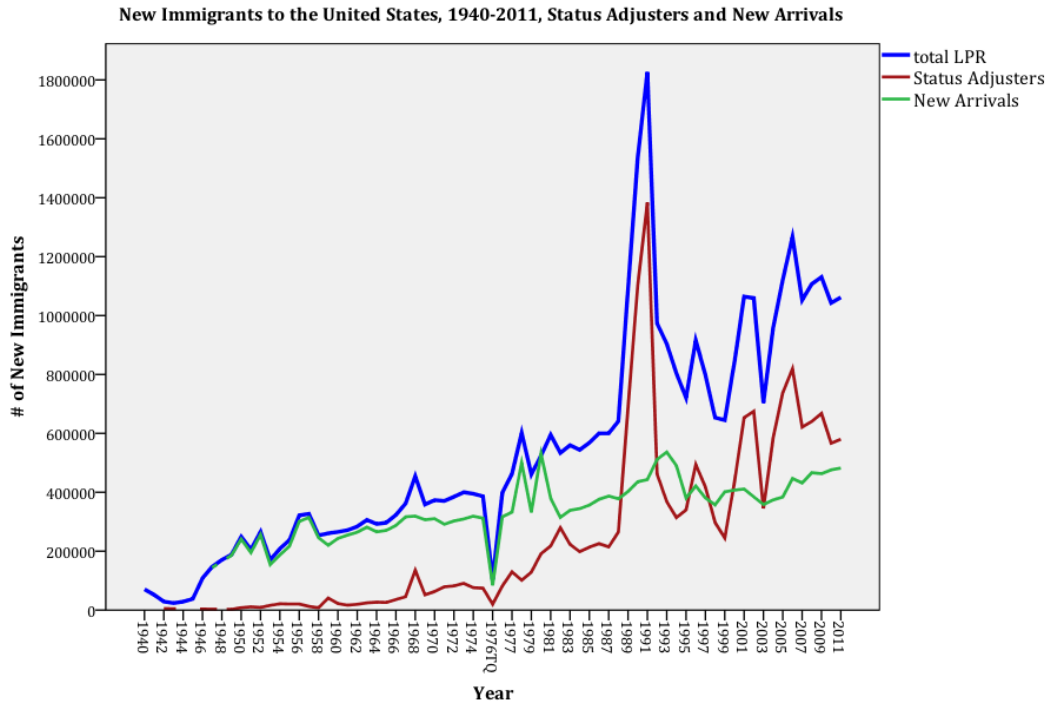
Who stays? Non-Immigrant workers in the United States who become Immigrants

In the heat of the ongoing debate about unauthorized flows, enforcement, and legalization, we can forget that the existing infrastructure for admitting immigrants sets the context for the discussion about immigration. The work in this paper asks one overarching question: What characterizes the flow of individuals from non-immigrant to immigrant visas and how does this help us understand the future demand for immigrant visas? In particular, we examine the flow of high skilled immigrants. The United States is already reaping the labor market benefits of high skilled migration and high skilled immigration typically measures people who are already living and working in the United States.

Our policy structure provides for two kinds of entrants to the United States. Legal Permanent Residents (LPRs) are those who have been granted permanent residency and they migrate to the United States and stay permanently (or as long as they choose). LPRs provide the pool of potential new citizens. Non-immigrant entrants are only authorized to stay in the United States for a limited period of time while pursuing some legitimate and temporary visiting activities. There are many visa categories for both kinds of entrants.

We have moved, somewhat unwittingly, away from this system of separate entry possibilities toward a two-step immigration process where non-immigrants, after residing in the United States, change status and become LPRs. Those who are classified as new immigrants include both "new arrivals" and "status adjusters" and the proportion of new immigrants who are "status adjusters" has been increasing since World War II. Status adjusters, who may have migrated to the United States many years before, are now more than one-half of all "new" immigrants. The graph below shows dramatically the comingling of these two systems into one that is dominated by the non-immigrant to immigrant transition.



Source: Author's calculations from documents commonly called The Yearbook of Immigration Statistics. The Department of Homeland Security and, before 2003, The Immigration and Nationality Service provide the data.

In this paper we concentrate on the transition for high-skilled non-immigrants who enter the United States on various employment visas. Many of the economic and social impacts of immigration develop because non-immigrants become immigrants. The presence of high skilled immigrants in a locality is preceded by the arrival of high skilled non-immigrants, for example. In this paper, we evaluate the overall transition from non-immigrant to LPR and we ask a series of specific questions about the nature of those transitions:

1. Of non-immigrants who enter in any year on specific visas, what percent eventually change status to LPR and what are the time trends for that transition?

2. What are the characteristics of non-immigrants who adjust status to legal permanent resident and how has that changed over time? What is the profile of non-immigrants in specific visa categories who adjust status and how has that changed over time?

3. What are the pathways from non-immigrant to legal permanent residency?

4. How do non-immigrants who adjust status differ from those who do not? Is there a systematic profile difference between non-immigrants who stay and go?

5. What do these trends tell us about the future demand for specific LPR visa categories?

Data and Methodology

There are 29 data sets on new immigrants to the United States (1972—2000) currently available as public use tapes. These data sets represent the population of new immigrants in those years and have 18—21 variables for each new immigrant. They include variables on the date of arrival and the non-immigrant visa category or classification at arrival.[1,2]

Questions about the non-immigrant to immigrant flow require the creation of data sets that consist of immigrants when they arrived in the United States (called INADDS—Immigrant's Non-immigrant Arrival Date Data Set).[3] These data sets have been created from the public use data on new immigrants by ordering individuals by the date of arrival instead of the date of admittance as an immigrant. From the INADDS files we examine the characteristics and future immigration behavior of all of the non-immigrants who arrived and eventually become immigrants. We examine the length of time to status adjustment and the LPR visas that are used by these non-immigrants.

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[1] The Department of Homeland Security has consistently denied FOIA requests to access new immigrant data after 2001.

[2] People legalized under IRCA are mostly not included in these data sets.

[3] There are no available individual record data sets on new non-immigrants.

The INADDS files are incomplete on both ends of the timeline. The new immigrant data sets begin in 1972 with the presence of status adjusters who may have migrated in the 1960s or even earlier. But some non-immigrants who arrived in the 1960s adjusted status before 1972 and would not be in these INADDS files. Similarly, the fact that currently available individual new immigrant data ends in 2000 means that there will not be a complete accounting of all of the non-immigrants who become immigrants for later INADDS fiscal years. This is always true; Even if all new immigrant data up to 2012 is available, the INADDS files for 2012 will be incomplete because many non-immigrants from, say, 2011 won't adjust status for some years. We evaluate the potential biases of incomplete files by examining years where there is complete data and comparing those who adjust status within a short time frame with those who adjust status after a longer time to see if there are biases. We use this result to assess the results derived from the incomplete files and potentially correct them.[4]

To compare the characteristics of non-immigrants who stay and go, we match INADDS data to statistical data tables on non-immigrants. Every year there are multiple DHS/INS yearbook tables on new non-immigrant arrivals and their characteristics. If all of the non-immigrants who arrived that year and adjust status to LPR are purged from those tables, then the remaining non-immigrants are those who chose to leave the United States or are visa overstayers. Basic profiles on the differences in these groups can be developed using this subtraction method. The statistical tables do not provide information as rich as individual data records. Looking at the published tables from the INS Yearbook in 1994, Table 39 documents non-immigrants admitted by selected class of admission and country of citizenship. Preparing an identical table from the INADDS data set for that year creates statistical tables on non-immigrants who become immigrants that mimic those published in the INS Yearbook of Immigration Statistics in every year. Then the numbers in the INADDS table of status adjusters are subtracted from new non-immigrants overall to profile non-adjusters and their changing characteristics over time.[5]

The visa prediction is derived by forecasting the size and timing of demand for specific LPR visa categories from specific non-immigrant visa categories using the INADDS data. We calculate, for every INADDS year, the percentage of status adjuster non-immigrants in different non-immigrant visa categories that are admitted as immigrants in different LPR visa categories in different future years. Using basic forecasting techniques, the trend in this percentage and in the time lag to status adjustment is used to project demand into the future. Specifically, the forecast regression calculates expected percentages and time lags in the future based on the changing trends over the years for which we have data. These

[4] If the 2001-2011 new immigrant tapes become available, the INADDS between 1969 and 2004 will be relatively complete (there will be a small number of people who do not adjust status for decades not included in the latest years and a very few rapid adjusters missing in the earliest years). If they do not become available, the INADDS between 1969 and 1994 will be relatively complete. In either case there are many years of non-immigrant arrival to use for this analysis.

[5] Note that there is a third group included in non-adjusters in INADDS. People who arrive on a non-immigrant visa in one year, go home and then return on another non-immigrant visa or renew their original non-immigrant visa when it expires are classified as non-adjusters for the original visa date. They do not adjust status for that arrival date but they may later. The size of this group in any year is not known.

forecasts are used to predict demand from each non-immigrant visa category to each LPR visa category for different years into the foreseeable future. When applied to non-immigrant admission numbers in the most recent years, the prediction of the demand for specific LPR visas for the next five to ten years should be reasonable approximations of internal demand unless there are dramatic and unforeseen changes. As an example, the expected future LPR visa demand from non-immigrants who arrive in 2012 can be determined immediately by using the forecast of the rate of status adjustment from every non-immigrant visa category to every LPR visa category. There is no demand predicted from people outside of the United States but status adjustment demand now accounts for the majority of LPR visa demanders.

LPR visa demand in the future is forecast using an ARIMA (autoregressive integrated moving average) model, which is useful when the observations of a time series are related to each other. ARIMA models combine auto-regressive and moving average models and place emphasis on the recent past over years further in the past. This is important as more recent data contain all of the changes taking place globally as well as internally. As an example, while migrants from Mexico are historically important for visa demand, the trend appears to be away from strong demand from Mexico and the forecasts need to properly weigh these near term changes. Unit Root tests and Co-integration tests will be used to evaluate the appropriateness of this model and model adjustments may occur.