrivals for US states and the total population for 1990 to 2009 (Warren and Warren, 2013). We used the pattern of those annual US estimates of entries to calibrate and validate our methodology.

Figure 11. Alternative Methods of Estimating Actual Arrivals of Unauthorized Residents of the United States: 1982 to 2012



Source: Residual accounting method, Warren and Warren 2013, Table 3; estimates based on CMS data, see text; CMS year-of-entry data, Warren 2014. All three sets of estimates were rounded to 5,000s, and the trend lines were smoothed using a three-year moving average.

Long-Term Trends in Unauthorized Immigration

For this paper, we developed a new procedure for estimating actual arrivals for 1982 to 2012. To produce the estimates, we carried out the following steps:

1. Compiled data by single year of entry for 1982 to 2012 from the CMS estimates of the unauthorized resident population in 2013;
2. Used an annual “loss rate” of three percent per year to reconstruct each annual entry cohort. Operationally, we divided those who entered in 2011 (from step 1 above) by 0.97; those who entered in 2010 by 0.94; those who entered in 2009 by 0.91, and so on, back to 1982.
3. In most cases, we smoothed the results by using a three-year moving average, and then rounded to 5,000s.

The results were tested by comparing the CMS trends with the trends in arrivals published by Warren and Warren (2013); the two trend lines are shown in Figure 11. The gray line in Figure 11 is the estimated population in 2013, distributed by reported year of entry. The solid black line shows our estimates of the number who actually entered in each year. The broken black line shows the estimates derived using demographic accounting. Our trend line is generally lower, but the two long-term trends are about parallel, which lends support to our methodology.

Estimates of Overstays and EWIs

Previous studies indicate that the overwhelming majority of individuals who cross the US-Mexico land border without inspection (EWIs) come from Mexico and Central American countries (Warren 1997; GAO 1995; Bean, Edmonson, and Passel 1990). Beyond that, the information about the relative numbers of EWIs and overstays by country of origin is sparse. We derived the estimates of EWIs and overstays shown here based partly on data derived by the Immigration and Naturalization Service (INS) and used in Warren (1997). In that report, *average* annual overstays for 1985 to 1992 were estimated to be: 47,500 from Mexico; and 14,600 from El Salvador, Guatemala, Honduras, and Nicaragua combined. Dividing those figures by our comparable estimates of arrivals for 1985 to 1992 (the arrivals used to construct Figure 3) from Mexico and the four Central American countries yields 11 percent overstays from Mexico and 18 percent overstays from the Central American countries.

Based on the information above, we made the following assumptions: 90 percent of all arrivals in 1982-2012 from Mexico were EWIs; and 88 percent of all arrivals in 1982-2012 from the four Central American countries were EWIs. All of the arrivals from the rest of the world were assumed to be overstays. Arrivals of overstays for Figures 7 and 8 were computed as the difference between total arrivals and estimated EWI arrivals from Mexico and Central America.

To try to avoid overestimating overstays, we used 10 percent (rather than the computed 11 percent) overstays from Mexico, and 12 percent (rather than the computed 18 percent) overstays from the four Central American countries. Sensitivity tests showed that reasonable alternative assumptions about percent overstays from these five countries produced long-term trends similar to those shown in Figures 7 and 8.

REFERENCES

- Bean, Frank D., Barry Edmonson, and Jeffrey S. Passel, eds. 1990. *Undocumented Migration to the United States: IRCA and the Experience of the 1980s*. Washington, DC: Urban Institute Press.
- Bergeron, Claire. 2013. *Going to the Back of the Line: A Primer on Lines, Visa Categories, and Wait Times*. Washington, DC: Migration Policy Institute. <http://www.migrationpolicy.org/research/going-back-line-primer-lines-visa-categories-and-wait-times>.
- CBO (Congressional Budget Office). 2015. "Congressional Budget Office Cost Estimate, H.R. 399, Secure Our Borders First Act of 2015." Washington, DC: Congressional Budget Office. <http://www.cbo.gov/sites/default/files/cbofiles/attachments/hr399.pdf>.
- CBP (US Customs and Border Protection). 2015a. "Southwest Border Unaccompanied Alien Children (FY 2014)." <http://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children-2014>.
- . 2015b. "Southwest Border Unaccompanied Alien Children." <http://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children>.
- DHS (US Department of Homeland Security). 2014. "FY 2015 Budget Overview." *Congressional Budget Justification FY 2015*. Washington, DC: Department of Homeland Security. <http://www.dhs.gov/sites/default/files/publications/DHS-Congressional-Budget-Justification-FY2015.pdf>.
- . 2015. *Congressional Budget Justification: FY 2016*. Washington, DC: Department of Homeland Security. http://www.dhs.gov/sites/default/files/publications/DHS_FY2016_Congressional_Budget_Justification.pdf.
- Donato, Katharine M., and Blake Sisk. 2015. "Children's Migration to the United States from Mexico and Central America: Evidence from the Mexican and Latin American Migration Projects." *Journal on Migration and Human Security* 3(1): 58-79. <http://dx.doi.org/10.14240/jmhs.v3i1.43>
- GAO (US Government Accountability Office). 1995. *Illegal Immigration: INS Overstay Estimation Methods Need Improvement*. GAO/PEMD-95-20. Washington, DC: US Government Accountability Office. <http://www.gao.gov/products/PEMD-95-20>.
- . 2013. *Overstay Enforcement: Additional Actions Needed to Assess DHS's Data and Improve Planning for a Biometric Air Exit Program*. Washington, DC: US Government Accountability Office. <http://www.gao.gov/assets/660/656316.pdf>.
- Heyman, Josiah. 2013. "A Voice of the US Southwestern Border: The 2012 'We the Border: Envisioning a Narrative for Our Future' Conference." *Journal on Migration and Human Security* 1(2): 60-75. <http://dx.doi.org/10.14240/jmhs.v1i2.9>

Long-Term Trends in Unauthorized Immigration

- Jasso, Guillermina, Douglas S. Massey, Mark R. Rosenzweig, and James P. Smith. 2008. "From Illegal to Legal: Estimating Previous Illegal Experience among New Legal Immigrants to the United States." *International Migration Review* 42 (4): 803–43. <http://dx.doi.org/10.1111/j.1747-7379.2008.00148.x>
- Kerwin, Donald. 2010. "More Than IRCA: US Legalization Programs and the Current Policy Debate." Washington, DC: Migration Policy Institute. <http://www.migrationpolicy.org/research/us-legalization-programs-by-the-numbers>.
- _____. 2014. "Illegal People and the Rule of Law." In *Constructing Immigrant 'Illegality': Critiques, Experiences, and Responses*, edited by Cecilia Menjivar and Daniel Kanstroom. New York: Cambridge University Press.
- Massey, Douglas S., Jorge Durand, and Karen A. Pren. 2014. "Explaining Undocumented Migration to the U.S." *International Migration Review* 48(4): 1028-61. <http://dx.doi.org/10.1111/imre.12151>
- Passel, Jeffrey S. and Rebecca L. Clark. 1998. *Immigrants in New York: Their Legal Status, Incomes and Taxes*. Washington, DC: Urban Institute.
- Passel, Jeffrey S., Jennifer Van Hook, and Frank D. Bean. 2004. *Estimates of the Legal and Unauthorized Foreign-born Population for the United States and Selected States, Based on Census 2000*. Washington, DC: US Census Bureau.
- Passel, Jeffrey S., D'Vera Cohn, and Gonzalez-Barrera, Ana. 2012. *Net Migration from Mexico Falls to Zero – Perhaps Less*. Washington, DC: Pew Research Center. http://www.pewhispanic.org/files/2012/04/Mexican-migrants-report_final.pdf.
- Ruggles, Steven, J. Trent Alexander, Katie Genadek, Ronald Goeken, Matthew B. Schroeder, and Matthew Sobek. 2010. *Integrated Public Use Microdata Series: Version 5.0* [Machine-readable database]. Minneapolis: University of Minnesota.
- Suro, Roberto. 2015. "California Dreaming: The New Dynamism in Immigration Federalism and Opportunities for Inclusion on a Variegated Landscape." *Journal on Migration and Human Security* 3(1): 1-25. <http://dx.doi.org/10.14240/jmhs.v3i1.41>
- Warren, Robert. 1994. "Estimates of the Unauthorized Immigrant Population Residing in the United States, by Country of Origin and State of Residence: October 1992," Washington, DC: US Immigration and Naturalization Service (copy on file with authors).
- _____. 1997. *Estimates of the Undocumented Immigrant Population Residing in the United States: October 1996*, Joint Statistical Meetings, Anaheim, CA, August 13.
- _____. 2014. "Democratizing Data about Unauthorized Residents in the United States: Estimates and Public-use Data, 2010 to 2013." *Journal on Migration and Human Security* 2(4): 305-28. <http://dx.doi.org/10.14240/jmhs.v2i4.38>

- Warren, Robert and John Robert Warren. 2013. "Unauthorized Immigration to the United States: Annual Estimates and Components of Change, by State, 1990 to 2010." *International Migration Review* 47(2): 296–329.
<http://dx.doi.org/10.1111/imre.12022>
- Wasem, Ruth Ellen. 2014. *Nonimmigrant Overstays: Brief Synthesis of the Issue*. Washington, DC: Congressional Research Service. <https://www.fas.org/sgp/crs/homesecc/RS22446.pdf>.
- Wheeler, Charles. 2014. "The Evolution of United States Immigration Laws." In *International Migration, US Immigration Law and Civil Society: From the Colonial Era to the 113th Congress*, edited by Leonir Chiarello and Donald Kerwin. New York: Scalabrini International Migration Network.
- Wong, Tom K., Donald Kerwin, Jeanne M. Atkinson and Mary Meg McCarthy. 2014. "Paths to Lawful Immigration Status: Results and Implications from the PERSON Survey." *Journal on Migration and Human Security* 2(4): 287-304.
<http://dx.doi.org/10.14240/jmhs.v2i4.37>