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Huge demand to live in U.S. part of illegal immigration problem

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WASHINGTON - While the national spotlight is focused on illegal immigration, millions of people enter the United States legally each year on both a temporary and permanent basis.

But the demand to immigrate to the United States far outweighs the number of people that immigration laws allow to move here legally. Wait times can be years, compounding the problem and reducing opportunities for many more who desperately want to come to the United States.

In 2009 alone, more than 1.1 million people, including nearly 21,000 living in Arizona, became legal permanent residents, according to the U.S. Department of Homeland Security's 2009 Yearbook of Immigration Statistics. The largest single group of new permanent residents nationwide, 15 percent, was born in Mexico. Six percent came from China and 5 percent came from the Philippines.

Also last year, nearly 744,000 immigrants, including about 12,400 Arizona residents, became naturalized U.S. citizens. The largest group, with 111,630 people, was from Mexico. The second largest group, with 52,889 people, came from India.

But those figures are eclipsed by the demand, which in part contributes to the problem of illegal immigration. Nearly 11 million immigrants are in the country illegally, according to estimates by the Department of Homeland Security. Earlier this year, there were an estimated 460,000 illegal immigrants in Arizona.

But since Gov. Jan Brewer signed Arizona's controversial new immigration bill in April, hundreds, if not thousands, of illegal immigrants have left the state. And many more are planning to flee before the law takes effect July 29.

Some are going back to Mexico. Many are going to other states, where anti-illegal-immigrant sentiment isn't so strong and where they think they will be less likely to be targeted by local authorities.

“Insufficient legal avenues for immigrants to enter the U.S. ... has significantly contributed to this current conundrum,” says a report by Leo Anchondo of Justice for Immigrants, which is pushing for Congress to pass comprehensive immigration reform.

Arizona's immigration law makes it a state crime to be in the country illegally. It states that an officer engaged in a lawful stop, detention or arrest shall, when practicable, ask about a person's legal status when reasonable suspicion exists that the person is in the U.S. illegally.

Temporary visas

Temporary visas allow people to enter the United States and stay for a limited amount of time before returning to their home countries. In 2009, about 163 million people came in this way. The biggest groups came from Mexico, Britain and Japan.

Among those who can obtain temporary visas: tourists; visitors on business trips; foreign journalists; diplomats and government representatives and their staffs; students and foreign-exchange visitors and their dependents; certain relatives of lawful permanent residents and U.S. citizens; religious workers; and internationally recognized athletes and entertainers.

Temporary visas also are used to bring in foreign workers when U.S. employers say they do not have enough qualified or interested U.S. workers. Among the categories: workers in specialty occupations, registered nurses to help fill a shortage and agricultural workers. Mexican and Canadian professionals also are granted temporary visas under the terms of the North American Free Trade Agreement.

Permanent residents

A lawful permanent resident has been granted authorization to live and work in the United States on a permanent basis. As proof of that status, a person is granted a permanent-resident card, better known as a "green card."

People petition to become permanent residents in several ways. Most are sponsored by a family member or employer in the United States.

Others may become permanent residents after being granted asylum status. In 2009, nearly 75,000 refugees were granted asylum from persecution in their home countries. Immediate relatives of U.S. citizens are given the highest immigration priority and are not subject to annual caps that apply to other categories of immigrants. Immediate relatives are defined as spouses, unmarried children under age 21 and parents.

Although there is no annual cap on the number of immediate relatives of U.S. citizens who can obtain green cards, there is a cap on the number of green cards for other relatives such as siblings and adult married children. That cap is about half a million people a year, according to the American Immigration Lawyers Association.

Employment-based immigration also is limited to 140,000 people a year, according to the lawyers association.

There also are limits based on a person's country of origin. Under U.S. immigration law, the total number of immigrant visas made available to natives of any single foreign nation shall not exceed 7 percent of the total number of visas issued. That limit can make it tough for immigrants from countries such as Mexico, where the number of people who want to come here greatly exceeds the number of people that the law allows.

The estimated wait time for family members to legally bring their relatives into the United States from Mexico ranges from six to 17 years, according to a May study by the non-profit, nonpartisan National Foundation for American Policy. It is nearly impossible for a Mexican, especially someone without a college degree or special skills, to immigrate to the United States legally without a family member or employer petitioning on his behalf.

The costs also can be high. A U.S. employer who wants to bring in an immigrant worker can expect to pay nearly \$6,000 in fees and legal expenses, according to the foundation. A U.S. citizen or legal permanent resident petitioning to bring a relative to the United States from another country must pay a \$355 filing fee for each relative who wants to immigrate, according to U.S. Citizenship and Immigration Services.

Naturalized citizens

In general, immigrants are eligible to become citizens if they are at least 18 and have lived in the United States as a lawful permanent resident for five years without leaving for trips of six months or longer.

An applicant for citizenship must be deemed to be of good moral character, which means in part that they must not have been convicted of a serious crime or been caught lying to gain immigration status.

Applicants must be able to pass a test demonstrating that they can read, write and speak basic English. They also must pass a basic test of U.S. history and government.

Immigrants become citizens when they take the oath of allegiance to the United States in a formal naturalization ceremony. The oath requires applicants to renounce foreign allegiances, support and defend the U.S. Constitution, and serve in the U.S. military when required to do so by law.

The time it takes to become naturalized varies by location and can take years. The U.S. Citizenship and Immigration Services agency is trying to improve the system and decrease the time to an average of six months.