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WHAT'S DAMPENING ILLEGAL IMMIGRATION?

by ILYAS LAKADA

For the first time in nearly two decades, the illegal immigrant population in the United States declined by nearly 900,000.¹ The Pew Hispanic Center, a nonpartisan research organization in Washington, D.C. which studies the illegal immigration population in the U.S., released its findings early this year. According to the report, the total illegal immigrant population in the U.S. dropped by eight percent, from approximately 12 million in 2007 to nearly 11.1 million in 2009.²

The United States Department of Homeland Security's (DHS) Office of Immigration Statistics estimated even fewer illegal immigrants in 2009 at 10.8 million.³ Annually, the Pew report found that during the period of March 2000 to March 2005, the number of illegal immigrants entering the U.S. was

about 850,000; between March 2007 and 2009, that number fell sharply to an estimated 300,000.⁴

“Not only do we see flows down, it’s a steady downward trend in the last four years,” said lead study author Jeffrey Passel.⁵ The DHS Office of Immigration Statistics reports that the overall annual average of illegal immigrant entry between 2000 and 2009 was 250,000.⁶ Both studies utilize the same statistical methodology to estimate and analyze the illegal immigration population in the U.S.⁷

While neither the Pew Hispanic Center nor DHS attempts to theorize on the particular causes of the decline, in an interview, Mr. Passel suggested that “expense, difficulty, and danger” are all contributory factors.⁸

THE GREAT RECESSION

“People don’t want to come now; they know the economy is bad,” said Braulio Gonzalez, a day laborer from Guatemala working outside of Los Angeles.⁹ In 2010, the National Bureau of Economic Research (NBER) concluded that the current recession took effect in Dec. 2007 and lasted for 18 months, ending in June 2009.¹⁰ During that time, gross domestic product (GDP) shrank by nearly four percent.¹¹ The unemployment rate hovered around nine percent, though it peaked at ten percent.¹²

As Mr. Gonzalez alluded, immigrants already in the U.S. are struggling, and as information of these conditions flows back home, some are dissuaded to come.¹³ In border towns near Mexico, a source of illegal immigrants, many migrant families were actually sending funds to relatives in the U.S. that were now unemployed.¹⁴

The root of the economic problems surfaced in the housing debacle, a leading source of low skilled jobs often filled by illegal immigrants.¹⁵ With less demand for new and existing housing, the demand for construction is not what it used to be, nor is the demand for physical labor.¹⁶ DHS Secretary Janet Napolitano pointed to the loss of construction jobs, which she considered a “prime draw” for illegal immigrants entering the U.S.¹⁷ In fact, the U.S. Bureau of Labor Statistics reported a nearly 17 percent unemployment rate in the

construction industry.¹⁸ With few employment prospects, immigrants are largely discouraged from entering the U.S.¹⁹

Giovanni Peri, an Associate Professor of Economics at the University of California, Davis, estimated that for every 100 jobs lost in the U.S., ten fewer immigrants enter the country (or ten leave).²⁰ The Migration Policy Institute of Washington, D.C. stated in a study that from 2001 to 2009, illegal immigration increased, except during the recession of 2001 to 2002 and the current economic downturn.²¹ Indeed, as the US economy shrinks, fewer illegal immigrants enter the country.²²

INCREASED ENFORCEMENT – A DETERRENT?

U.S. Immigration law states: “Any alien . . . in and admitted to the United States shall . . . be removed if the alien is . . . [i]nadmissible at time of entry. . . .”²³ The U.S. statute is very clear – any alien can be deported if he has entered the country illegally.²⁴ The Obama and Bush administrations both increased enforcement to deport illegal immigrants.²⁵ In October, Napolitano reported that nearly 400,000 illegal immigrants were deported to their native countries in 2009, 81,000 more than in 2008.²⁶ In addition, nearly 180 employers were fined \$50 million for hiring illegal immigrants.²⁷

For the period of 2002 to 2008, DHS bureaus charged with enforcing deportations saw their budgets double to \$14.5 billion.²⁸ Almost 17,000 border patrol agents are placed at the U.S.-Mexico border and DHS is hoping to hire 2,000 more.²⁹ It is plausible that immigrants once considered entering the U.S. only to face the prospect of being deported back are less likely to enter the U.S. illegally from the outset.³⁰

Mr. Passel, however, disagrees.³¹ “There are some studies ongoing in Mexico, collecting data from migrants,” he said. “Someone who sets out to get to the U.S. illegally, 95 percent of the time he does. Very few people get discouraged about being apprehended. Enforcement would work if it actually discouraged people from trying.”³²

VIOLENCE AT THE BORDER

“Fatal violence has been increasing [along the border],” Mr. Passel said, a component of the ‘dangerous aspect’ of illegal immigration decline.³³ In Aug. 2010, 72 bodies of migrants were found in a northern Mexican town.³⁴ Apolina Molina Vasquez, a frequent migrant traveler to Dallas, Tex., came illegally every year into the U.S. to work in a convenience store.³⁵ He was let go in 2009 because of the recession and has been unable to return since.³⁶

“There are too many stories of extortion, of kidnappings, and killings,” Molina said. “[Drug dealers] have changed things.”³⁷ Molina is not alone.³⁸ Many immigrants fear for their safety as the border towns have become rampant with drug dealers and gangs.³⁹ With a safe passage no longer viable, illegal immigrants from Mexico are now thinking twice before risking their lives.⁴⁰

CONCLUSION

The U.S. recession, increased enforcement by DHS, and violence along border towns all combined to cause a contraction in the rate of illegal immigration entry into the United States.⁴¹ Indeed, as Professor Peri says, these factors may “slow down the inflow and accelerate the return [to their native countries],”⁴² but still do not solve the overall issue of immigrants entering the country illegally.

NOTES

1 Julia Preston, *Number of Illegal Immigrants in U.S. Fell, Study Says*, N.Y. TIMES, Sep. 1, 2010, available at <http://www.nytimes.com/2010/09/02/us/02immig.html>; *U.S. Unauthorized Immigration Flows Are Down Sharply Since Mid-Decade*, Pew Hispanic Center, Sep. 1, 2010, available at <http://pewhispanic.org/files/reports/126.pdf>; Interview with Jeffrey S. Passel, Senior Demographer, Pew Hispanic Center, in Wash., D.C. (Nov. 15, 2010).

2 Preston, *supra* note 1.

3 *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2009*, U.S. Dept. of Homeland Sec., Jan. 2010, available at http://www.dhs.gov/xlibrary/assets/statistics/publications/ois_ill_pe_2009.pdf.

4 Miriam Jordan, *Illegal Immigration to U.S. Slows Sharply*, WALL ST. J., Sep. 1, 2010, http://online.wsj.com/article/SB10001424052748703882304575465742670985642.html?mod=googlenews_wsj; *Immigration Flows*, *supra* note 1.

5 Interview with Jeffrey S. Passel, *supra* note 1.

- 6 *Immigration Population*, *supra* note 3.
- 7 Jordan, *supra* note 4.
- 8 Interview with Jeffrey S. Passel, *supra* note 1.
- 9 *Id.*
- 10 John Ydstie, *Economic Pain Lingers Despite Recession's End*, NAT'L. PUB. RADIO, Sep. 20, 2010, available at <http://www.npr.org/templates/story/story.php?storyId=129998217&ps=rs>.
- 11 *Id.*
- 12 *Id.*
- 13 *Id.*
- 14 Marc Lacey, *Money Trickles North as Mexicans Help Relatives*, N.Y. TIMES, Nov. 16, 2009, available at http://www.nytimes.com/2009/11/16/world/americas/16mexico.html?_r=1&ref=us.
- 15 Ginger Thompson, *Fewer People Are Entering U.S. Illegally*, N.Y. TIMES, Oct. 3, 2008, at A17.
- 16 *Id.*
- 17 Mike Levine, *Napolitano: As Recession Deepens, Illegal Immigration From Mexico Declines*, FOXNEWS.COM, (Feb. 9, 2009), available at <http://www.foxnews.com/politics/2009/02/09/napolitano-recession-deepens-illegal-immigration-mexico-declines/>.
- 18 *The Employment Situation – September 2010, Table A-14*, U.S. BUREAU OF LABOR STATISTICS, Oct. 8, 2010, available at <http://www.bls.gov/news.release/pdf/empisit.pdf>.
- 19 Levine, *supra* note 17.
- 20 Giovanni Peri, *Immigration and The Economic Crisis: Does Recession Make a Difference?*, CONF. ON POPULATION, INTEGRATION, AND THE LAW, Mar. 30, 2010, available at <http://migration.ucdavis.edu/rs/files/2010/peri-immigration-economic-crisis.pdf>.
- 21 Levine, *supra* note 17.
- 22 *Id.*
- 23 Immigration and Nationality Act, 8 U.S.C. § 1227(a)(1).
- 24 *Id.*
- 25 Julia Preston, *Deportations From U.S. Hit a Record High*, N.Y. TIMES, Oct. 6, 2010, at A21, available at <http://www.nytimes.com/2010/10/07/us/07immig.html?scp=20&sq=&st=nyt>.
- 26 *Id.*
- 27 *Id.*
- 28 Kyung Jin Lee, *U.S. Deportations Double Over 10 Years*, MEDILL REPORTS, Feb. 23, 2010, available at <http://news.medill.northwestern.edu/chicago/news.aspx?id=157904>.
- 29 Levine, *supra* note 17.
- 30 Preston, *supra* note 26.
- 31 Interview with Jeffrey S. Passel, *supra* note 1.
- 32 *Id.*
- 33 *Id.*
- 34 Preston, *supra* note 1.
- 35 Dianne Solis, *Illegal Migrant Total Down Nearly 1 Million us U.S., Pew Report Says*, DALLAS MORNING NEWS, Sep. 2, 2010, available at http://www.dallasnews.com/sharedcontent/dws/news/nation/stories/DN-immigstudy_02met.ART.State.Edition2.3592668.html.
- 36 *Id.*
- 37 *Id.*
- 38 *Id.*
- 39 *Id.*
- 40 *Id.*
- 41 Interview with Jeffrey S. Passel, *supra* note 1.
- 42 Peri, *supra* note 20.