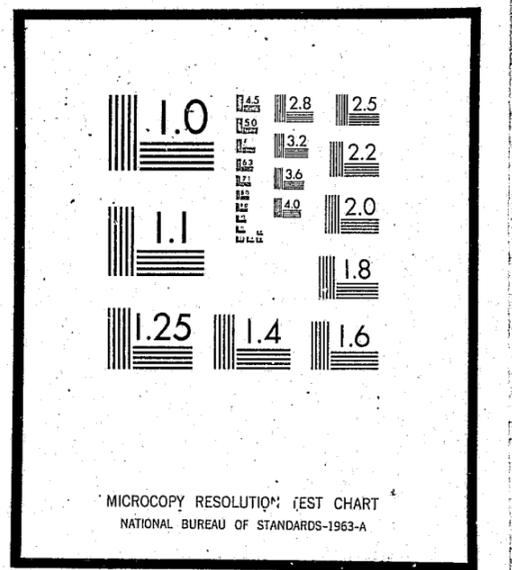


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DRAFT

ILLEGAL IMMIGRANTS

Final Report Outlining a Rationale for and a Preliminary Design of a Study of the Magnitude, Distribution, Flow, Characteristics and Impacts of Illegal Aliens in the United States.

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Dedicated to the Memory of

JOHN DELAPLAINE

(November 11, 1919 - January 27, 1975)

who died in the course of this work. Motivated by a warm compassion for human beings in trouble, John had an uncanny ability to utilize data systems and statistics in efforts to reach social goals. His contributions to this report were legion. We shall miss him.

ABSTRACT

This report outlines a rationale for and a preliminary design of a multi-phase study of the magnitude, distribution, flow, characteristics and impacts of illegal aliens currently in the United States. The present state of knowledge concerning each of those five aspects of this subject is indicated, and various methods of expanding knowledge in those areas are explored and evaluated. Six studies are specifically proposed: resident and industrial surveys, to determine the stock of illegals; methods for determining the flow of EWIs (by manipulation of border staffing patterns and use of sensor statistics), the flow of faulty document holders and that of visa abusers; and, lastly, a study of the characteristics of illegals. The issue of illegal aliens is considered within the context of immigration policies and practices; the roles, operations and inter-relations of relevant governmental agencies are sketched; and alternative domestic and foreign policies are briefly discussed. The report concludes with a series of outlines of studies of the impacts of illegals on various aspects of our society, and on themselves.

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## PREFACE

The work that the Law Enforcement Assistance Administration commissioned LMC Incorporated to do is the first phase of what presumably will be a multi-phase effort; the consultant was engaged to design a major study of the numbers, distribution, characteristics and impact of illegal aliens in the United States.

This report is not the result of that major study; it is a rationale for and a design of that study. One will find no estimates of the numbers of illegals currently in the nation; one will find an extensive discussion of techniques for securing those estimates.

The report's first chapter addresses the question "why count the illegals?" in a largely non-statistical overview of their role in the United States; some perspectives are suggested, apprehension totals are quoted, some of the alternative strategies are reviewed, as are some of the related policy considerations.

The next chapter deals with who is being counted, and includes a description of the components of the illegal alien population, a universe which has been created by the interplay between the activities of the illegals, on the one hand, and the operations of the U.S. immigration law on the other.

Then we turn to four related questions regarding the illegal aliens. How many are there? What are their characteristics? What are their movements, into, out of, and within the nation and what are their impacts on various aspects of society?

For each question we indicate what is known on the subject, review existing or potential data collection systems, explore various ways of expanding our knowledge in the area and, finally, we recommend an approach to securing the needed information. The detailed methodology for securing useful estimates, in each of these four areas, follows in a related volume, the study design.

It should be clear to those reading both the report and the study design that the consultant has been immersed in the knowledge and data systems of the Immigration and Naturalization Service (INS), and that without the constant assistance of numerous members of the INS staff, from Washington to Presidio and from Commissioner Chapman and Deputy Commissioner Greene to the newest recruit, the consultant would not have been able to complete this report. Other significant assistance was rendered by county and local officials along the U.S.-Mexico border, by Dr. Julian Samora of Notre Dame, by Luis Velarde of the Catholic Migration Service, by Deputy Mayor Manuel Aragon of Los Angeles, by Dr. Howard Rosen and Ellen Sehgal of the Department of Labor, by Edward C. Scott of the Department of Justice, by Dr. William Weissert of TransCentury

Corporation, by Roy S. Bryce-LaPorte of the Research Institute on Immigration and Ethnic Studies of the Smithsonian Institution, and by LEAA's technical representative, Ms. Jan Trueworthy. Finally, a word of acknowledgement and thanks must be said for those illegals, both captured and free, who patiently answered our many questions. The approaches, viewpoints, suggestions -- and errors, however, are all our own.

## CHAPTER I: OVERVIEW

Before dealing with alternative methodologies for measuring numbers of and impacts of illegal aliens, it is useful to step back for a moment, and look at a broader picture. Why should we try to count the uncountable? Why has there been so much interest expressed recently in the existence of illegal aliens? The answers will be far more complicated than the questions because the illegals present to the nation, and to themselves, a series of complex problems, in the realms of American demography and economics, diplomacy and law enforcement, culture and ethics, and in many other fields.

### The Numbers

The prime reason for the increasing interest in the presence of the illegals has been two simultaneous trends, one of which is easier to quantify than the other:

- the declining economy and the increasing unemployment, and
- the increasing numbers of illegal aliens.

Although, as promised earlier, we do not intend to offer an estimate on the total number of illegal aliens in the nation, it is clear from a variety of independent sources that the volume of illegal immigration is rising. The significance and the costs and/or benefits of this phenomenon may be subject to debate, and the size of the phenomenon can be argued, but the rapid increase in the numbers is undeniable.

The most commonly quoted numbers are those of the apprehensions of illegals made by INS. Figure 1 shows not only that the numbers of illegals are increasing rapidly, to a level of almost 800,000 during FY' 74, but that this increase has taken place despite only minimal growth in the size of the force guarding the border. Since most apprehensions are made by the Border Patrol, INS' uniformed police force, we have compared the staffing of that unit with the number of illegals in terms of percentage changes since 1964. (INS total staffing follows roughly the modest growth rate noted for the Border Patrol on this chart.)

Given an increase in Border Patrol Staff of 21% over the decade, and the nine-fold increase in apprehensions, it is evident that the latter figure measures something in addition to the increasing effectiveness of INS.

There is another set of data, as yet unpublished, which suggests that the rapidly increasing INS apprehensions do, in fact, reflect a growth in the number of illegals. There are the work-load figures collected by those who help, or try to help, illegals secure legal status.

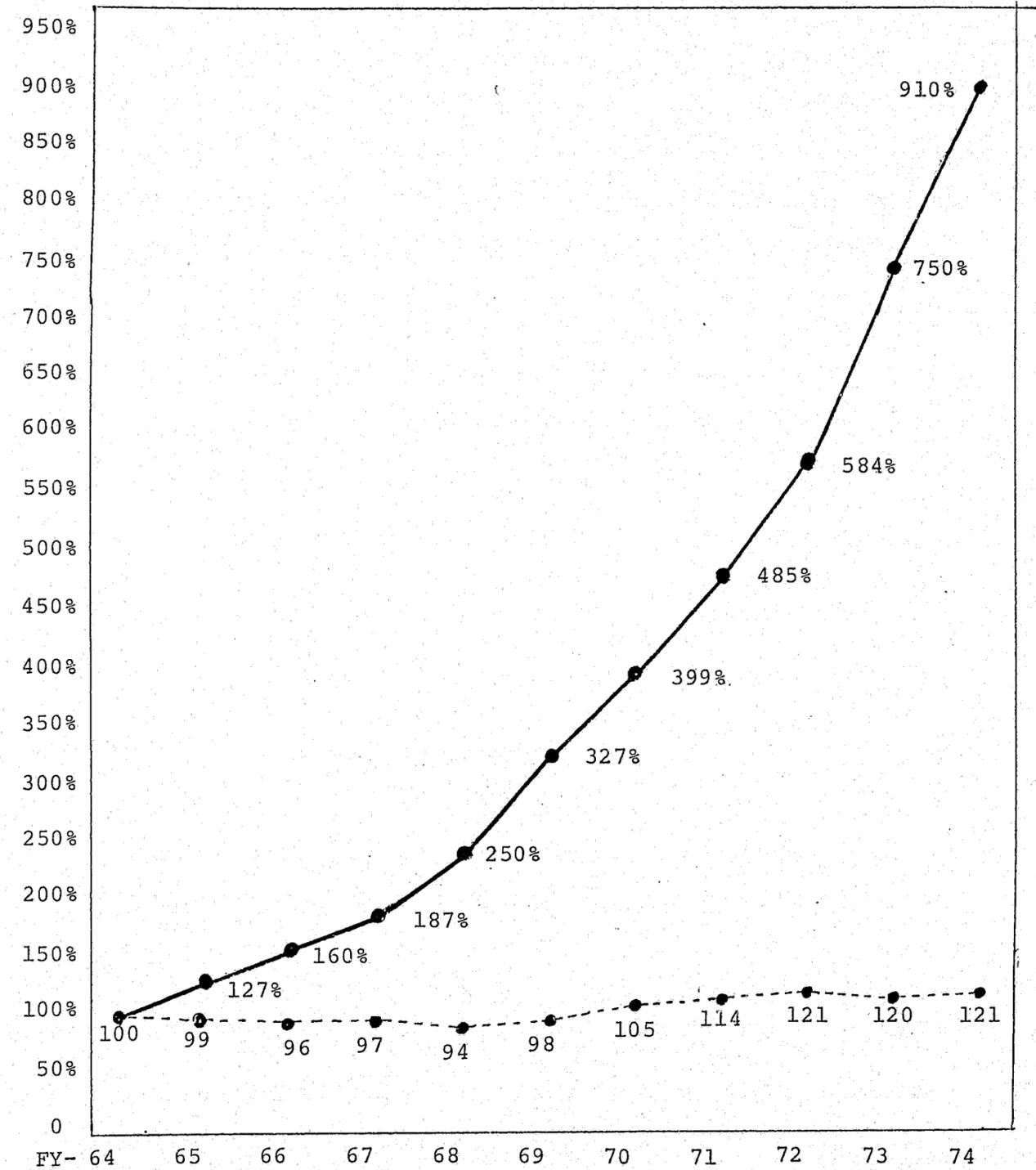
There are three useful indicators:

- workload data of immigrant-serving agencies;
- caseload data of lawyers specializing in immigration law (most of which involves attempts to legalize the status of illegals);
- numbers of lawyers who spend most of their time practicing immigration law.

Our plans to make use of this data are outlined in Chapter III.

Figure 1  
 Changes in Apprehensions of Illegal Aliens  
 and Border Patrol Staffing, 1964 - 1974

(Percentage Change: 1964=100%)



————— Number of deportable aliens located by INS (which rose from 86,597 in FY'64 to 788,145 in FY'74) Source: INS Annual Reports, Table 23.

----- Average Border Patrol staff on duty (which was 1,372 in FY'64 and 1,665 in FY'74) Source: Unpublished INS reports.

## The Impacts

The mere increase in numbers, noted above, would have suggested no problems a hundred years ago, when ours was a half-empty half-continent; a booming frontier economy could absorb all comers. The increasing numbers are perceived as significant now because they come when the era of open frontiers has passed.

Although this subject is covered more thoroughly in Chapter VI, it is useful to outline here some of the kinds of impacts of illegal aliens being currently discussed.

Perhaps the principal impact is that on the labor market. INS has suggested that a million jobs for citizens and resident aliens could be opened immediately, and at little cost, by replacing the illegals now holding them.

Organized labor regards the illegals as a threat, both because the presence of illegals tends to increase the labor supply (thereby relieving upward pressure on wages) and because illegal aliens are reportedly less likely to demand their rights, less likely to join unions. One labor economist, after studying the phenomenon in the Northeast, suggests the danger of eventually creating an underground labor market, where exploitation of illegals and others in the secondary labor market, will become rife.\*

\* Michael J. Piore, "The 'New Immigration' and the Presumptions of Social Policy," paper presented at the Industrial Relations Research Association, 29 December 1974.

On the other side of the coin are those who say that no Americans want the jobs in question, and that the illegals' employers (and by implication the nation's economy) are therefore benefited by the presence of the illegals in the labor market.

"Best estimates," to quote Piore," imply that the population of illegal aliens is already one-third of the black population, and three quarters of the black labor force and that this population has grown from almost nothing ten years ago."\*

Whether these "best estimates" are good ones or not, it is clear that the illegals (who generally come seeking employment and who often come alone) have a proportionately high rate of participation in the labor market, where they are competing with the disadvantaged in the labor market: women, blacks, Chicanos, other (legal) immigrants, youth and the handicapped. It has thus been argued that the illegals are adversely affecting those members of the work force who can least afford it.

There are discussions (all too often conducted with little more than anecdotal evidence) of other kinds of impacts caused by the presence of the illegals -- the illegals are said to have a series of impacts; some favorable, some adverse, on just about every phase of American life. A few of their recently discussed putative effects include these:

\* Ibid, p. 13

- Law enforcement. In terms of crime, a Los Angeles Police Department report contends that there is a correlation between the presence of illegals and the incidence of certain kinds of crime.\*

Taking another tack, others have argued that the existence of an unevenly enforced law (such as the ban of illegal aliens or the prohibition of alcohol) leads to corruption, and to an erosion of respect for laws.

- Balance of payments. Apprehended illegals usually report that they have been sending money orders back to their relatives; although the volume of such payments is not known for the illegals, similar movements of money from European guest workers is counted in the billions of dollars.

On the other hand, it has been argued that money sent home by illegals is probably making a more beneficial impact on the rural economy of the Dominican Republic, for instance, than several times as much money spent there by AID.

- Population. To the extent that they settle in the United States, illegals continually add to our population; to the extent that they simply stay for a while, they temporarily affect the total population.

The other side of this question is the positive effect on the sending nation's population of the presence of the illegals in the United States. Assuming that the sending nation is a crowded one, not only is the illegal not in the country of his birth, his presence in the United States may have a dampening effect on the birth rate of his home land.

- Costs to government. Illegals are said to be receiving public-financed goods and services, in connection with health, welfare and education programs; some argue that the presence of illegals drives American citizens to the welfare rolls.

\* Los Angeles Police Department, "Study of Impact of Illegal Aliens on Crime in L.A.: Ramparts Division Case Study," Los Angeles, Ca., September 1974.

Further, they are said to be paying less than their fair share of federal and state income taxes. On the other hand, an argument can be made that the illegals are, on balance, making a positive contribution to the finances of the Social Security Administration.

- Impact on the illegals. While the previous impacts described are on nations, or systems, or other people, the process of illegal immigration takes its toll of illegals, who are playing a high-risk, relatively low-return lottery. The occasional rewards (a well-paid, union-protected job in a northern city) have been somewhat more thoroughly discussed than the humiliations and the very real physical dangers.)\*

### Three Perspectives

It is useful to bring to bear three perspectives on America's current experience with illegal aliens, those of resource utilization, of our own past immigration policies, and a comparison of our immigration policies with those of other industrial nations.

In terms of resources, this nation, and the world, not only face dwindling resources they also face the choices posed by an increasing awareness of that unpalatable fact. We have known, for some time, that the frontier is no longer open; the question is now much closer to home, and it could be phrased "is the gasoline station on the corner open?" An immigration and population policy based on the once apparently limitless resources of this nation may no longer be pertinent in a time of perceived scarcity.

\* For a chilling view of the physical dangers (some illegals die on their way into the country) and the minimal rewards, see Julian Samora, Los Mojados: The Wetback Story (Notre Dame: University of Norte Dame Press, 1971), Chapters V and VIII.

In terms of our own history, America's current legal immigration (which is held to some 400,000 a year) is relatively limited, compared to our acceptance of many more people sixty and seventy years ago, when ours was a much smaller country. The 400,000 annually arriving in a nation of more than 200,000,000 can be compared to the million arrivals in 1905, when there were only 80,000,000 of us. Although our formal immigration policy is restrictive, and tends to produce a group of immigrants whose collective educational level is about that of the American populace, our informal tolerance of large flows of illegal aliens produces a group of immigrants whose numbers and whose educational achievement levels are (it appears) much closer to the norms of the turn of the century than to those of the current cohorts of legal immigrants.

It is interesting to note that current discussions of the rise of illegal aliens almost never refer to "Operation Wetback," the Eisenhower Administration's reaction to a similar problem a generation ago. (Perhaps being reminded of that activity serves no one's vested interest; perhaps we, collectively, have short memories.)

Following substantial media attention to the floods of illegals, then largely in the Southwest and almost exclusively in agriculture, the new Attorney General, Herbert Brownell, made an inspection trip to that area. He apparently was shaken by what he saw, particularly the living conditions of the illegals, and resolved to do something about it.

One of the President's West Point classmates, General J.M. Swing, was appointed Commissioner of the Immigration Service; he assembled several kinds of resources:

- sufficient men and money,
- a trade-off for the agricultural employers and the Mexican government, and
- a determination to obey his orders to "clean up the border."

During Operation Wetback, in fiscal years 1953 and 1954, the Immigration Service apprehensions went to previously unrecorded heights, which INS appears to be nearing again. In 1953 there were 1,885,587 apprehensions, and in 1954, there were 1,075,165 of them.

While this vigorous law enforcement was afoot (and there were complaints that some U.S. citizens of Mexican descent were swept along with the tide, particularly small children) the Government was also wielding a carrot. This was the bracero program, which offered agricultural employers an opportunity to secure, legally, low-wage Mexican workers; it gave the Mexican workers somewhat better conditions than available to the illegals, and it created a program that was both profitable and politically acceptable to the Mexican Government.

Following this combination of law enforcement on the one hand, and the provision of the bracero program on the other, the flow of illegals diminished, with only 72,442 of them being apprehended in 1956, and 44,451 in 1957.\* The bracero program was cut back in the early 1960s, and phased out during 1965 through 1967 (it was available only to California growers during these years, and then for only a few months each year.) Following the end of the bracero program, the pressure on the border rose; more and more illegals have been caught in every subsequent year.

Internationally speaking, the United States is not the only nation of temperate climate to import workers from warmer climates. (This may be a fluke of geography, and some Canadians working in the United States are moving in the opposite direction, but most migratory work forces start in places like Mexico, Spain, Turkey or Central Africa and leave home to work in places like the United States, Germany, and the Union of South Africa. All of this may well relate to the continuing grip on the economy held by Western Europeans and their descendents.)

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\* We are not advocating a resumption of the bracero program, but the episode described above is an important part of the background to today's illegal immigration.

What is different about this movement into the United States, is that the Government's posture is mixed and fuzzy; INS has its assignment, but there is little interest on the part of other governmental agencies (except the Labor Department) and minimal resources are allocated to the INS operation. In most European countries, however, the situation (at least from this distance) seems to be rather more clear. There is a place for nonimmigrant workers; they are expected to take the lesser jobs in society, and some (usually minimal) arrangements are made to supervise their presence and their working conditions. These nations generally separate the question of which foreigners can immigrate from the question of which foreigners can work. With some minor exceptions we do not make this distinction.

The United States government, then, is in the position of trying, but not trying terribly hard, to eliminate a phenomenon that is regulated in Western Europe.

There is, incidentally, a total lack of reciprocity in our immigration - emigration relationships. It is relatively easy for an American, with some skills, to be admitted into Canada, but we are much less likely to admit (legally) a Canadian. On the other hand, the Mexican government makes it extremely difficult for an American to secure immigrant status (particularly if he wants to work), while Mexico, with 71,586 admissions in FY '74, was the leading supplier of immigrants to the United States.

Given this background, we will turn to the relationships between some of the nation's goals and illegal immigration, and the built-in conflicts among some of these goals.

#### National Goals

The nation has a number of goals and we will not try to relate all of them to illegal immigration. Stated somewhat simply, the following objectives seem to have a bearing on the problem:

- A. Maintain amicable relations with other governments.
- B. Make America attractive and accessible to foreign visitors.
- C. Enable improvement of the quality of life for the residents of this nation by restricting growth.
- D. Maximize production of goods and services.
- E. Seek an equitable distribution of wealth within the U.S.
- F. Maintain an even-handed, predictable law enforcement system.
- G. Keep federal spending within manageable limits.

As stated, all of these goals seem to be straightforward and reasonable. But very real conflicts are generated when these general aims are applied to specific issues, in this case to illegal aliens. The last two, for example; on the one hand, the lack of resources to staff INS adequately or to remove illegals once located makes enforcement of the ban on illegal aliens spasmodic and unpredictable, particularly outside the

Southwest; hence Goal F is not being attained. On the other hand, however, any major allocation of resources to that activity runs counter to Goal G, unless some other spending can be eliminated elsewhere in the government.

Similarly, Goals A and B conflict with Goal C to some extent. Nations which are, in effect, exporting unemployment (and perhaps sources of internal unrest as well) and importing dollars are not likely to be very happy with this Government, should those flows be reversed. Similarly, tight controls on issuances of nonimmigrant visas would be one way to limit one kind of illegal immigration; namely, that caused by those who overstay or otherwise violate the conditions of their visas ("visa abusers" hereafter). Such controls would run counter to Goal B.

Goal C calls for improving life, for those now here, by restricting growth. Whether this is a good idea or not, or how vigorously it ought to be pursued, can be argued. But the pursuit of such a goal, through a restrictive immigration and population policy, obviously runs counter to internationally oriented Goals A and B. Similarly, a restriction on growth would not only conserve natural resources, it would also cut back the labor force; all directly contravene the American tradition of progressivism, the assumption that growth is good, which is Goal D.

Clearly some of these goals must be subordinated to others and, to some extent, balances and compromises can be made; but to a very real extent, there are inevitable cross-currents, which will lead to continuing conflict in this area. (And we have not

even mentioned the tensions that arise between a law enforcement unit, such as INS, and the civil libertarians, nor the feelings of members of ethnic groups who identify with the apprehended illegal as a countryman in trouble or a victim of the system, and do not identify with the law that classifies him as illegal.)

These goal conflicts are root causes of society's, and therefore the Government's, fuzziness on the issue of illegal aliens.

One policy area deserves further attention, as part of this overview of the illegal alien situation: the question of population and immigration policy.

Illegal aliens represent an important, and unmeasured, variable in the population equation. At a time when the birth rate has fallen below the replacement rate and when legal immigration has stabilized at about 400,000 a year, the nation may be facing a situation in which the major potential source of additional people will be illegal immigrants.

It is useful to realize that the United States, has in fact, evolved a de facto three-class immigration policy. We have:

Class I: The Settlers. These are the legal immigrants, able to live and work where they choose. More formally, these are the permanent resident aliens, the holders of "green cards"; in the old days all of our immigrants fell into this class.

Class II: The Provisionals. These are students, exchange scholars, temporary workers and others who can come here for a limited time and for a limited purpose. More formally, these are among the various classes of nonimmigrants. There are more admissions, annually, in this class than in the first class; many of the provisionals seek and obtain conversion (adjustment is the Government's word) to immigrant status; others drop into Class III.

Class III: The Illegals. With no rights at all, generally seeking little more than an opportunity to work, the illegals are growing in numbers. Many are caught, some stay illegally for years, some make the transition to Class I, generally through marriage or the birth of a child.

With a falling birth rate, resulting from spreading acceptance of various birth-control methods and with the country-of-origin quotas removed from the immigration laws, the principal unresolved question in the field of immigration and population policy is that of the illegals.

#### Alternative Strategies

Given the variety of goals, it is only logical that a series of alternative, and often conflicting, strategies for dealing with the illegal alien situation has been proposed. They may be summarized roughly as follows:

Restrictive strategies:

- Turn off the magnet of attractive jobs;
- Secure the borders and the ports of entry;
- Lure the illegals back home;
- Punish the illegals.

Semi-restrictive strategies:

- Create more nonimmigrant visas for foreign workers;
- Work out an apprenticeship status for some would-be immigrants;
- Amnesty for some resident illegals.

Non-restrictive strategies:

- Amnesty for a major group of illegals;
- Open borders, generally.

To some extent these strategies can be combined with one another and with various adjustments in the immigration law per se.

The first and second restrictive strategies are the ones under wide discussion at the moment. HR 982, the Rodino bill, is designed to discourage employers from hiring illegals, a practice not now unlawful. Various techniques for securing the borders, generally revolving around more funds for INS and stricter controls for issuance of nonimmigrant visas, have also received some public attention.

The other two restrictive strategies are more obscure. In terms of luring illegals back home, or discouraging their departure in the first place, use could be made of either the AID or the Social Security mechanisms (however, both of these tactics strike us as unlikely.) AID could be encouraged to spend its money, in a given nation that exports illegals, so as to better the life of the rural poor, rather than to (for instance) support the regime in power.

Or perhaps, for a limited number of illegals who have been here for a number of years, and who have piled up social security credits, but who have not secured legal status, an early retirement system could be arranged.

Penalizing the illegals runs counter to the American grain; it smacks of kicking the underdog while he's down, and it is also (apparently) too expensive for the Government to consider. Very few illegals are deported (a formal administrative procedure conducted by INS), much less jailed. The detention centers for the illegals, in Texas and California, are little more than holding centers while the illegals are being processed. On occasion, if a substantial amount of cash is involved, the Internal Revenue Service will send around an agent to collect some of it as payment towards the income tax, but this is distinctly the exception, not the rule.

There used to be a boat, apparently a not-very-attractive tub of an ex-troop ship, which used to take illegals back to

Mexico, running from Brownsville to Vera Cruz. The trip was long, the weather was usually hot, and most of the passengers had never been to sea before; once they arrived in Vera Cruz they were a long way from the border. The objective was to discourage the illegals from trying again, a punitive strategy. Some drownings occurred and the ship was not used again.

The first of the semi-restrictive strategies is currently in effect on a very limited basis. There is a provision in the current immigration law for the importation of temporary workers, to be admitted on a nonimmigrant basis. Three kinds of visas are available:

- H (1) For temporary workers of "distinguished merit and ability"
- H (2) For other temporary workers
- H (3) Industrial trainees.

H (1) visas are issued to outstanding actors, singers, athletes and academicians; they are outside the purview of this paper; H (2) visas are issued to workers whose skills are in short supply. Some 37,343 were issued in FY '73, with the two largest groups being farmworkers from the Caribbean and woods workers from Canada. The H (2) visas were issued to braceros in the years 1965 through 1967, and a resumption of such a program is reportedly being sought by the Mexican government.

The other semi-restrictive strategies are currently also in limited effect. The notion that a would-be immigrant, without either the skills or the relatives needed (the so-called

"equities" of the immigration law) may become a legal resident of the United States by engaging in public service is a little known facet of the law. More specifically, an alien (even if here illegally) can join the armed forces and immediately apply for citizenship, skipping the usual interim process of permanent resident alien status. Such an act of public service might be re-defined to include other, civilian, tasks and might be rewarded with permanent resident alien status, rather than citizenship.

Currently INS has, and uses, administrative discretion to allow settled illegals of long standing (with no criminal record) to adjust to legal status.

The non-restrictive strategies call for amnesty for a major group of illegals (those who have been here for three years would be covered by Senator Kennedy's proposed changes, S.3827, in the immigration legislation.) Such amnesties have been issued in the past, and have taken care of a backlog of problems; but, the argument runs that it creates a precedent for more illegal immigration, which will bring about another amnesty act. Nevertheless, such a program would have the immediate effect of relieving the anxiety of those so covered, and would (presumably) give them more clout in the labor market.

As to the open border, this is the objective of CASA, a Mexican-American group which publishes the most pro-illegal alien publication in the country, Sin Fronteras, whose subtitle is "America, a Continent, not a Nation." As CASA points out, this

is the way it used to be; until the twenties there was virtually nothing in the way of border formalities, much less bars to immigration. And it was not until mid-1968 that any numerical limitation was placed on Mexican immigration.

#### Management Considerations

Anyone reviewing the flow of people across our borders is soon struck by two anomalies:

- There are a lot of agencies involved, and
- The gate keepers look different from those they are regulating.

Without going into all the maneuvers involved, the American immigration process usually involves securing a visa from the State Department, sometimes an approved petition from the Justice Department (INS), clearance by the Labor Department in the minority of cases requiring a labor certification, inspection on one's first appearance by INS, and checks, on subsequent visits, by someone from either INS or by the Treasury Department (Customs). If you happen to be crossing the border illegally, you may be picked up by the Customs border guards or by the INS Border Patrol, two forces, armed with both guns and two-way radios (set to different frequencies), which prowl the night.

Most industrial countries arrange to have visas issued by, and visa carriers inspected by, officers of a single service. There would be a certain intrinsic logic to such an arrangement,

though it would mean a loss of function for either the State Department (where visa issuance is not a highly regarded occupation anyway) or the Department of Justice.

This point is particularly germane to one-stop inspection, the OMB-selected method of port-of-entry inspection, which generally puts the first line of inspection in the charge of the Customs Service and relegates the more difficult cases, as determined by these primary inspectors, to a smaller task force of immigration officials. Since INS personnel are more likely to speak better Spanish (it is a must in the Service) and more likely to recognize forged INS documents, this allocation of responsibilities unwittingly aids the flow of illegals through the ports.\* Presumably, on the other hand, Customs officials may be better able to detect marijuana.

Speaking of the linguistic talents of the border guards brings up a final point: all the forces along the U.S.-Mexico border tend to be manned (the word is deliberate) by high proportions of tall, fair, male, native English-speakers. They tend to be dealing with a clientele which is shorter, darker, more likely to be native Spanish-speakers, and of either sex. Although the Government is reaching out for more Chicano employees,

\* For a fee, a Tijuana-based coyote (smuggler) will guide an illegal bearing fraudulent documentation to one of the vehicular check-points manned by one of the less knowledgeable inspectors; a dubious distinction, according to INS staffers, normally won by a Customs man. The Subcommittee on Legal and Monetary Affairs of the House Committee on Government Operations has held extensive hearings on the border and port-of-entry assignments of INS and Customs.

the full success of those efforts is not yet evident. And though we know that there are INS investigators who are female, the male-female apprehension ratios suggest that the same chivalry factor which keeps women out of America's jails is operating to keep them from being forced to return to their homelands.

## CHAPTER II. WHO ARE THE ILLEGALS?

Illegal aliens are illegal aliens because of an interaction between the individual foreigner and the laws and regulations of the United States. Although the occurrence of growing numbers of illegals is clear, there is an element of definition which must be recognized; a single alien, for instance, could be a legal nonimmigrant when he got out of bed in the morning, become an illegal when he goes to work for the first time later that morning, and then be converted to permanent resident alien status (by INS action) that afternoon. Unlikely, but possible.

In this chapter we will review the immigration law (and regulations) as they relate to illegals, then discuss the various classes of illegals, describe what can happen to illegals in terms of their relation to the system, and then explore the question of a priority system for requiring the departure of illegals.

### The Immigration System

Aliens come to the United States for different reasons, and there are a variety of screening processes used by the Government to sort out those to be admitted and those to be barred. This is a complicated situation, and illegals can be found in every nook and cranny of the system. Some basic definitions are needed.

Foreigners entering the nation legally can be divided into two classes, immigrants and nonimmigrants.

There are roughly 400,000 immigrants arriving annually (a gross figure from which a reverse flow of 100,000 or so should probably be subtracted, but rarely is). A substantial proportion of these legally admitted immigrants are, as Portes has pointed out, the most successful of the former illegals, a subject to which we will return later.\*

In its broadest terms, the current immigration system is designed to meet three goals:

- facilitate the unification of families;
- allow the admissions of some workers with needed skills; and
- permit the arrival of a relatively small number of carefully defined refugees.

These three considerations, of family reunion, particularly, and, to a lesser extent, concern for the admission of skilled workers and refugees, had played roles in the nation's previous immigration laws; but until 1965 they had been overshadowed by the strongly ethnocentric country quota system. The system was openly and frankly designed to encourage immigration from Northern and Western Europe, and to discourage immigration from the rest of the Old World.

All immigrants, under the current system, are divided into two basic classes; the larger group is subject to the numerical limitations set forth in the 1965 amendments; the smaller group is

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\* Alejandro Portes, "Return of the Wetback," Society, April/May 1974, p. 40.

not subject to them. In FY 1974 the United States admitted 274,131 in the former category, and 120,730 (mostly immediate relatives of U.S. citizens) in the latter. The figures for FY 1974 are fairly representative since the new immigration law, except for 1968, when an exceptional number of Cuban refugees were admitted.

The immigrants admitted under the numerical limitations are again divided into two groups: 170,000 admissions are set aside for the Eastern hemisphere; 120,000 for the Western hemisphere. Within the Eastern hemisphere limitations, there is an eight-step preference system, which gives priority to certain kinds of relatives over others, and gives professional workers and their families (third preference) a higher rating than other needed workers and their families (sixth preference). Currently, the 170,000 limit and the preference system within it are working well: the demands for these admissions and the supply of openings are about balanced; the backlogs are scattered and specialized, as the Abrams have pointed out in the current issue of The Public Interest.\*

On the other hand, the system is not working the same way in the Western hemisphere, where there is no preference system, and a two-and-a-half year wait for immigrant visas. The lack of a preference system means that the unemployed male, whose wife had some years previously secured a labor certification to become a domestic servant, goes ahead of the physician on the list if the former filed his application before the latter.

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\* This is a turn-the-other cheek footnote; the Abrams quote extensively from two of our previous reports but cite neither of them. See Elliott Abrams and Franklin S. Abrams, "Immigration Policy-- Who Gets in and Why?" The Public Interest, Winter 1975, p. 16.

The two-and-a-half year wait for immigrant visas in the West, and the lack of such waits in the East, is at least a partial explanation for the apparent fact that illegal aliens are largely a Western Hemisphere phenomenon. There is also the major factor of geography -- the nearness of the places which supply the illegals, and particularly, the long land border with Mexico.

Most foreigners who come to the United States do not do so as immigrants, however, they arrive as nonimmigrants. In FY '74, for instance, there were 6,908,708 admissions of nonimmigrants -- a total that does not include Mexican nationals entering with border cards, or Canadians crossing the northern border.

One can secure a nonimmigrant visa for a variety of reasons. There are visas for diplomats, for students, for foreign journalists, for visitors, for treaty traders, and for members of their families. The visas are for a specific period of time, and for a specific purpose (such as studying, working for an international organization and the like). There are limitations on many of the visas in terms of employment; a visitor or a student's spouse, for instance, may not work; on the other hand, for instance, a spouse of an exchange alien may work.

One of the principal sources of illegals are those who, in one way or another, are misusing their visas, a subject to which we will return later.

#### Classes of Illegals

The popular image of an illegal is of a young, Mexican male who waded the Rio Grande, the classic "wetback" of old. Although

there are still plenty of people in this category, the population is more diversified than it used to be; there appear to be more women, more non-Mexicans, more people who are misusing their visas, and more illegals in the East and Middle West than formerly. For the sake of simplicity, we classify illegals in three categories:

- those who arrive surreptitiously or enter without inspection (EWI), the INS term,
- those who enter with faulty documentation, and
- the visa abusers.

The EWIs, typically, cross the Mexican border, do so on foot, and are Mexican nationals; but these are not the only routes, techniques or nationalities involved. Some people land on American shores from boats, more rarely someone is smuggled in by plane. Sometimes it is the Canadian border that is crossed. Non-Canadians are among those entering from Canada, and there is a substantial movement of Central Americans over the Mexican border, particularly near San Diego.

The predominance of EWIs among the illegals caught in FY '74 (roughly 88% identified themselves as EWIs when apprehended) and the predominance of Mexicans among this group can be seen in Table 1 which will be published in the forthcoming FY '74 INS Annual Report.

The largest single portion of the EWI traffic over the U.S.-Mexico border apparently is in the Border Patrol's 65-mile-long Chula Vista Sector, between Juarez and San Diego. The second

TABLE 1  
DEPORTABLE ALIENS LOCATED BY STATUS AT ENTRY AND NATIONALITY  
YEAR ENDED JUNE 30, 1974

Nationality	Number located	Status at entry										
		Agricultural worker	Visitor	Student	D-1 Crewman		D-2 Crewman		Immigrant	Stowaway	Entry without inspection	Other
					Non-willful violator	Willful violator	Non-willful violator	Willful violator				
All countries .....	788,145	726	55,485	8,132	7,994	4,407	130	156	3,727	318	693,084	13,986
Europe .....	15,031	43	6,884	870	2,920	2,401	61	49	140	13	563	1,087
Greece .....	4,619	4	783	136	1,500	1,722	30	30	14	4	93	303
Italy .....	1,570	2	953	81	194	80	1	3	17	1	102	136
Scandinavia 1/ .....	825	-	235	50	434	34	12	2	3	-	8	47
Spain .....	870	28	330	40	128	243	1	4	2	-	19	75
United Kingdom .....	2,334	8	1,361	234	329	99	6	3	22	-	83	189
Yugoslavia .....	757	-	493	37	33	90	1	5	4	-	54	40
Other Europe .....	4,056	1	2,729	292	302	133	10	2	78	8	204	297
Asia .....	14,633	9	4,602	3,575	3,115	1,451	10	27	144	10	147	1,543
China .....	4,204	1	822	592	1,256	1,133	6	15	34	5	107	233
Philippines .....	2,804	6	1,443	405	211	66	3	7	59	3	6	595
Other Asia .....	7,625	2	2,337	2,578	1,648	252	1	5	51	2	34	715
North America .....	729,564	166	28,748	953	248	146	16	35	3,149	110	686,266	9,727
Canada .....	9,362	6	4,707	127	19	6	2	1	129	-	3,763	602
Mexico .....	709,959	12	17,817	316	25	10	5	-	2,927	5	681,100	7,742
Cuba .....	1,130	.1	631	25	-	4	-	-	13	12	342	102
Dominican Republic .....	3,601	5	2,386	182	35	46	-	1	41	50	721	134
British West Indies and Belize .....	5,512	142	3,207	303	169	80	9	33	39	43	340	1,147
Other Western Hemisphere .....	24,705	506	13,428	1,540	981	267	41	40	283	175	6,078	1,366
Other nationalities .....	4,212	2	1,823	1,194	730	142	2	5	11	10	30	263

1/ Denmark, Norway, Sweden, and Iceland.

busiest Sector is at El Paso; these two, essentially urban segments produce more than half of the EWI traffic. The map, which follows shows the flows of EWIs across the various sections of this border.

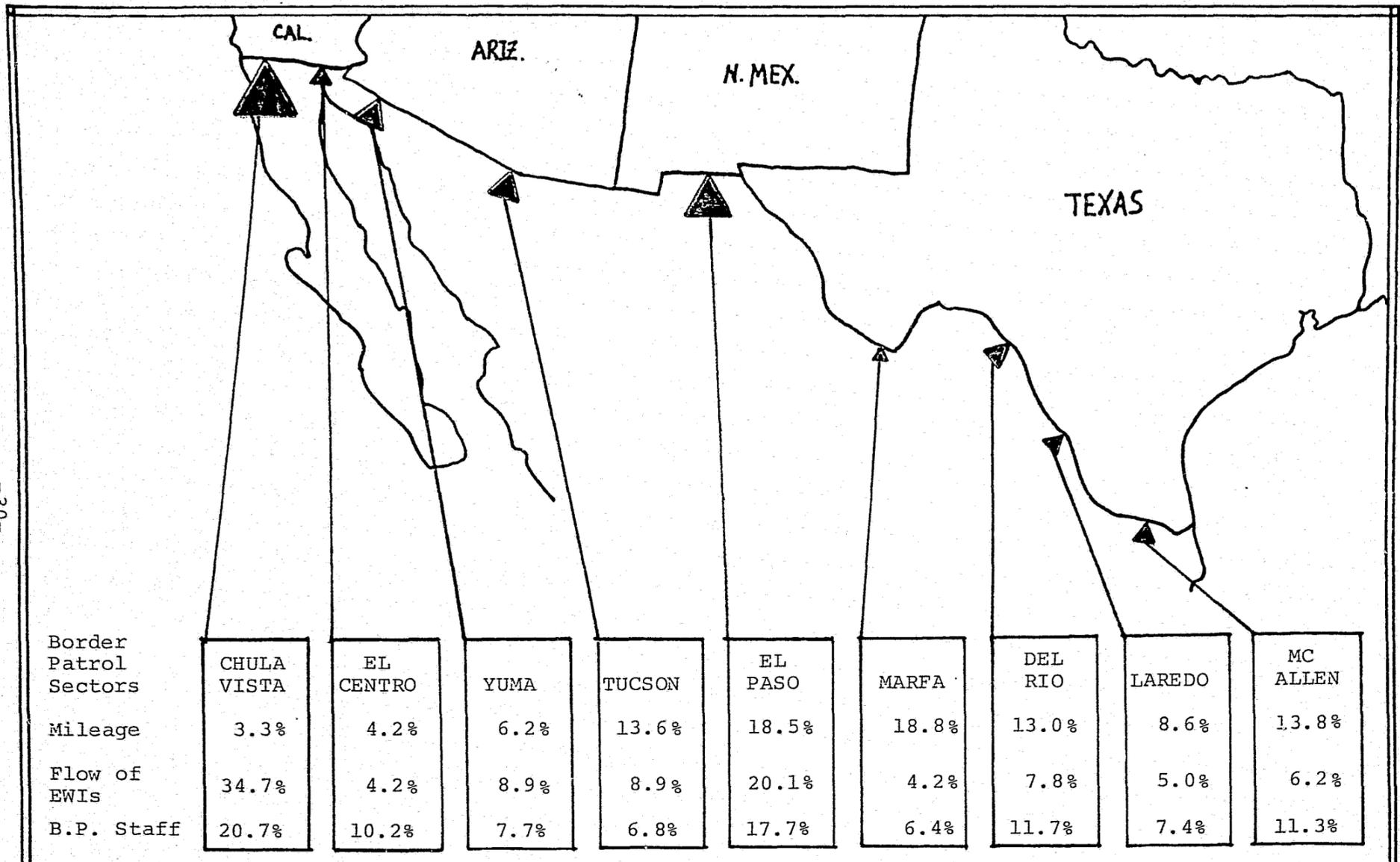
It should be borne in mind that much of the data on where EWIs cross the border relates to what the illegals tell the Border Patrol after they are caught. If they are caught in the act of crossing illegally, the situation is uncomplicated. Many illegals, however, are apprehended away from the actual border, and it is their story, about where and how they crossed the border that is recorded.

The problem with all this is some illegals caught inland, who say that they crossed illegally, did not, in fact, do so. There is a common practice, particularly among illegals living near the U.S. border, of securing a border crossing card (which is described below), crossing through a port of entry, mailing the card back to their families, and then, if apprehended, saying that they had crossed illicitly.

In this way, the border card is protected, and the ejected alien can use it again, immediately, to cross the border and return to his job in the States.

The other two classes of illegals enter the United States through the ports of entry; these are the people with faulty documentation, and the visa abusers.

Figure 2  
BORDER PATROL SECTORS; MILES COVERED, STAFFING AND FLOWS OF EWIS - FY 1974



Note: This is a reproduction of a Border Patrol map, showing the boundaries and mileage covered by each of the nine Border Patrol Sectors, the number of subsequently apprehended EWIS who reported that they had crossed through the sectors, and the percentage of staff assigned. The triangles are drawn roughly to scale showing the relative size of the EWIS flows.

There are three subcategories among those with faulty documents.

There are people who have purchased forged items of different kinds, such as U.S. birth certificates or INS documents. One candidate for this treatment is the border crossing card (I-186) which is given to Mexican nationals who live near the border to facilitate short visits to the United States; the visit is supposed to last less than 72 hours, and be restricted to a distance 25 miles from the border. The holder of this card is not allowed to work. One of the principal problems with this card, as it now exists, is that the date of entry is not recorded on it, and someone could live illegally in San Diego for years, for instance, and when asked about it could say that they had crossed the border that very morning.

Another likely candidate for forgery is the so-called "green card," more formally the Alien Registration Receipt Card (I-151), which is issued, complete with photograph, to those with permanent resident alien status.

Forgers are relatively skillful in urban areas, and can produce plausible documents which are more likely to be successful in a rush-hour situation. Forged documents show up less frequently at the rural crossing points.

A related technique calls for the alteration of a valid INS document, such as by substituting a new photograph, to match that of the person who pays for it. (The Immigration Service has plans to produce a new set of more secure documents, which can be read electronically, but the introduction of these cards is something which will not effect the border for some time to come.)

Another subcategory consists of those holding genuine documents, which belong to someone else. There is a brisk market in stolen or lost green cards and border crossing cards in Mexico's border cities. There are, we are told, dealers with stacks of cards which they shuffle, looking for a photograph which roughly matches the face of the would-be purchaser. (We saw one such card, and its purchaser, at the San Ysidro port-of-entry, just south of San Diego; she looked very much like the picture on the border crossing card, and she contended, initially, that she had been born in Juarez; an alert INS staff member, however, noticed her Salvadoran accent, and upon closer questioning she admitted her background. The card was seized and destroyed, and she went back into Juarez.)

Then there are the documents which are neither purchased nor stolen, such as the American birth certificates which can be secured from some authorities for a fee of a dollar or so. If, for instance, a resident of Mexico knows that a Juan Hernandez, to invent a name, was born in a specific city, to Pedro and Maria

Hernandez, on Feb. 26, 1929, then it is no problem to write to that city, tell the appropriate official that one needs another copy of the birth certificate, enclose the fee and a return address; this does not always work, but often enough to be a problem.

A third subcategory consists of holders of documents which are genuine enough, but have been obtained by fraud. A good example is a visa issued to the spouse of a citizen or a permanent resident alien which is based on either a forged birth certificate, or, more likely a non-consumated marriage of convenience.

During FY '74 INS completed 16,676 immigration fraud cases, which dealt with matters such as those described. Even more significant numerically were the large numbers of aliens (like the woman from El Savadore) who were turned away from the nation. During the year more than 500,000 such actions were taken, and close to 80% of them dealt with holders of border crossing cards. Although specific statistics are not available, a large proportion of the denials were because of faulty documents.

The third major grouping of illegals is comprised of the non-immigrants who abuse their visas; they, in turn can be divided into three subcategories:

- Overstays,
- Those who work who should not do so,
- and border card abusers.

The overstays are people with various kinds of non-immigrant visas who simply stay beyond the expiration date. In some cases these violations are pretty technical (and sometimes quite harmless). An otherwise honorable tourist, for instance, here on 90-day visa, might stay here for 91 days because the airline cancelled a flight. An unknown percentage of all non-immigrants overstay their visa, and become illegals, many of them purposely.

While apprehended EWIs are mostly Mexicans, apprehended overstays are mostly not Mexicans. (See Table 1.) Further, most of the East Coast illegals are visa abusers, rather than EWIs.

The second sub-group consists of people who have valid visas, but who are working in violation of the terms of the visa. As indicated earlier, some non-immigrants can work and some can not; more precisely some, such as temporary workers on H visas, can only perform the work that they were admitted to perform, while others, such as spouses of exchange visitors, can work wherever they choose.

The final subcategory is a numerous one; holders of border-crossing cards who accept employment. The women who take jobs as domestics in border cities, a particularly invisible group of illegals, often use these cards to cross the border. (Women, incidentally, are much more likely to be abusers of visas or border cards, than to be EWIs.)

#### The Fate of Illegals

What happens to the illegals? There are two groups of answers, revolving around those who are apprehended, and those who are not.

Those that are apprehended face a continuum of possible fates, ranging from jail (rare) or formal deportation (not very common) to adjustment to legal status. Jail is a possibility only for an illegal who is also a smuggler; even the most persistent individual illegal is not going to be tried or sent to jail, even though this is a theoretical possibility. (In reality, the federal attorneys won't press such cases, on the grounds that they are of low priority, and the dockets are crowded.)

Formal deportation is an exception and not the rule. There were 18,824 deportations in FY'74, which can be compared with the apprehensions of 788,145 deportable aliens in the same time span.

Most illegals, particularly along the U.S-Mexico border, are simply escorted to the border and dumped on the other side. This is called "a voluntary departure" as it is done with the consent of the illegal, when he waives a deportation hearing. Under some circumstances, they are put on a bus to the interior. Whether the driver of this Mexican-owned and operated bus sees to it that all the illegals complete the trip is a matter of speculation; the belief is that often an illegal, wanting a shorter trip, obtains it.

Another possibility is that the apprehended alien is given an indeterminate voluntary departure, which means that he is supposed to leave the country, but no firm date has been established. This very nominal pressure is applied in cases where the illegal has an opportunity, perhaps some months in the future, to secure a visa which will legalize his presence here; thus we have, in effect, a tolerated illegal presence.

Still another option is for someone to put up a bond (i.e. bail money) for the illegal, freeing him until such time as a hearing can be arranged.

In the best of all cases, for an illegal, his brush with INS sets in motion an administrative process by which he can secure a correction of his record. This is, essentially, an amnesty and conversion to legal status.

Of course, ~~no matter~~ what happens to the illegal after one apprehension has little to do with his long-range future. He, at worst, is back in his homeland for a while, and then, with greater or lesser effort he can make another attempt to return to the U.S. For the illegal sent back from El Paso to Juarez such an ejection is virtually meaningless. (There are people who commute, illegally, daily from one city to the other.) For the illegal put on a plane to Columbia, however, the setback is more severe. Getting the visa (real or forged) and raising the plane fare for another attempt is a major problem.

The non-apprehended illegal faces three prospects:

- he can, eventually, make the necessary arrangements (such as marriage to a citizen or a permanent resident alien) to secure legal status, or
- he can, eventually, return to his homeland without any contact with the INS, or
- stay here for the rest of his life, without INS contact.

Time is on the side of the non-apprehended illegal; as time passes his opportunity to manipulate the immigration process to his benefit increases. (Other ways of securing the needed "equity" to secure a visa would include the birth of a baby in the United States, enlistment in the military, or acquisition of a labor certification.)

Even without working matters out legally, over time the illegal learns the ropes, and becomes far less obvious to INS field staff, which concentrates its attention on people who dress and speak in such a way as to suggest recent arrival from some other place.

Many illegals, of course, do not want to settle here. They seek economic gain, understandably, and once they have put together a stake which will give them a comfortable life in their homeland, they leave the nation voluntarily. This process, the totally voluntary departure of illegals, either for a visit or for good, is one of the elements of illegal immigration that we know the least about.

#### Departure Priorities.

In a chance conversation with an LEAA official not connected with this project, we were asked "What are the priorities for apprehending and ejecting illegals? Which ones are regarded as the most hurtful?"

There was a momentary silence, because in practice there is very little relationship between which alien is regarded as doing the most harm, and which alien is removed. There are exceptions, of course, but generally INS focuses on the aliens which are the easiest to catch, and the least expensive to move. Most such apprehensions take place on or near the U.S.-Mexico

border, where the flow is large, and the costs of return minimal. Late in 1974 the Service adopted a program, in terms of an internal allocation of resources, in which special emphasis was placed on line watch activities along the U.S.-Mexico border, to discourage the entry of illegals.

Given this allocation of resources, and the lack of money to move illegals by air from East Coast cities, the geographical distribution of the apprehensions is heavily weighted to the Southwest, as can be seen in Table 2 which follows. It should be borne in mind that these apprehension statistics reflect not the supply, or stock of illegals, but the Service's operating practices.

The exceptions to the rule, that those captured are the ones easiest to find and cheapest to move, are the criminals and smugglers among the illegals, as one might expect. To our knowledge there has been no organized effort to work out a set of priorities which would designate certain classes of illegals as the best to pursue (given the current fact that there is an inadequate amount of resources to pursue all of them).

One might determine, for instance, that it would be a good idea to concentrate on one or more of the following classes:

- diseased illegals
- illegals collecting unemployment insurance or welfare

**CONTINUED**

**1 OF 4**

TABLE 2

DEPORTABLE ALIENS LOCATED BY INS REGION AND LENGTH OF  
TIME ILLEGALLY IN U.S. 'FY 74

INS Region	Total Apprehended (1)	Length of time illegals in U.S.					
		at entry (2)	within 72 hours (3)	4- 30 days (4)	1- 6 mos. (5)	7 mos.- 1 yr. (6)	over 1 yr. (7)
NW	31,758	953	2369	6148	12759	4334	6195
NE	31,255	3139	1964	2169	5826	5009	13148
SE	27,757	619	2927	5567	10423	3308	4913
SW	690,221	255,490	215,474	108,967	78,104	15,165	17,021
Total U.S.	780,991	260,201	222,734	122,851	107,112	27,816	47,268

Source: INS Form G-23.18, 1974.

Note: NW Region covers the area from Maine south to New York and New Jersey.  
NE Region covers the area from Michigan and Indiana west to Oregon and Washington.  
SE Region covers the areas from Pennsylvania and Ohio, west to Arkansas and south from Louisiana to Florida  
SW Region covers the area from Texas and Oklahoma west to California.

- illegals holding good jobs
- unmarried illegals with no family ties in the United States.
- illegals from a particular small nation in an effort to transport back to that nation illegals in such numbers that the entire flow from that nation would be discouraged for some time to come.

Any such specialization, of course, would presumably either run up INS costs, or reduce apprehensions per man hour.

Some specific experiments which would involve both apprehension priorities and joint funding of the costs of transporting apprehended illegals back home (with unemployment insurance and welfare agencies) are described in Chapter VI.

### CHAPTER III. THE STOCK OF ILLEGALS

#### A. Ways of Counting a Population.

There are many ways of counting or estimating numbers of living creatures. The six sets of methods that may have some applicability to this study can be categorized as follows:

- census
- registration
- workload data
- residual techniques
- capture-recapture methods
- expert opinion.

Sampling can be used to some extent with all of these methods, and the capture-recapture technique is totally dependent on sampling.

The census approach, in a stable situation, is an ideal way to count people. At its simplest, it is the foreman counting up the number of workers as the day begins; at its most complex, it is the decennial tabulation of all residents of the United States. (Unfortunately for our purposes, the census has neither a separate count for illegals nor, apparently, was it very successful in finding many in the 1970 operation.)

Registration, such as workers punching in their time cards at a factory, is another useful method, but it again relies on an ordered world. The filing of alien address cards, by legal aliens, fits into this category as do the recordings of births and deaths.

Nondemographic workload data can sometimes be useful, such as the notations of the number of hours worked in the factory, or the number of paychecks issued. Most of the numbers we have in the field of illegal immigration are of this variety: counts of apprehensions, adjudications, deportations and the like. It is important to realize that these counts are of actions, not people, and though the hours worked are worked by people, what is being measured is time, not human beings.

Residual techniques assume that at least two counts (or estimates) have been made, and that the difference between them measures something otherwise unmeasurable. The foreman, who counted 16 workers at the beginning of the day, notes that 14 are on hand after lunch; by an unconscious use of the residual technique, he concludes that two of his people have left the work area.

Capture-recapture is a method used more often for counting wildlife than human beings; mathematicians dealing in probability call it fish-banding.\* It is a technique not used (to our knowledge) in this field, one which, as we will show later, is full of both promise and problems.

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\* The allusion to wildlife is, to say the least, an unfortunate one, given everyone's sensitivities; our alternatives, however, were either to ignore this possible estimating technique, which would have made the report incomplete, or to disguise its origins, which would have been unprofessional.

Expert opinion is a method of last resort; the factory manager needs to know, before attendance figures are collected in the morning, roughly how badly the snowstorm has affected the size of the workforce, so he calls the personnel manager and asks for his best estimate. This technique has played a major role in the measurement of illegal immigration.

There are difficulties with all of these techniques. The foreman doesn't see one of his workers behind a machine, and concludes that he has 16 people, not 17, as the day begins. Someone punches in another worker, who has not yet arrived (and may not make it). A total of 2,720 hours worked in four weeks could be translated into 17 workers, if everyone worked exactly eight hours every day, if everyone came to work on each and every day of a 5-day week, and if no one were hired or fired during the period; but the precision of that statement of the assumptions indicates the possible problems, even in this relatively straightforward example. The foreman, using the residual approach, figured that two of his workers were missing after lunch, but he was wrong by one (or by 50%) because he undercounted in the morning. The personnel director (a Minnesotan undaunted by snow) with a staff of four (who live nearby) may be quite mistaken as to the impact of the snow storm. And capture-recapture is at best the producer of a range of estimation.

B. Stock Measurement Methodologies Reviewed.

1. Census methods. Ideally there would be a decennial census approaching, soon, but not so soon that the design could not

be changed so that every illegal in the country was counted carefully in the course of this nationwide program. We would then know how many illegals there were, and where they were -- and we would then be able to gather data about their past movements, their characteristics, and the like.

This is not, however, about to happen. Further, considering the very real difficulties that the Bureau of the Census has in accurately counting legally present blacks and Chicanos, particularly the young males in those groups, it would be highly unlikely that anything like the current Census would be able to produce useful data on a group as difficult to count as the illegal aliens.

The next full Census is about five years away, but every month the Bureau of the Census collects useful demographic and economic data through the Current Population Survey (CPS). This is a nationwide canvass of some 50,000 households. We explored the possibility of using this existing, on-going operation as a method of counting the illegals.

When we discussed this, with both Census and Bureau of Labor Statistics (BLS) officials, we were told that this is not a promising technique. The interviews are voluntary, the interviewers have no special linguistic skills, and illegals are highly likely to refuse to participate. Further, we suspect that the locations of many illegals, such as working maids in middle and upper-class households, in migratory labor camps, in rooming houses, living upstairs over the restaurant where they work, and in similar places, would make contact with CPS that much more unlikely.

For these reasons we have decided against the use of a general-duty, nationwide approach.

It is perfectly possible, however, to mount a more specialized survey, in which people with particular characteristics are studied (e.g., college graduates, readers of Time, union members, etc.). These are routinely handled through a stratified sampling method, so that only a relatively few people are interviewed, but they constitute a representative sample of their universe.

Our underlying hypothesis, as we began the study, was that illegals are distributed around the nation, in terms of their residences and their jobs, in a way which roughly resembles the distribution of recent, legal aliens of the same nationality. We think that this hypothesis appears sound enough to warrant further testing, and that it would be possible to mount both a residential and an employment survey which would produce useful estimates on the numbers of illegals in the United States. How we arrived at this decision, including a description of our experimentations, is covered in the last segment of this chapter; but before discussing this subject it is useful to review the other approaches which we tested, and found wanting.

2. Registration. A hotel room clerk keeps a fairly accurate count of the number of people in a hotel by the registration method; he records the flows of people into the place and the flows out, and he is able, at any time, to determine the total universe. We have thoroughly explored the possibility of working out a technique for estimating the number of illegals in the country by counting

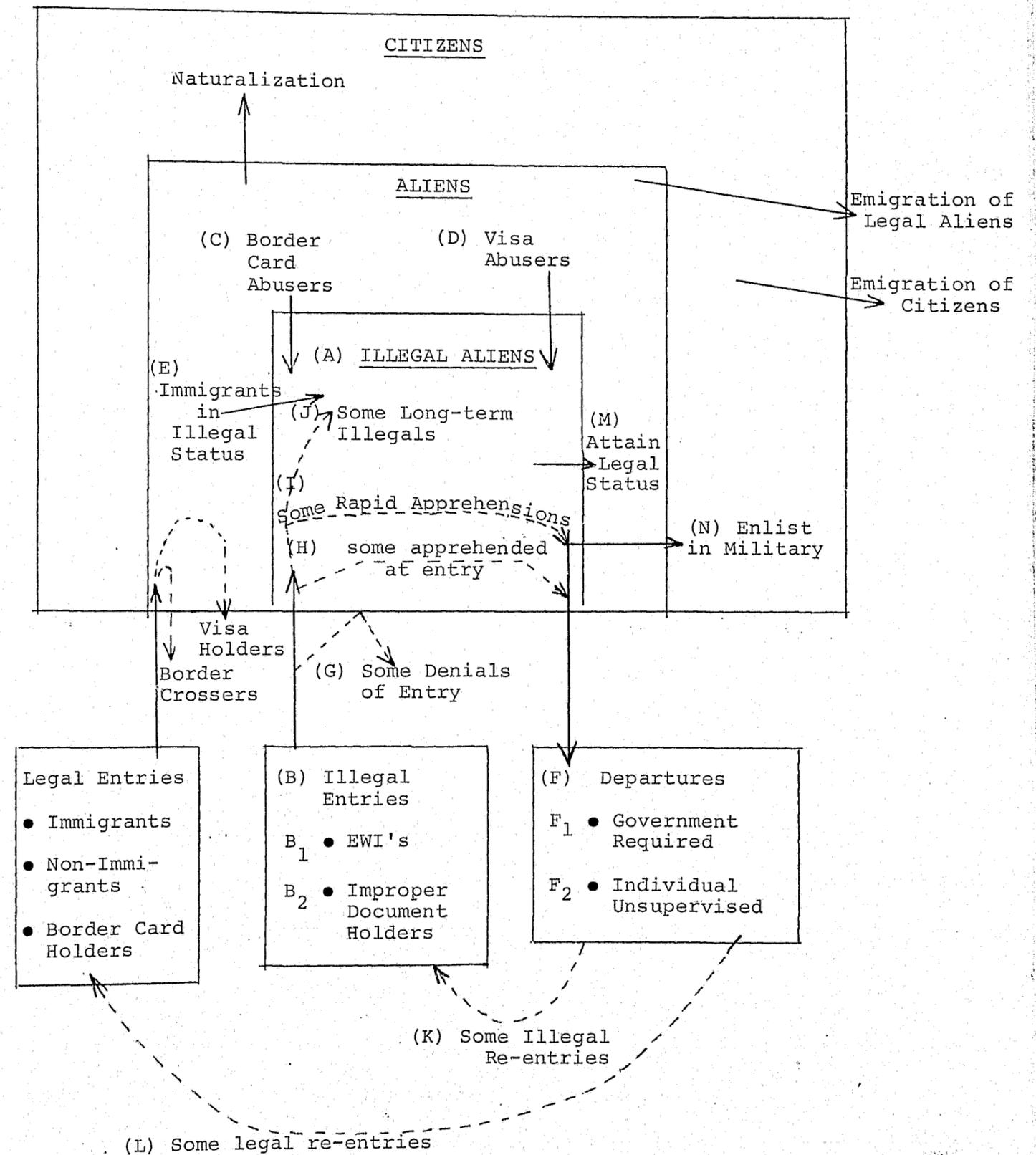
the arrivals and the departures, i.e., the method of calculating stock by measuring flow.

As we studied this possibility, we were aware of a continuing and serious flaw in this approach: even if one were able to count every arriving and departing illegal, for a substantial period of time, the question of how many illegals were on hand when the process began would remain. An even more serious problem is the great difficulty in measuring the many flows both in and out of the stock of illegal immigrants. (And although we recommend, in the next chapter, some research on the flows of illegals, this activity is suggested because it will shed light on the flows themselves, rather than on stock of illegals. A number of policy and management questions revolve around the direction, source and implications of flow of illegals, quite apart from the impact these flows have on the stock of illegals.)

The complications of estimating the stock of illegals by measuring the flows is illustrated in Figure 3, which follows. Our objective was to find out the number of illegal aliens (A) at a given time (t) by measuring the various flows in and out of the universe. The illegal alien stock is continually increasing from four kinds of sources, and decreasing by departures and legitimization. These are the components of flow. The sources of inflow are (B) illegal entries, composed of (B<sub>1</sub>) EWIs and (B<sub>2</sub>) those who use improper documents, (C) border card holders who abuse the I-186 permit by working, staying past the 72-hour limit, or traveling more than 25 miles from the border, (D) non-

Figure 3

All U.S. Inhabitants at Time "t"



(Chart neglects births and deaths)

immigrants who abuse the provisions of their visas, and (E) legal immigrants who become illegal in status.\*

Stock is continually decreased by departures, (F). Government-required departures are shown as  $F_1$ , while individual/unsupervised departures are  $F_2$ . Legitimization is symbolized by (M), attaining legal alien status without leaving, and (N) enlisting in the U.S. military to gain citizenship. (The (M) process, called adjustment of status, is available only for natives of the Eastern hemisphere; those from this hemisphere must leave the nation to secure a visa; they then can return legitimately, which is shown as (L) on the chart).

Other aspects of the flow process are represented in the chart as items G, H, I, J, K, and L. The dotted line at (G) indicates individuals who attempt to enter through a port of entry but are denied because of improper documents or other reasons. At (H) we have illegal entries who are immediately apprehended and returned. The dotted (I) line shows people who enter illegally, but are rapidly apprehended and returned. The dotted line to (J) indicates people who enter illegally, avoid capture, and remain in the U.S. for relatively long periods. These "successful illegals" blend into American life and may form the largest part of the slice-of-time stock (A).

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\* This is such a minor factor that we ignored it in the prior chapter; it consists of a few thousand permanent resident aliens who commit crimes, or whose immigration documents turn out to have been faulty in some manner.

At (K), a dotted line shows that the process is cyclical; whether they departed of their own volition or at government request, some people elect to attempt illegal re-entry. Others manage to enter legally the next time, as in (L).

Some of the flows on Figure 3 are known with a degree of precision; we know the exact number of government-required departures ( $F_1$ ) and we can estimate, with some degree of reliability, that the number of people involved in these movements is something on the order of 60 - 80% of the number of departures. Other flows are minimal, and the margin for error is tolerable; for instance, there were 7,782 naturalizations of aliens who served in the armed forces in 1973. [ Thus, the number of people in (A) who used the (N) route to legitimization could have varied in the range of 0 to 7,782. ? ]

Some of the major flows are much more difficult to cope with; particularly the arrivals of undetected EWIs ( $B_1$ ) and the voluntary departures of illegals ( $F_2$ ). The parameters of each of those factors are shown in Table 3. To the extent possible, we have stated the maximum and minimum dimensions of those factors; in several instances we have simply recorded a question mark.

Specifically, in FY '74 the minimum number of EWIs ( $B_1$ ) would appear to be 693,084; the number apprehended. The maximum is unknown.

The minimum number of aliens who entered with improper documentation ( $B_2$ ) is based on the number of fraud investigations

TABLE 3

## PARAMETERS OF THE FLOWS IN AND OUT OF THE ILLEGAL ALIEN STOCK

<u>Arrivals</u>	<u>Minimum</u>	<u>Maximum</u>
B <sub>1</sub> - Entered without inspection	693,084	?
B <sub>2</sub> - Improper Document Holders	8,000	?
C - Border Crosser Abusers	a few thousand	2,222,112
D - Visa Abusers	77,030	2,020,000
E - Immigrants in illegal status	3,727	18,635
<u>Departures</u>		
F <sub>1</sub> - Government required departures	737,564	737,564
F <sub>2</sub> - Individual and Unsupervised	?	?
<u>Legitimizations</u>		
M - Attained legal status	0	90,764
N - Enlisted in Military	0	7,782

Note: Letters refer to letters used in Figure 3. Minimum and maximum figures and estimates are explained in the text.

*Why are there reported in different manners?*

*Mostly garbage statistics*

made by INS regarding improper documentation. 16,000 cases were investigated in 1974, and we assume that half of them were cleared and that the other half were actual cases of fraud.

The minimum number of Border Crosser abuses (C) is an estimate based on INS apprehension data; the maximum is a figure based on the total number of Border Crosser Cards over a period of ten years. (They carry no expiration date.)

The minimum number of visa abusers (D) is obtained from INS Annual Report on the total number of deportable aliens located in 1974, minus immigrants, border crossers, stowaways and EWIs; for the maximum, we used the total number of visa overstays on the INS index and added the total number of foreign students presently in the U.S. There are problems with both these figures. The INS index is based on the number of INS forms I-94 (the record submitted by the nonimmigrant at time of departure), which should have been turned in to INS but have not been. There are enormous problems with this form and, therefore, the index of overstays is greatly inflated. Assuming all I-94s were sent in and that we know the number of nonimmigrants who entered, this is the highest possible number of overstays. To this figure of 1,799, 120, we added the total number of foreign students currently in the U.S. who have nonimmigrant status and who are presumed to be both non-overstays and working without INS permission.

The last source of flow of illegals into the U.S. is the relatively small number of immigrants in illegal status (E), i.e., immigrants who commit a crime after arrival, and those whose entry

subsequently turned out to have been fraudulent. The minimum represents the number actually located by INS in 1974; the maximum is an estimate based on INS sources of the possible number of immigrants in illegal status.

We know very little about the number of illegals who leave the country voluntarily without contact with INS.

Another flow out of the stock of illegals are those who manage to adjust to a legal status (M). For the minimum we assumed that all Eastern hemisphere natives who did so were legally in the country when they made the adjustment; for the maximum we assumed the opposite, that all such adjustments were made by people who were illegally present.

For the minimum of those who enlisted in the Military (N) we assume that all those who secured naturalization because of service in the armed forces were in legal status when they joined up; for the maximum we assumed the reverse, that all such enlistees were here illegally at the time they entered the service. (All above statistics, unless otherwise cited, are from the 1974 INS Annual Report.)

3. Workload data. Two sets of workload data, and their utility in securing estimates on stocks of illegals, were examined: those of INS, and those of other agencies.

INS Commissioners and their staffs have been struggling for more than a decade with the problem of how to estimate the number of illegals in the country, and they have inevitably turned inwards, to their own data, for the answers. Everyone within the agency

with whom we discussed this was dubious about even the ballpark accuracy of these various estimation techniques, and in some cases individuals had disparaging things to say about their own efforts in this connection. (And everyone was happy to see someone new wrestle with the old problem.)

All too often, in the past, estimates were derived by securing a good, hard, work load figure and then multiplying it by a factor. For instance, there was an internal Service memorandum in 1973 which concluded with a modest estimate of 1,022,100 illegal aliens. One component of the estimate was described thusly:

"Aliens inspected who entered with improper or altered documents, made false or fraudulent statements, or falsely represented themselves as U.S. citizens." During fiscal year 1973, some 26,000 violations in these categories were closed by blanket or general waiver, and an additional 5,500 violations were presented to U.S. attorneys for possible prosecution. Using these figures as an indicator of the number of illegal aliens in this category, it is estimated that persons numbering three times these figures have entered and remain in the United States, making the total for this category 95,000.

The factor of three, in this case, may be close to the target, and probably was worked out by a conscientious person who sought advice from a number of knowledgeable people. But despite all this, there is an arbitrariness to such methods.

INS workload data would be a much richer source of data for the social scientist (and much more useful for our purposes) if the Service's activities and interests were distributed in the same manner as the illegal population. Given its lack of funds, however, this is not the case, as we have mentioned earlier. INS workload data, with three interesting exceptions, is of little

utility when making demographic projections because it reflects the work flow of the Service rather than the distribution of illegal aliens.

The three exceptions are:

- alien address card files (really not a workload item) whose utility will be discussed later in this chapter,
- some INS industry survey procedures, also discussed later in this chapter, and
- Border Patrol sensor-related apprehension data, described in chapter IV.

As for other agencies' workload data, there is little to discuss. Even an agency such as the Los Angeles County Health Department, which is very interested in the question of how many illegals it assists, is really not capable of sorting out legal from illegal aliens, or citizens from aliens. Frankly, only INS can make those determinations, and hence, no other agency can offer data which is helpful towards estimating the stock of illegals. (Once identification of an alien as an illegal is accomplished, however, particularly by means of something as universal as a social security number, then those agencies are fully capable of producing useful impact data, but that is another issue).

4. Residual techniques. Estimating the number of illegals in this country has some similarities with trying to estimate the movement, between censuses, of residents of Puerto Rico to the mainland. In each case there is a barrier to be crossed, and in each case, no records are kept on the movements. One of the several ways that these estimates are made is by the residual method, which works

*But remember,  
PR has developed  
sophisticated computer  
technology, but the  
country is not  
ready*

like this:

- record the population of the country of emigration in the census, of say, 1950,
- add the births and subtract the deaths recorded in the next ten years, to produce an expected population in 1960,
- compare the results with the results of the 1960 census, to produce an estimation of net migration (one way or the other).

This system worked reasonably well for Puerto Rico in the period cited, and closely tallies with data secured from two other methods: comparing the airline arrivals and departures during that decade, and securing mobility information from the continental and island censuses in 1960.

With this in mind, we decided to see whether or not Mexico's census of 1970 would indicate a number of missing people, who presumably would be in the United States as illegals. We thought, specifically, that the census might show us a number of missing young men.

We used data from Mexico supplied by International Statistics Program Center, Bureau of the Census. The data included 1960 and 1970 census figures and the number of births and deaths for each year between 1960 through 1969. The data were presented in unadjusted and adjusted forms; total population for both 1960 and 1970 is adjusted upward 2.1% to account for underenumeration. For the same reason, births and deaths were adjusted in two ways. First, both birth and death figures were adjusted upward 5%: an arbitrary adjustment, but one which our source felt was justifiable. Secondly, a more senior official recommended that we accept the number of

registered births as correct, but adjust deaths upward to account for unreported deaths in the under one year age group. The percentage he suggested was 1%. This is not presented in Table 4, but obviously adjusting deaths upward would result in our residuals being lower than those shown. The adjusted birth and death figures in Table 4 were adjusted upward by 5%.

The manner in which we arrived at the residual was to add the total births between 1960-1969 to, and to subtract the total number of deaths in that period from, the 1960 population. That "expected population" figure was then compared to the 1970 census population figure, and the result provided an estimated surplus Mexican population, or the number assumed to have migrated. INS Annual Report figures for the total number of legal aliens from Mexico were then subtracted from the total number assumed to have migrated, and the residual was a number of Mexicans migrating in the period 1960-1970, who we assume, may be illegal aliens in this country. (We recognize that these estimates are depressed because they ignore immigration of non-Mexican nationals to Mexico, which is reported by the Mexican government to be in the 2,000 a year category, and because we ignore the reverse migration of U.S. permanent resident aliens, of Mexican descent, back to Mexico.)

In addition to the method used above, which demographers refer to as balancing, our source suggested a method which would eliminate one potential source of error, the ten-year total number of births. Essentially, this method compares the number of 1970 Census population 10 years old and above (eliminating all those born during the

Table 4  
 CALCULATIONS OF DEPARTURE OF ILLEGAL IMMIGRANTS FROM MEXICO  
 RESIDUAL METHOD

A. Population of Mexico-Census Data

	<u>1960</u>	<u>1970</u>
unadjusted	34,923,129	48,225,238
adjusted	35,654,037	49,236,947

B. Vital Statistics-Mexico, 1960-1969

<u>Year</u>	<u>Births</u>	<u>Deaths</u>
1960	1,608,174	402,545
1961	1,647,006	388,857
1962	1,705,481	403,046
1963	1,756,624	412,834
1964	1,849,408	408,275
1965	1,888,171	404,163
1966	1,954,340	424,141
1967	1,981,363	420,298
1968	2,058,251	452,910
1969	2,088,902	458,886
Total (Unadjusted)	17,733,633	3,974,682
(adjusted)	18,666,982	4,183,875

C. Surplus Mexican Population  
 (Expected 1970 Population - 1970 Census Population)

	<u>Unadjusted</u>	<u>Adjusted</u>
Births	456,842	176,041
Deaths	1,180,198	900,197

The number of legal aliens in the period 1960-1969, 454,796 was subtracted from each of the above population figures. The following table indicates the "residual" surplus population who may be illegal aliens in this country.

D. Estimated Net Illegal Emigration

	<u>Unadjusted</u>	<u>Adjusted</u>
Births	2,046	-278,755 (negative number, i.e., 1970 population greater than 1960 population plus births minus deaths)
Deaths	726,202	445,401

1960s) with the 1960 Census population alive in 1970. The 1960 population is the base, and the number of deaths occurring in age groups within that population as it moves forward to 1970 is subtracted, leaving an expected 1970 population by age group. The results showed a net in-migration to Mexico for the population as a whole.

The problem, of course, is based on the fact that the Mexican census is not accurate enough for such manipulations. The various estimates we devised (ranging down to a net movement into Mexico of more than a quarter of a million) are the sums of the actual movements and all the errors in all the systems.

Presumably, if we carefully selected the set of adjustments which best fit our purpose, we could have produced something that would have shown an estimate of illegals of Mexican extraction in this country of some 700,000 in 1970, which might appear plausible, but we feel that the basic data is suspect enough to render the whole approach useless. (Initial explorations of Haitian and Dominican Republic census data were dropped when we encountered similar problems.)

We also looked into a couple of possible residual approaches with U.S. data systems, but neither look very encouraging. One thought was that if we knew how many Social Security cards were issued, and then figured out the number of U.S. citizens and permanent resident entitled to cards, and subtracted the second from the first, we might have an estimate of the number of such cards in the hands of illegals. The problem is that there are not just millions, but tens of millions, of cards issued to people who aren't in

the labor market, thereby scuttling that approach.

More promising, was a suggestion made by Harold Wool of the National Planning Association, who called our attention to the possibility that one could compare social security data on numbers of workers in a given section of the country with worker occupational data secured through the decennial census, and that the residual, if handled carefully, would show not only numbers of workers missed by the census, but their industrial concentrations as well. Intriguing though this is, it could not produce current data until after the 1980 census, and given the apparent rapid rise in illegals in the last five years, the utility of 1970 data would be somewhat limited. It is, however, a concept that should be kept in mind for the future.

5. Capture-recapture. This estimating technique came to our attention\* too late in our work for us to discuss it with appropriate officials in the Immigration Service. Since the process could only be implemented by INS, that agency's reaction to it is crucial. The technique, as can be seen below, has both certain utilities (it can be used to secure a range of estimation of a population while contacting only a tiny fraction of that population) as well as some potential disadvantages. The diagram on the following page (Figure 4) helps the procedure, which is called marking or banding in zoology.

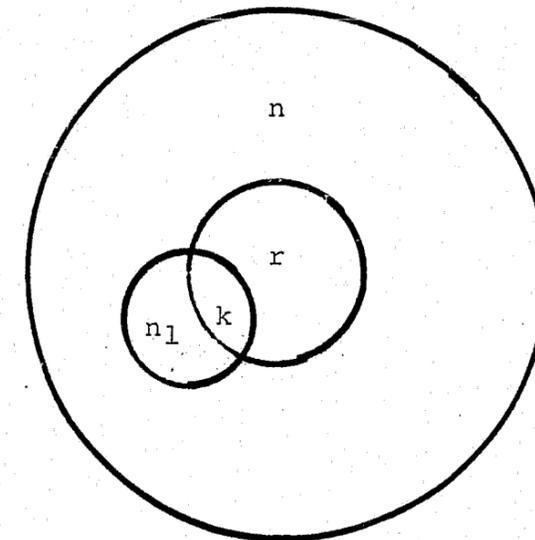
(a) Application of the capture-recapture technique to illegals. To estimate the number of illegals in a given area (n), illegals must first be randomly apprehended (at time  $t_1$ ) within that

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\* From Donald Heisel of The Population Council.

FIGURE 4

APPLICATION OF THE CAPTURE-RECAPTURE  
TECHNIQUE TO ILLEGALS



$$n = \frac{n_1 \times r}{k}$$

- n = number of illegals (unknown)
- n<sub>1</sub> = number of illegals apprehended and released at t<sub>1</sub>
- r = number of illegals apprehended at t<sub>2</sub>
- k = number of members of (r) who are also members of n<sub>1</sub>

area. Illegals randomly apprehended should be fingerprinted for purposes of identification and then immediately released. Later, at time  $t_2$ , a major effort to locate and apprehend illegals in that area should be mounted, resulting in the apprehension of  $(r)$  number of illegals, within which set of illegals we can expect to find a certain number  $(k)$ , who were previously identified at  $t_1$ . The "maximum likelihood estimate" of  $(n)$ , called  $(\hat{n})$ , is then determinable by the formula:

$$\hat{n} = \frac{n \times r}{k} \quad \text{why?}$$

In addition, it is also possible to determine the confidence bands around that estimate; i.e., to determine the probability that  $(\hat{n})$  is within, for example, 10% of the true  $(n)$ .\*

For example, let us take Los Angeles and design an experiment to determine its stock of illegal aliens at a given point in time. Suppose INS locates 1,000 illegals  $(n_1)$ , fingerprints and releases them without penalty or warning. (This might be done by releasing a certain percentage of apprehendees for a period of several weeks.) A short time afterwards, say a month, a major enforcement drive is mounted. Suppose 25,000 illegals  $(r)$  are thereby apprehended. All are fingerprinted and required to depart, as usual. Among these 25,000, however, will be some of the 1,000 previously identified illegals  $(k)$ . The 1973 INS estimate of 150,000 illegals in Los Angeles (which is now regarded as low) can now be tested. If that was an accurate estimate of illegals in Los Angeles  $(n)$ , how many

\* See William Feller, An Introduction to Probability Theory and Its Applications, 2d ed. (New York: John Wiley & Sons, Inc., 1960), pp. 43-45.

previously identified illegals should we expect according to the above-given formula?

$$150,000 = \frac{1,000 \times 25,000}{k}$$

$$k = 167$$

Thus, if the 1973 INS estimate was accurate, about 167 of the 1,000 previously identified illegals should have been re-apprehended in the second sweep. What would it have meant, however, if only 25 previously identified illegals had been apprehended among the 25,000?

$$n = \frac{1,000 \times 25,000}{25}$$

$$n = 1,000,000$$

After calculating the confidence bands around this 1,000,000 estimate, we would be forced to conclude that the 150,000 illegals hypothesis was incorrect, and it would be replaced by the new, more reliable, estimate.

(b) Evaluation of the feasibility of the application of this technique. The reliability and usefulness of this method depends upon certain conditions, cited by Scattergood, and discussed below.\*

- Mortality is the same among identified and unidentified individuals. There is certainly no reason to believe that the original identification process will adversely affect the health of those apprehended. Mortality may, however, have a different meaning in this instance. The

\* Scattergood, "Estimating Fish and Wildlife Populations: A survey of methods," Biometrika, 1951.

process of being apprehended, fingerprinted, and released may inspire fear, so that those who are identified are more likely to leave the area or return to Mexico. This effect can be minimized by gentle treatment in the identification operation and by a short interval between marking and the sweep.

- Identified individuals do not lose their identifying marks. This criterion is met by fingerprints. (Social Security numbers could be used, but fingerprints are more definitive).
- Identified individuals are apprehended at the same rate as unidentified individuals. It is possible that the identification process might make the identified individuals considerably more wary than unidentified illegals, and the former may tend to "go underground," or change their habits. Again, this can be minimized by nonthreatening treatment during the identification, and it can be checked by administering a questionnaire to the recaptured group. Questions about whether the identification and releasing process had caused them to move, change jobs, or go underground, should be asked.
- Identified individuals are randomly mixed with the unidentified. This is an error which occurs in marking migratory species over large areas, or those in which clustering is pronounced. To assure that this condition is met, an experiment with illegals must follow certain procedures carefully. First, the identified individuals must be a truly random selection from the pool of illegals to the extent possible. They must come from every portion of the area, and must be released without restriction on where they go. Secondly, the area of the experiment must be limited to a manageable size, e.g., a city or county. Third, the identified individuals must be released individually (not as a group), so that they do not cluster together. In other words, all reasonable efforts must be made to ensure that the identified illegals return to their random distribution in the pool of illegals.
- All identification marks are recognized and recorded. This condition can be met by the use of any reasonably sophisticated fingerprint matching system.
- There is only an insignificant amount of recruitment to the population under study during the time recoveries are made. If there is a small amount of time between the marking and the sweep operations, this can be safely assumed.

What about the familiarity of INS personnel with the identified individuals → 64- ↑ apprehension?

Since the conditions can be approximated and their inherent dangers can be minimized, this method seems worthy of serious consideration. Nonetheless, we are, of course, aware of two potential problems with such an approach: INS may not want to apprehend and then release 1,000 people, and there might be adverse community reaction to such an experiment. (On the other hand, given the apparent size of the movement of illegals from Mexico into Los Angeles, perhaps much the same results could be obtained if the 1,000 were taken to the border, rather than being freed in Los Angeles; such an act would be a major adjustment to the experiment and only if the border is no factor at all would it not effect the outcome of the study.)

6. Expert opinion. As stated above, this informal method for estimating the stock of a given population has been the traditional source of estimates of the magnitude of the illegal alien population. Although estimates based on this technique are, of course, useful when no other estimates are forthcoming, their general lack of reliability makes this technique unsuitable for further consideration.

#### C. Recommended Techniques

1. Residential survey. One of the methods recommended is a residential survey. A complete plan for such a survey will be included in the Study Design, a document which will be available on March 19.

We are basing this recommendation on our findings that our general hypothesis appears to be a valid one; namely, that illegal aliens cluster in the same places as recently arrived, low-income aliens of the same nationality; that it is possible to secure adequate

data on the location of recently arrived legal immigrants; and that it is possible, though much more difficult, to count illegals in a survey.

The objectives of each segment of the survey would be to create a ratio between the number of legal aliens of a given nationality and the number of illegal aliens of the same nationality. This operation would have to be done for several nationalities in several locations. The interim product would be a series of ratios which could then be related to the numbers of legal immigrants (from the major nations producing illegals). The final product would be an estimate of illegal aliens for each nationality group studied, the resulting total would then be adjusted slightly (to take into account illegals from other nations), yielding a respectable estimate of the illegals present in the nation.

There are obvious potential problems with this approach, not the least of which is the basic difficulty of identifying the illegals. It may be useful, in this connection, to review the processes and experimentations which we went through to reach this conclusion.

The first step was to explore sources of data on the specific residential location of recently arrived (not yet naturalized) legal aliens of a given nationality. We reviewed the three currently available sources: census data, data from visa applications (on intended residence within the U.S.) and Alien Address Cards (I-53).

The least useful, and most inaccessible, of these data sources is the information from the visa applications. This information is not computerized (below the state level), reflects an intention, rather than a reality, and would be extremely difficult to handle, since the documents are filed by alien numbers in the INS district offices, and thus are not grouped by nationality.

Census data, below the municipal level, are not much better. There are no foreign-born or alien data, or Spanish-origin data, at the census block level. At the census tract level (usually covering 6,000 to 8,000 people), there are data available by nation of birth, for the foreign born, but there is no way of knowing whether persons within either group (by nation of origin, etc.) have been here for one year or for fifty years. On the other hand, it is possible to secure data on the 1960-1970 wave of immigrants, but there is no way to identify their nation of birth. Further, all of these data, even if useful, are already nearly five years old.

Alien Address Cards, on the other hand, are filed annually. In all of the INS District offices we visited the 1974 cards are filed by year, then by nationality, and then alphabetically by last name. Further, each card has a space for the zip code. Since naturalized citizens do not have to file these cards, there is an automatic concentration (though less so with those from Mexico) of the more recent arrivals. Finally, as shown in Table 5, INS found more aliens, in the course of collecting Alien Address Cards in 1970, than did the census in its 1970 survey.

TABLE 5  
COMPARISON OF ALIEN REGISTRATION AND ALIEN CENSUS COUNT-1970'

	REGISTRATIONS (1)		CENSUS (2)	% A of C
	TOTAL (A)	PERMANENT RESIDENTS (B)	(C)	(D)
U.S. TOTAL	4,247.4	3,719.8	3,541.6	120%
<u>Western Hemisphere</u>				
Canada	428.3	398.3	336.3	127
Mexico	734.1	714.5	482.9	152
Cuba	432.9	288.1	337.7	128
Other West Indies	180.6	159.3	142.7	127
Other Cent. & So. Am.	299.3	260.0	260.8	115
<u>Asia</u>				
China	107.2	86.0	95.1	113
Japan	81.8	58.8	75.2	109
<u>Europe</u>				
U.K.	330.2	298.9	245.4	135
Italy	247.4	235.8	199.4	124
Germany	228.6	216.6	196.9	116
Poland	124.4	120.1	102.1	122
Greece	72.6	66.5	60.8	119
Ireland	52.3	50.6	43.3	121
Netherlands	48.4	45.5	34.2	141
France	46.5	41.2	38.4	121
Yugoslavia	42.7	38.6	43.5	98
U.S.S.R.	41.0	39.4	49.6	83
Austria	25.6	24.1	28.7	89
Hungary	24.6	23.2	30.0	82
Czechoslovakia	18.6	15.4	23.4	79
Lithuania	15.5	15.3	15.7	99
Sweden	21.6	19.6	16.9	128
Norway	19.6	17.7	15.8	124
Denmark	13.3	11.9	10.7	124
<u>All Others</u>			548.3	

Sources: (1) INS 1970 Annual Report, Table 34  
(2) Bu. Census, PC(2)-1A, National Origins and Language, Table 17

Hence, this is a data source with recent information, and (because of the zip code and residential address) a good geographical base. (Aliens, incidentally, have been well trained by the Post Office; our random surveys of these cards, in several places and for several nationalities, showed that roughly 95% of the cards bore a zip code.)

One possible problem that we anticipated, but which did not occur, was that there would be few discernible concentrations of legal aliens of a given nationality of interest, and that our sampling and subsequent canvassing would be hampered. Specifically, we were concerned that there would be such a wide dispersion of Mexican nationals in the Southwest that our approach would be handicapped.

File searches of Alien Address Cards were conducted in New York, Los Angeles, San Diego, El Paso and Washington, D.C. In all cities heavy concentrations of the selected nationalities were found in two or three zip code areas. In Los Angeles alone, one-sixth of the Mexican Nationals who filed cards live in three zip code areas.

In New York it was found that 60% of the nation's legal aliens from the Dominican Republic are in New York State; most are in the metropolitan area. On this basis, Dominicans were chosen for further attention.

In order to find out where the Dominicans were concentrated, we examined 300 randomly selected cards filed by Dominicans in January, 1974. (This represents a little more than half of 1% of some 50,000 Dominicans who registered in that District last year.)

After a zip code examination was made, we found that 11% were located in 10031, and 9% were located in the adjacent area, 10032; no other zip code area had more than 9%.

Washington, D.C. was chosen as an area in which to conduct a more detailed study using the above technique of finding alien concentrations in zip code areas. A search was made of the most recent I-53 files in order to select a sampling of nationalities. Four nationalities were eventually chosen on the basis of their relative numbers and concentrations: Guatamalans, Nigerians, Salvadorans and Chinese.

For each nationality, we examined a 10% sampling of the cards registered for 1974. The examination was by zip code area. We found that 62.3% of Salvadorans, 34.2% of Guatamalans and 27.2% of Nigerians were located in the zip code 20009, the Adams Morgan area, while 27.9% of the Chinese were in 20001 (just south of the old D.C. Library. No more than 20% of the selected nationalities live in any other zip code area. (The four nations selected are major suppliers of legal aliens in the District of Columbia, and each group numbers in the 500-800 range. We also looked at the distribution of aliens from Spain and the Philippines, and decided to ignore these two groupings, because a very large proportion of the Filipinos live on a Naval base, and because of the spread of those from Spain through high-rent areas.)

The next step was to plot on a map the addresses of all the registered aliens of the selected nationalities within the zip code area of heaviest concentration. Once completed, we had a visual

representation of the micro-concentrations of the legal aliens. We chose for our survey purposes those addresses containing more than 6 aliens of any one nationality. In some buildings there were large numbers of a single nationality; in others, there were concentrations of all three nationalities.

Initially we had hoped to conduct a survey in those buildings using two different survey techniques. One was to utilize INS investigators to conduct a survey in a sampling of the identified buildings. The other technique was to hire interviewers speaking the same language as the alien to conduct a survey using a non-official approach. INS, however, felt it would be inappropriate to use their law enforcement powers to conduct a demographic survey. Therefore, the second technique was chosen for the experiment.

The ultimate objective of the survey was to see if, indeed, we could count:

- the approximate number of people living in the building,
- the number of citizens,
- the number of permanent resident aliens,
- the number of legal nonimmigrants, and
- the number of illegal aliens.

To do this, we designed a survey instrument which would establish certain essential information about the respondent's immigration history and his employment status, thereby enabling us to ascertain indirectly whether an alien was in legal or illegal status. Questions that bore upon immigration adjustment and status were scattered through the interview in a non-threatening way. A few

examples of responses will help to shed light on this technique.

- In one household we found a Guatamalan couple who claimed to have permanent resident status. Through a series of questions which brought out immigration patterns of close relatives, we learned that the wife's parents had immigrated to the U.S. in the 1950s. The wife had come to live with her parents five years ago, and had subsequently secured permanent resident visa. Two years ago, she returned to Guatamala on a vacation, married her husband and returned alone to the U.S. Her husband joined her a year later, after he had obtained a permanent resident visa through his wife. At the end of the interview, she voluntarily, and proudly, produced their Green Cards.
- In another case, we found a household containing two young Nigerian males. One had come to the U.S. two and a half years ago with a tourist visa. He renewed his visa once after 90 days, but had not renewed or adjusted his status since. He is currently a mechanic, earning \$4.00 per hour. His roommate, who obtained a student visa before coming two years ago, is a part-time graduate student at a local university, enrolled in only one course. He is employed full-time. Both of these nonimmigrants have abused their visas and are in illegal status.

Two Latin-American graduate students were hired to do face-to-face interviewing in the chosen buildings. They were asked to interview gently and impartially, and to present themselves as representing a private firm interested in immigration patterns. During the course of three weeks, we secured data on a total of 400 people in 10 buildings.

One problem arose during the course of the interviewing which should be noted. The survey instrument was designed to sift out U.S. citizens in the beginning and then go on to establish the immigration status of the aliens. A direct approach was avoided for fear of either alarming people or obtaining inaccurate information.

In the case of those aliens claiming to be permanent residents, it became apparent that if they arrived in the U.S. before the 1968 changes in the immigration laws, it was very difficult if not impossible to determine that they were in fact permanent residents. Therefore, we adjusted the questionnaire so that we asked a different set of questions of aliens arriving before and after July, 1968.

The returns so far indicate that the technique is a workable one. A total of 211 legal immigrants and nonimmigrants was found. Fifty-one illegal aliens and an additional 6 aliens who appeared to be in illegal status were found, giving a total of 57 illegal aliens. The ratio then of illegals to legals for these nationalities is 1 to 3.70. Table 6 illustrates the results by nationality and the number of legals and illegals.

A similar but smaller study was conducted in the San Diego area. A skilled interviewer, a native of Mexico, was hired to do an unstructured survey. Using his talents and knowledge of the city, he went into two different zip code areas: 92050, in National City; and 92112, which is a poorer, more densely populated San Diego neighborhood. Without using a formal questionnaire or adhering to traditional methods of interviewing, he went into those areas and chose buildings by talking to people at local community centers where aliens traditionally gather.

In the first area he found 46 legal aliens, all of whom were Mexican permanent residents, and five illegal Mexicans, who had entered the country without inspection. Using a similar technique

TABLE 6  
 LEGAL AND ILLEGAL ALIENS SURVEYED IN WASHINGTON, D.C.

Nationality	Legal	Illegal
Guatamalan	38	10
Salvadorean	67	13
Nigerian	6	0
Peruvian	2	2
Chilean	1	3
Mexican	11	3
Jamaica	11	2
Costa Rica	2	2
Ecuadorian	15	0
Dominican	16	2
Others	<u>42</u>	<u>14</u>
Total	211	51

Source: LMC Incorporated Survey, 1975

in the other, poorer neighborhood, he found 19 Mexican legal aliens and 6 illegal aliens, one of whom was Costa Rican; the others, Mexican. All had entered the country without inspection.

It would appear then that through these two experiments we have devised a method of locating, in a specific residential location, both legal and illegal aliens of a particular nationality.

Although we think it would be possible to mount a survey along these lines, and although we believe it would produce useful estimates on the numbers and distribution of illegals in the country, we think that it would be far better to have the interviews conducted by staff members of immigrant-serving agencies. An illegal alien, even one with no previous contact with an organization, such as One-Stop Immigration (in Los Angeles) or one of the offices of the Catholic Migration Service, would be more likely to open up to a representative of such an organization than he would either to an INS officer or to the representative of an (unknown to him) consulting firm. The agency staff member doing the interviews would, of course, have to be trained and supervised, and would make use of a structured questionnaire. Presumably the staff member would be a native speaker of the language of most of the aliens being interviewed. Presumably further, no names would be recorded or turned over to the Government (which was our arrangement) and presumably the interviewee could be assisted by the agency doing the survey.

We discussed this possibility with the two agencies mentioned above, and both agreed that they would be interested in such an arrangement.

2. Industrial survey. Given the apparent fact that illegals are very likely to be workers, and the obvious strong interest in their role in the labor market, a survey of employees, to count the numbers of workers in the following categories, would appear to be appropriate:

- illegals,
- citizens,
- permanent resident aliens
- legal nonimmigrant workers.

In the course of this activity, data should be collected on the nations of origin of the non-citizens, so that the kind of ratios described earlier could be calculated.

If a sample of kinds of establishments and location were chosen carefully, one could calculate ratios of legals to illegal immigrants in various places and in various industries, and one could make sound inferences as to the number of employed illegals in the country.

Assuming that the approach is useful, and that such a sample can be drawn, the remaining questions are:

- would the Immigration Service agree to such an approach, since it would not do the (previously rejected) residential survey, and
- has anyone tried this before?

The answers to both questions are affirmative; INS not only has indicated a willingness to conduct such surveys, but it is already doing this work on a continuing basis (although not as a

technique for making estimates of the illegals' role in the labor market.)

Some months ago the area control officers in the Los Angeles District Office of INS decided to try something different in connection with the rumors that a substantial number of illegals were employed in the fish-packing plants on Terminal Island, near San Pedro. Employers resisted the prospects of a classic sweep or raid, on the grounds that it would disrupt the plant's operations, and that the swift movements of men (both illegals and INS investigators) in and around machinery, and over wet and slippery floors might cause some damage to humans as well. The union was known to be unenthusiastic about this approach but favorable to the notion that jobs in these plants should be filled with legal residents.

What followed were three-cornered negotiations among INS staff, the employers and the union. Eventually all agreed to the following approach:

- A date was set for a survey of the citizen/alien status of all employees in a given plant;
- All hands were notified that this survey would take place on a specific day;
- Union and management announced, jointly, that anyone not showing up for work on that day (or agreeing to a subsequent INS interview if sick) would be fired.

The surveys were conducted, and a typical result is the following:

U.S. Citizens	917
U.S. Nationals	73
(Samoans)	
Legal Aliens	653
Illegals	343
Total	<u>1,976</u>

Most of the illegals so identified were assumed to fall in this category because they forfeited their jobs rather than appear at the interview. A minority sought to convince INS that they were legals and failed.

This technique has been subsequently used in Denver and elsewhere by INS -- with, we are told, significant results.

The major potential flaw in such an approach -- which will be addressed as we draw up the segment of the Study Design dealing with this subject -- is the fact that employers with the greatest numbers of illegals will not readily cooperate, unlike the managers of the fish-packing plants on Terminal Island. To some extent other methods, such as sweeps, could be considered, if need be, to work out a statistically valid sample.

## CHAPTER IV. FLOWS OF ILLEGAL ALIENS

### A. Introduction

Although, as previously stated, we feel that the best way to secure a good estimate of the numbers of illegals in the country is to conduct both residential and industrial surveys, three flows of arriving illegals seem to warrant separate study. These are the arrivals of:

- EWIs
- faulty document holders, and
- visa abusers.

If we can secure better data on the movements (and characteristics) of these three classes of illegals, then we can devise better ways to control their movements. While the users of the results of the other studies would be a range of public and private decision makers, those using the results of these studies would be largely within the INS hierarchy.

### B. Flows of EWIs

We recommend two experiments to study the flow of EWIs; one deals with manning patterns of the Border Patrol, and the other with the use of sensors. Our objective, in both cases, is to try to ascertain the total flow of EWIs on a series of specific days at a series of specific places, and then create ratios of these totals to other known and continuing data series (such as

site-specific apprehension rates) so that an estimate of the total flow of EWIs across the southern border can be made.

1. Use of Border Patrol staffing.

(a) Discussion. Given the difficulties of such a venture and the concentration of the EWI phenomenon along the U.S.-Mexico border, we have deliberately ruled out any effort to conduct such an experiment elsewhere. Further, given the objective of the activity--estimating the total flow of illegals--some of the recommended allocations of Border Patrol manpower may conflict with normal, good management practices. In some circumstances, the apprehension-per-man-day rate of groups of patrolmen will drop because of the design of the experiment; this should be regarded as an expected cost of the experiment.

It should be borne in mind that the Border Patrol, which seeks to block the entrance of illegals between the ports of entry, is covering a lot of territory with a limited number of men. At a given hour of the day one can assume that, on average, no more than a quarter of the Border Patrol officers are on duty (assuming 8-hour days and five-day weeks for the purpose of this calculation). Assuming further that the entire staff of some 1,600 is stationed on the U.S.-Mexico border, which is not the case, this would produce at a given time a force of about 400 men covering a 1,800 mile border, or 4.5 miles each.

Clearly, the Border Patrolmen are not strung out along the border, one every few miles; they are concentrated in areas of heavy illegal traffic, as shown in Figure 2. Further, not all the men on duty are engaged in line watch, the direct patrol of the border per se. Many are engaged in various backup operations, checking flights out of airports, doing traffic checks, and making farm and ranch patrols.

With relatively few men seeking and apprehending relatively large numbers of illegals, it is plausible to speculate that an increase in staffing, all else being equal, would lead to an increase in apprehensions. At various times Border Patrol staffing patterns have been changed, and extra men assigned to a given station for short-term, intensive enforcement efforts. Apprehensions have increased.

Our underlying thought here is that should such an increase in staffing be done on an experimental basis, with enough controls, it would be possible to produce a range of estimation regarding the numbers of illegals who cross a given segment of the border at a given time. If we could work out such estimates for several segments of the border, and for several different times of the year (there are strong seasonal patterns for EWI activity) then it would be possible to work out an estimate of the total number of EWIs crossing the border in the course of a year.

We are operating, then, on two assumptions:

- that an increase in Border Patrol manpower, particularly assigned to line watch, will bring an increase in apprehension, and

- that in these staffing experiments there will be a point of diminishing returns, and at that place, under those conditions, and at that time, we will be able to estimate the approximate real flow of illegals.

We are aware that there are a number of variables which complicate matters. As indicated in Figure 2, there are, for each of the Border Patrol's nine sectors, different numbers of miles to be covered, different numbers of staff assigned, as well as differences in the distribution of where EWIs say they cross the border. Referring back to the map, it becomes clear that although more men are assigned to locations where there is more traffic, staff allocation does not precisely reflect the amount of traffic. The Marfa (Texas) Sector, for instance, had 4.2% of the traffic, and 6.4% of the staff, while Chula Vista had 34.7% of the traffic and only 20.7% of the staff.

Further, the staff allocations (which potentially might affect our proposed experiment) are even more skewed on the station level. (The nine border sectors have a total of 35 line stations.) The number of manhours available to each line station is noted in Column B of Table 7. Column A indicates where the subsequently apprehended illegals say that they crossed the border, and Column C records the illegals caught by the individual stations. Thus, although the busy Chula Vista station accounted for 127,714 apprehensions in FY 1974, there were more than 80,000 other subsequently captured illegals who say that they came through the border at that point.

TABLE 7

BORDER PATROL APPREHENSIONS PER PRODUCTIVE HOUR AND PER IDENTIFIABLE  
CROSSING OF EWIS PER PRODUCTIVE HOUR-FY '74

Station	(A) Apprehended EWI's by zone of entry	(B) Border Patrol Productive Hours	(C) Deport- able Aliens located by zone of catch	(C/B) Catch rate/hr. by line Unit	(A/B) Catch rate/hr. by zone of Crossing
Chula Vista	208,124	242,949	127,714	.53	.86
El Cajon	1,994	42,384	10,016	.24	.05
Campo	16,345	58,108	6,926	.12	.28
El Centro	1,423	100,196	6,180	.06	.01
Calexico	13,953	92,431	8,598	.09	.15
Yuma	61,912	149,745	42,514	.28	.41
Tacna	997	16,149	3,889	.24	.06
Gila Bend	4,796	18,083	4,405	.24	.27
Casa Grande	5,344	15,577	4,983	.32	.34
Tucson	3,064	32,599	9,816	.30	.09
Nogales	24,515	50,409	14,947	.30	.49
Douglas	8,712	24,406	4,242	.17	.36
Lordsburg	2,103	29,580	5,670	.19	.07
Deming	7,254	29,518	6,655	.23	.25
El Paso	97,558	241,514	65,010	.27	.40
Ysleta	3,049	14,563	NA	NA	.21
Fabens	4,847	14,620	3,454	.24	.33
Fort Hancock	9,025	13,958	2,100	.15	.65
Sierra Blanca	1,016	35,077	4,996	.14	.03
Van Horn	721	20,636	2,951	.14	.05
Marfa	2,415	33,107	3,169	.10	.07
Presidio	5,678	22,399	2,252	.10	.25
Alpine	1,029	18,441	1,161	.06	.06
Sanderson	2,738	15,655	1,410	.09	.17
Comstock	670	9,262	607	.06	.07
Del Rio	21,635	85,635	12,161	.14	.25
Eagle Pass	24,635	110,112	12,144	.11	.22
Carrizo Springs	1,652	22,201	6,315	.28	.07
Laredo	27,191	126,363	13,082	.10	.21
Hebbronville	205	25,578	3,328	.13	.01
Rio Grande City	1,744	29,076	2,319	.08	.06
Mc Allen	21,358	70,878	17,320	.24	.30
Mercedes	7,525	26,171	6,230	.24	.39
Harlingen	1,028	32,268	3,553	.11	.03
Brownsville	5,967	51,613	3,982	.08	.12

Note: Border Patrol line stations arrayed from West to East. Column A records where apprehended, self-identified EWI's say they crossed the border. Column C records apprehensions by line stations.

Source: Column (A), INS form G-23.17  
Column (B), INS form G-23.15  
Column (C), INS form G-23.13

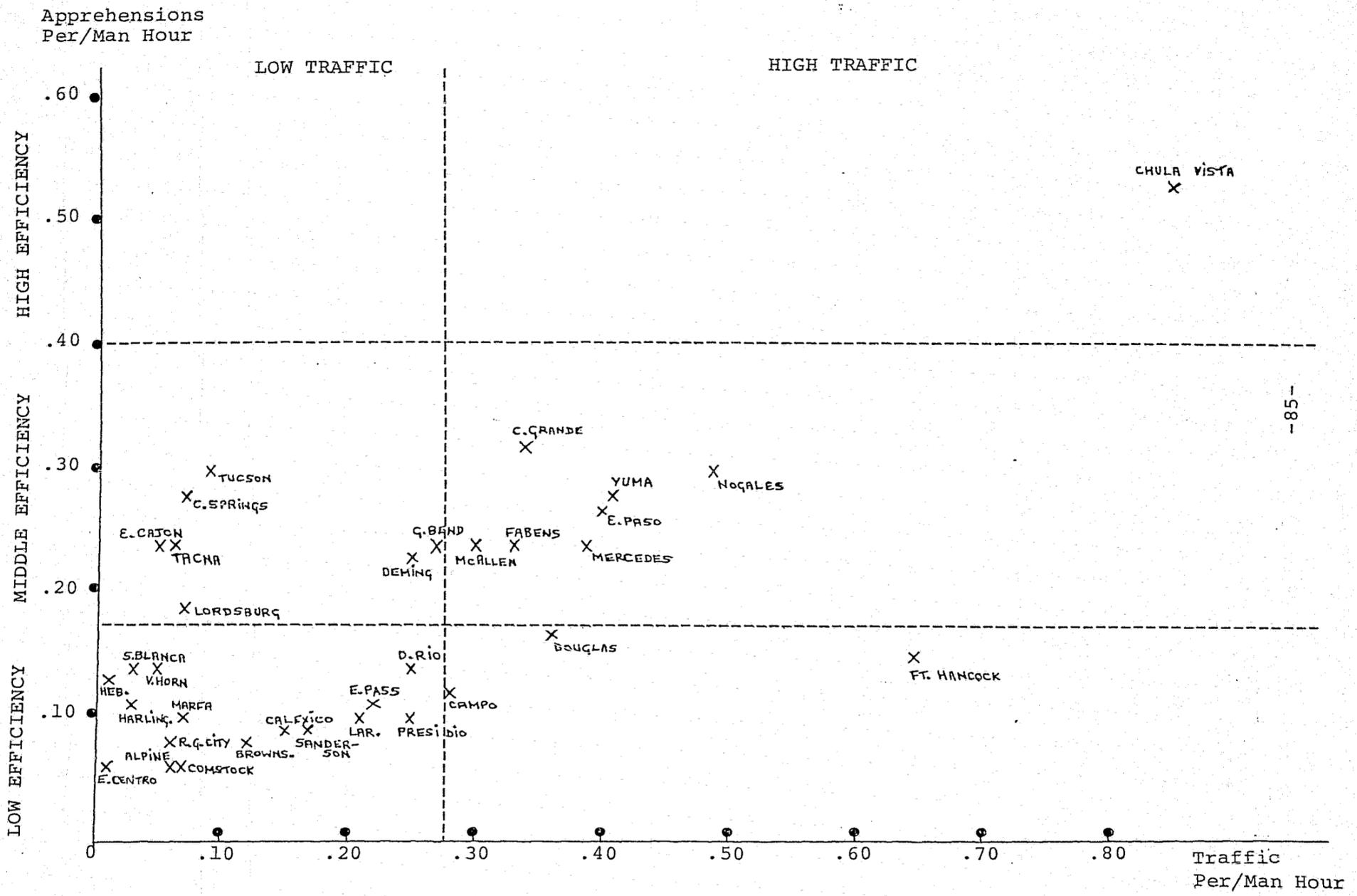
Some stations are more efficient than others, in the narrow sense of taking less staff time to catch an illegal. The Chula Vista station, which catches .53 aliens every hour, is more efficient than El Centro, which catches .06 in the same period of time. Turned around, that is an apprehension every two manhours at Chula Vista, and one every sixteen manhours, at El Centro. These rates can be found in Column C/B.

Another measure can be found in the last column of the table; a relationship between staffing and traffic. A high number, such as those recorded for Nogales, Chula Vista and El Paso, indicate a relatively modest allocation of staff when compared to traffic, where traffic is defined as the number of EWIs who say they crossed the border at a given place. A low number in the last column indicates a relatively generous allocation of manpower, when compared to the variable of traffic. El Cajon, for instance, has about twenty manhours assigned to it for every subsequently apprehended EWI who crossed in their area, while adjacent Chula Vista has only a little over one manhour for each passing EWI. Anomalies, such as the rugged terrain which is El Cajon's piece of the border, plus the flow of illegals out of the Chula Vista station area, account for the station's low catch rate by zone of crossing and much higher rate of catches per hour worked (Column C/B).

To further illustrate the differential staffing and apprehension experiences of the individual stations we have constructed a chart (Figure 5), which divides the efficiency levels of the

Figure 5

DIFFERENTIAL TRAFFIC/EFFICIENCY EXPERIENCE OF BORDER PATROL STATIONS FY 1974



stations into those with high traffic and those with low traffic. This chart, which is derived from Table 7, shows clusters of traffic and efficiency experience; the most populous of the five occupied strata in the chart is that of low efficiency and low traffic. There are seven stations in each of the middle efficiency/low traffic and the middle efficiency/high traffic strata; there are only two stations in the high traffic/low efficiency strata, and Chula Vista stands alone in its segment. (All of these divisions are arbitrary, of course, and relate only to the statistical concepts used here, and not to quality of leadership, dedication of personnel or other matters.)

Another variable, on which we have only impressionistic evidence, is the time of day when Border Patrolmen are employed. We gather that just after dark and just before dawn are the times when the most illegals are apprehended, but in several line stations that we visited most of the force works from 8 a.m. to 4 p.m. Table 8, drawn from the Chula Vista station's FY 1973 experience does not quite support the dawn and dusk image, but it does indicate that approximately 7 out of 10 of the apprehensions take place between 6 p.m. and 3 a.m.

Other variables to be considered in the design of the experiment are seasons and holidays, on the one hand, and the weather, on the other. As the spring arrives, the need for farmworkers increases, and the flow of EWIs quickens; conversely, Christmas and other holidays either draws EWIs back to their families in

TABLE 8

HOURLY APPREHENSION RATES  
OF EWI'S BY CHULA VISTA STATION FY 1973

<u>Time Period</u>	<u>Average Apprehensions (for the full year)</u>
Midnight - 3 a.m.	7,200
3 a.m. - 6 a.m.	2,500
6 a.m. - 9 a.m.	500
9 a.m. - Noon	300
Noon - 3 p.m.	800
3 p.m. - 6 p.m.	2,800
6 p.m. - 9 p.m.	6,500
9 p.m. - Midnight	4,200

NOTE: The total number of apprehensions in a given three hour period were divided by three and rounded to the nearest hundred to secure the figures in the second column.

SOURCE: Unpublished records of Chula Vista Station, Border Patrol

**CONTINUED**

**2 OF 4**

Mexico, or slows their movement out of the country. These factors, as well as the different movements of people through the week and weekend, can be handled, but problems posed by the weather are much more difficult. A storm may simply eliminate any movement across the border.

(b) Recommendation. Given all of these factors, we propose a series of staffing increase experiments in each of five to-be-selected Border Patrol stations, with one station to be selected out of each of the five occupied strata in Figure 5. This will provide a cross-section of the traffic-efficiency experience of the stations along the border.

The increases will be at two levels; a doubling of staff and a tripling of staff in given 24-hour periods. The hours of duty will be arrayed in such a way as to catch as many illegals as possible.

The days that these experiments will be launched will be selected at random, preferably over a year. Although we suggest a stratified sample of stations, we feel that the questions of season and, particularly, weather, are best handled by the random approach. Although there will be a random selection of days, an adjustment will be made to avoid two days in succession (unless all of the first day's apprehendees can be detained through the second day). The apprehension and the return to the border of a particularly large number of illegals, on a given day, would simply increase the flow on the second day beyond normal, and the second day's experience would be skewed as a result.

Calculations will be made beforehand (and not shared with the station staff) regarding the expected apprehension of EWIs on a given experiment day, based on previous experience with the day of the week, the month of the year, and the rolling average of this year's experience as opposed to that of last year. These expectations will then be compared with actual experience when the staff is doubled; similar calculations will be made prior to experiments with a tripled staff. It is possible, particularly in situations where the staff allocations in relation to traffic are relatively low, that a quadrupling of staff might be appropriate.

These experiments deal with line-watch operations only, and when we talk in terms of doubling or tripling staff, we are suggesting that this be done with the numbers assigned to this activity. Further, it is possible that such experiments can be handled for sectors of the border smaller than those covered by a station. (If line-watch apprehension data can be secured over time for a particular stretch of two to four miles, for instance, in an area of heavy traffic, then perhaps the experiment could be mounted in that narrow area.)

Although there will have to be advance planning to arrange these experiments, care must be taken that knowledge of these staffing changes does not filter back into Mexico. Such considerations also rule out week-long experiments, on the grounds that should it become known that the Border Patrol is particularly active, it might discourage attempts to penetrate the border.

The detailed design of these experiments will be created after consultation with INS, and will be included in the Research Design document.

2. Use of sensors. Although our recommendation regarding Border Patrol manning patterns will involve an extensive re-allocations of personnel, and presumably some additional costs, our proposal regarding the use of sensor-related apprehension data would require little more than a refinement of current data-keeping systems, plus a little statistical analysis.

(a) Discussion. For years INS personnel have been using various rules of thumb to estimate the effectiveness of its efforts to prevent EWIs from crossing the U.S.-Mexico border. It was usually expressed as follows:

"For every one we catch, (one to ten) get away."

Using a set of data on sensor-related apprehensions by the Border Patrol, it may now be possible to state:

"For every one we catch, at least 1.8 aliens get away."

The Border Patrol has been experimenting with various kinds of sensors along the border for some time now. These seismic and infra-red sensors are placed in areas where heavy illegal traffic is expected, and are connected with the communications rooms (manned 24-hours a day) of the Border Patrol Sector headquarters. Some sectors have these sensors; a few do not.

In terms of law enforcement efficiency, it gives a relatively small group of officers, riding in patrol cars, instant information about the location of the intruders, who are inevitably on foot. Thus, instead of watching and waiting, or conducting routine patrols, the Patrol's manpower can be (all else being equal) immediately dispatched to an area where there is a high likelihood of an apprehension (or several of them).

In terms of our concern, calculating the flow of illegals into the United States, this is the only INS reporting system which records (albeit imperfectly) a total flow of some kind; other INS systems record such work-load items as apprehensions, inspections, leads and the like.

Every alarm is recorded at Sector headquarters. Notation is made of alarms responded to, and those which have to be ignored because of lack of manpower. (Apparently, and this is a key consideration, no alarms are recorded and then disregarded for other reasons, such as the feeling that an alarm in that location, or under those circumstances is unworthy of response; under some specialized circumstances, the harvest of melons in a nearby field, or a thunderstorm, both of which can create a massive number of false alarms; these alarms are ignored and not counted in the Patrol's statistics, which does not adversely effect the utility of the reporting system.)

Not only are the alarms recorded as responded to, and not responded to, but data is collected on each alarm to which the Patrol responds. The following information is compiled on a weekly basis in the cases in which there is a response:

- number of false alarms or instances of legitimate traffic (i.e., movements of a citizen)
- number of instances in which aliens were turned back to Mexico
- number of times in which aliens got away, into the interior
- number of occasions when apprehensions are made, and the total number of captures of aliens which resulted.

We then calculated the number of getaways, and turnbacks, by the following method which is illustrated for a sample period in

Table 9:

- We recorded the number of intrusions (alarms) and the numbers of responses and non-responses, in lines 1, 2 and 3.
- We then recorded the total number of responses in which there were neither apprehensions nor turnbacks in line 4, which consisted of getaways, line 5, and false alarms/legitimate traffic, line 6.
- Next we recorded the numbers of responses which resulted in apprehensions, line 7 and divided the total number of apprehensions (line 14) by line 7 to produce the average number of captures per instance of apprehensions, for line 8.
- Then we recorded the number of instances of turnbacks, line 9, and estimated the number of aliens turned back by multiplying line 9 by line 8, producing line 10.
- We then estimated the number of getaways in cases where responses were made by multiplying the number of such incidents (line 5) by the average apprehensions (line 8), producing line 11.

Table 9

NUMBER OF APPREHENSIONS AND ESTIMATES OF GOTAWAYS  
IN SENSOR-COVERED BORDER PATROL OPERATIONS<sup>1</sup>  
(FY 1974)

	<u>Chula Vista</u>	<u>El Centro</u> ( <u>Calexico</u> )	<u>Yuma</u> ( <u>Yuma</u> )	<u>Tucson</u> ( <u>Nogales</u> )	<u>Del Rio</u>	<u>Laredo</u>	<u>Total</u> <sup>2</sup>
1. Number of Intrusions	4450	1998	2605	1282	957	526	11,818
2. Number of Responses	3111	1873	1405	769	756	239	8,153
3. Number of Non-Responses	1339	125	1200	513	201	287	3,665
4. Responses - No Apprehensions	1886	1728	1105	651	562	118	6,050
5. Gotaways	937	27	158	180	23	107	1,432
6. False Alarm/Legitimate Traffic	929	1701	947	471	539	11	4,598
7. Responses - Apprehensions	947	68	274	90	186	121	1,686
8. Average Apprehended/ Apprehension	4.7	2.4	3.0	2.7	3.4	4.1	4.05
9. Responses - Turnbacks	197	61	29	41	12	0	340
10. Estimated Turnbacks	926	146	87	111	41	0	1,377
11. Estimated Gotaways (Alarms Responded to)	4404	65	474	486	78	439	6,000
12. Estimated Gotaways (Alarms Not Responded to)	4414	29	1176	537	197	1123	6,472
13. Total Gotaways	8818	94	1650	1023	275	1562	12,472
14. Total Apprehensions	4494	162	820	243	632	492	6,843
15. Gotaways/Apprehension Rate	2:1	.6:1	2:1	4.2:1	.4:1	3.17:1	1.8:1

1 - Based on a sample of 6 7-day summaries of sensor system performance. The 6 periods chosen for sample purposes were not in all cases the same for the 6 locations due to reporting differences, inoperable equipment during some periods and, in one case, Laredo, newly installed equipment.

2 - Total represents total of sample observations.

Source: Immigration and Naturalization Service, Remotely Monitored Sensor System Performance Summary (Form CBP-39).

Note: Unless indicated by a station name in parentheses, figures represent sector summaries.

- The next step was to estimate the number of gotaways in instances in which the alarms had to be ignored; this was done by taking the total number of responses (line 2) and working out a ratio between that figure and the false-alarms/legitimate traffic (line 6) and making a proportionate subtraction from the number of non-responses (line 3); then, we multiplied the resulting figure by the average apprehensions (line 8) to produce line 12.
- We then added the different groups of gotaways (lines 11 and 12) to produce line 13, total gotaways.
- We recorded the total number of apprehensions at line 14 (to facilitate comparison with the total number of getaways).
- We then calculated the ratio between gotaways and apprehensions to produce line 15.

Several points should be made about the exercise described above. In the first place, sensor-related apprehensions make up a significant portion of Border Patrol apprehensions in those sectors with sensors; during FY '74 a total of 59,392 such apprehensions were made, out of a total of 231,590 made by the Border Patrol in those same sectors along the southern frontier.

Secondly, the data that we used was a sample, and does not reflect a full year's experience. We used this approach because in some cases adequate data was lacking; it would be useful in the future to conduct such a calculation from a longer period.

Thirdly, we are making a number of assumptions in these calculations, such as that aliens were travelling in the same size groups, whether they were captured or got away or were turned back. We also assumed that the reporting system was accurate (or that errors cancelled).

Fourthly, it is clear to us that the system used here will tend to understate (all else being equal) the gotaways. This is the case because the Patrol will often come upon a group of illegals, and catch many but not all of them. Since the gotaway and turnback groups are assumed to be of the same size as apprehended groups, the total of both gotaways and turnbacks is presumably under-estimated.

Our final observation would be that the gotaway-apprehension ratio under these circumstances (even disregarding the point made in the previous paragraph) must understate this ratio elsewhere on the border. Presumably the areas with the sensors are more thoroughly guarded and more difficult to penetrate than other parts of the border, simply because the sensors allow the Patrol to effectively mobilize its forces to respond to real, rather than expected intrusions.

(b) Recommendation. That INS test the statistical technique outlined here over time, and in addition, study the ratios which may exist between the apprehended illegal/man hour ratios shown in Table 7.

A more detailed outline of such a study will be included in the Study Design.

C. Flows of Faulty Document Holders

1. Discussion. In Chapter II we categorized three sub-groupings of those with faulty documentation: Those with forged or altered documents, those with genuine documents that did not belong to them, and those with genuine documents belonging to them which they obtained by fraud. The first two of these subcategories are the subject of the proposed experiment, since such documents are susceptible of examination at the port-of-entry. The third category can be checked out only through case-by-case investigations; any significant experimentation with this group appears to be too expensive to warrant further consideration.

As mentioned elsewhere in this report, INS staff do not review the papers of everyone entering the nation, but they do it with more skill than others assigned to the task. Typically, entrants to the nation are reviewed in a mass traffic situation, which does not allow for careful document checking; this is done, at ports of entry, by what are termed primary inspectors; if they sense anything like a problem, with the person's documents, they refer them to a more leisurely secondary inspection by INS staff members. (Similarly, if there is a potential Customs problem, the person is referred to a secondary Customs inspection).

2. Recommendation. In order to secure a better picture of the extent (and nature) of the faulty document problem, we suggest that a sample survey of all border-crossers be conducted, at selected spots along both the northern and southern borders.

The proposed approach is a fairly straightforward one. A small force of expert interviewers and document reviewers, drawn from some of the more challenging ports of entry, would be detailed to the survey for a period of some months. (It is important to use the same people, in different places, so that differential staff skill levels do not skew the results.)

The survey team would review a specific sample of all the traffic (not just the tough cases) for several 24-hour periods at each of the ports of entry selected.

The size of the sample would presumably vary somewhat from place to place and from time to time. During rush hour periods at a busy port, the team might deal with one case out of forty or fifty; at a more relaxed time or place, it might inspect every entrant. Records would be kept as to these sampling procedures, so as not to adversely affect the results.

The selection of the sample would have to be done carefully, to avoid some of the complications that such efforts have faced in the past. We were told, for instance, that in one such earlier experiment the primary inspectors were the ones who selected the sample, which in that case was one out of ten; some inspectors, facing long lines, referred only one case in fifteen or twenty; other inspectors, not understanding the purpose of the exercise, referred the tough cases, not a random sample.

With this in mind, the sample would be selected by someone other than the primary inspectors, perhaps a member of the mobile team. The selection should take place before the primary inspector

encounters the car or the pedestrian, and such selectees should not be referred to the routine secondary INS inspection (on the grounds that this is needless). Further, the normal secondary inspection operation should continue as a separate activity, unrelated to the survey.

It is important that a sample of all crossers go through the survey process; citizens, green-card holders, nonimmigrants and border-card holders. The objective is to find out how many, in each category, are bearing faulty documents (or are making unbelievable statements about their status). Those few with diplomatic passports from other nations probably should be the only ones excluded.

The survey teams would maintain records on the following elements of their work:

- location, day of the week, hours of the day covered, and sample size for the periods of the survey;
- sex of crossers, and their status as pedestrians, drivers, or passengers;
- numbers of crossers surveyed by status:
  - native born U.S. citizen
  - naturalized U.S. citizen
  - permanent resident alien
  - nonimmigrant with visa
  - nonimmigrant with border card
  - others (U.S. nationals, etc.)
- nation of origin of aliens;
- nature of the documents in possession of the crossers, by status;

- number of faulty documents, by each of the categories noted above; numbers of crossers, within each of the categories, with acceptable documents (or statements).

As a result of this record keeping, estimates about the flow of faulty documents through each of the ports covered could be made (and this estimate could be compared to the numbers of documents picked up in the routine operations of the port). National estimates then could be made. It would be also possible to identify the factors which are associated with high incidence of faulty documentations; one might suspect, for instance, that the incidence would be higher in urban areas, on the Mexican border, and during rush hours. This may or may not be correct, and perhaps other interesting patterns will be brought to light.

Although this recommendation is written with the land borders in mind, similar surveys could be conducted among those arriving by plane or ship, should the Service regard this as useful.

#### D. Flows of Visa Abusers

1. Discussion. Although the proposed study of EWIs would be concentrated on the southern border, and the survey of faulty document holders would probably have a similar focus, a study of visa abusers would tend to deal with the streams of illegal immigrants from places other than Mexico -- and to places other than the Southwest states.

Visa abusers, as indicated earlier, are drawn from the universe of nonimmigrants; they have entered the nation legally, through the ports of entry, and subsequently they have either overstayed

their visa, or violated its terms (usually, but not necessarily, by working when they should not do so). Although some illegals are, in a sense, in both categories, e.g., a person with an expired tourist visa who has a job, we classify this group with the overstays for the sake of simplicity.

The numbers of nonimmigrants have been rising rapidly in recent years as can be seen in Table 10, while the numbers of immigrants have stabilized around 400,000 annually. Part of the increased movement of nonimmigrants relates to the world's increasing mobility and affluence, and part of it, presumably a small but significant part, is reflected by the illicit use of the nonimmigrant visa route to enter the United States.

When a nonimmigrant enters the U.S. he is cleared through a process which includes the issuance of an I-94 form (see Exhibit A ). A copy of this form goes to INS Central Office Records Department, where it is recorded on a computer index. The other copy is kept by the visitor until his departure when he is supposed to submit it to an INS, airline or ship official. This copy is then sent to INS Central Office where it is matched with the arrival form already in the index. There is a 90-day grace period after the visa's expiration date for the departure form to be sent in, but after that date, if the record is not cleared it is indicated as an apparent overstay in the index.

Several problems in this process make the computerized overstay figure much larger than the reality it seeks to reflect. At arrival the I-94s are handwritten, which sometimes causes them to

TABLE 10

## NONIMMIGRANTS ADMITTED - FY 1964-74

<u>Year</u>	<u>Admissions</u>
FY '64	1,744,808
'65	2,075,967
'66	2,341,923
'67	2,608,193
'68	3,200,336
'69	3,645,328
'70	4,431,880
'71	4,403,761
'72	5,171,460
'73	5,977,324
'74	6,908,708

Source: INS Annual Report, 1974, Table 15.

Figure 6

Family Name (Capital Letters)		First Name	Middle Initial
ITALY		CATERINA	R640
Country of Citizenship	Passport or Alien Registration Number	Permit Number	
ITALY		066 47 08	
United States Address (Number, Street, City and State)			
HOLIDAY INN, MIAMI FLA			
Airline and Flight No. or Vessel of Arrival		Passenger Boarded at	
EA 345		TOR-	
Number, Street, City, Province (State) and Country of Permanent Residence			
65 ENNETT AVE, TORONTO			
Month, Day and Year of Birth		City, Province (State) and Country of Birth	
6/28/55		BUF	
City, Province (State) and Country of Birth		ITALY	
Visa Issued at		TRT	
Month, Day and Year Visa Issued		NOV 1, 1974	
STAPLE HERE			

A NONIMMIGRANT ALIEN WHO ACCEPTS UNAUTHORIZED EMPLOYMENT IS SUBJECT TO DEPORTATION

Surrender this copy When Leaving The United States SEE REVERSE

FORM 1-94

**IMPORTANT NOTICE**  
 A NONIMMIGRANT ALIEN WHO ACCEPTS UNAUTHORIZED EMPLOYMENT IS SUBJECT TO DEPORTATION.  
 Retain this permit in your possession except when required to submit same to the Immigration and Naturalization Service.  
 You are permitted to remain in the U. S. for the time indicated.  
 To remain past this period, without permission from Immigration authorities, is a violation of law.  
 WHEN YOU LEAVE THE UNITED STATES  
 By sea or air, surrender this permit to transportation line.  
 Over Canadian border, surrender this permit to Canadian Immigration Officer.  
 Over Mexican border, surrender this permit to United States Immigration Officer.  
 RECORD OF EXTENSIONS

Office \_\_\_\_\_  
 Office \_\_\_\_\_  
 Office \_\_\_\_\_  
 DEPARTURE RECORD  
 CUSTOMS IMMIGRATION INSPECTION  
 OCT 28 1974  
 TORONTO  
 582432  
 UNITED STATES DEPARTMENT OF JUSTICE  
 IMMIGRATION AND NATURALIZATION SERVICE  
 ARRIVAL AT PORT OF ENTRY: FORM I-94 (REV. 9-17-71)  
 I.C.A. APPROVED GWF NO. 24-8026

to be keypunched incorrectly. Departures present an even greater problem. Often the forms are not collected by the presiding official; often, a visitor will have misplaced or lost his I-94. If a duplicate form is not made and sent into the INS Records Department, that person will be indicated in the index as an overstay, even though, in fact, he has departed.

All of these problems result in an overcount of overstays. There is also, however, a small percentage of people recorded as having departed, who, in fact, are still in the country. This happens when a visitor gives his I-94 to someone else who is departing. That form will be sent into INS, matched with the arrival form and the visitor's file will be cleared.

In short, the overstay index is a residual technique with more than its share of problems.

INS has been concerned about this, and has made efforts in the past to work out a ratio between the number of overstays on the index and the real number. In one such effort, INS concluded that 49% of the apparent overstays could be cleared if a vigorous effort were made within the INS records system to match departure with arrival records.

We have not, incidentally, mentioned the total number on the overstay index, until now, because we have wanted to lay out the problems with the index before revealing the numbers involved. In September 1973 it was 1,160,595. By January 1975 it had grown to 1,799,120. A reduction by 49% would bring the more recent figure

down to 917,551, but that still is regarded as an overstatement by INS officials.

Several years ago an effort was made to investigate how many of the 51% remaining on the index were, in fact, still in the country; investigators were sent out to find certain kinds of aliens that the Service was particularly concerned about, such as those from Iron Curtain countries, but only 7% were located. This was not a scientific sample, and the exercise was not very useful in terms of determining the real number of overstays.

The other kind of visa abusers, who are not recorded on the overstay index because their visas have not yet expired, are hidden from any INS statistical system. No one knows how many tourists or students or temporary workers' spouses are working when they should not be.

2. Recommendation. Both groups of visa abusers (unlike the EWIs and the holders of (many of the) faulty documents) are known to the Government, and some data on them is available in INS files. It strikes us that the only way to find out how many such individuals exist, and to secure information on their characteristics, is to conduct a survey of them.

Such a survey would cover a sample of:

- people whose names appear on the overstay list, after diligent search and name checkings have failed to clear their names from the index,

- nonimmigrants in those visa categories who, in the experience of the Service, are most likely to abuse the visa conditions.

It would be important to conduct a stratified sample of these two classes of visa abusers, so that not only could estimates be made about the universe in each situation, but about components as well. It would be helpful, to both INS and to the State Department, which issues nonimmigrant visas, to know more about the characteristics of visa abusers, so that people in those categories would receive particularly careful screening in the future. An understanding of the characteristics of the visa abusers would also be helpful in connection with studies of the impacts of illegals on various aspects of society.

A more detailed description of the survey techniques, including a discussion of who will conduct the survey, and more precise definitions of sampling methodology and sample sizes will be included in the Study Design.

CHAPTER V. CHARACTERISTICS OF ILLEGAL ALIENS

A. The Significance of Information About Characteristics of Illegals

There is a substantial amount of data potentially available on the characteristics of illegal aliens; assuming that the surveys recommended in Chapter III are conducted, there would be the following sources of information, each drawn from a different cross-section of the illegal alien universe:

- INS apprehension records
- D/L data from labor certification rejectees
- data from leads on illegals supplied to INS by various sources, official and unofficial
- data from the files of immigrant-serving agencies and lawyers specializing in immigration matters
- data from the proposed residential and (to a lesser extent) industrial surveys.

The difficulty with all of these sources (with the hopeful exception of the last) is that they are drawn from different cross-sections of the illegal alien population, none of which is presumably a good sample. As a matter of fact, it appears that the data source which could produce information on the largest number of people, the apprehension reports, is probably the least representative of them all, reflecting, as it does, the Service's operational patterns.

Before reviewing each of these sources, however, it is useful to reflect on why characteristics information will be useful.

Characteristics data, in terms of nation of birth, will give us a much better picture than we now have regarding the sources of the illegal immigration; our suspicion is that a good cross-section of this universe will show that both Mexican nationals and males are overrepresented in the apprehension data.

If we knew more about the age, sex, and marital status characteristics of the illegals, we would have a better understanding of their impact, current and potential, on matters dealing with health and population. Further, more information on their education and skills, labor-force participation rates and work experience, would help us learn more about their role in the labor market.

In short, to assess the impact of the illegals, it will be necessary not only to know how many there are, where they are, and how they manage to get into the country, it will also be necessary to know something about them as human beings.

B. Sources of Data About Characteristics of Illegals

1. INS apprehension reports. Every alien apprehended is interviewed, and the form reproduced on the following page is completed; usually this form (I-213) is typed by the arresting officer in urban settings, but it is often completed in ink or pencil in the field. As with any such document, sometimes the blanks are all filled in, sometimes they are not. In the last



two months, INS has been instructing its arresting officers to include data on the alien's labor market status (place of work, wage, length of time on the job) in the narrative section, which will increase its usefulness in terms of labor market impact analysis.

Not surprisingly, not all of the data collected on the form is tabulated by INS. Such economic information as presence or lack of a social security number, and occupation is not tabulated, nor is sex or marital status. What is tabulated can be seen on the attached G-23.18 and G-23.17 forms; the 23.18 form shows, by 19 nationality groupings, the illegal's status at entry (i.e. how he entered the nation), the length of time in this country, and his status when found. The latter grouping consists of three labor market items, "in agriculture," "in industry and other" and "seeking employment," and two other categories, "in institutions" and "in travel." The fourth of these often reflects a brush with the law, or hospitalization.

The G-23.17 form is used by the Border Patrol, which catches the large majority of all apprehended aliens. There is no demographic information on this form that is not already available on the other form, but it does deal with several operational questions, e.g., how many illegals were found during particular kinds of activities (line watch and city patrol, for instance); it also, at the bottom, shows the place where the apprehended EWI says he crossed the border, a subject discussed in the prior chapter.

PLACE OF ENTRY, STATUS WHEN FOUND

Line	Nationality	Total (1)	Part I. Status at entry											Part II. Length of time illegally in U.S.							Part III. Status when found						
			Agricultural worker (2)	Visitor (3)	Student (4)	Crewman				Immigrant (12)	Slowway (13)	E.W.I. (14)	Other (15)	At entry (16)	Within 72 hours (17)	4 - 30 days (18)	1 - 6 months (19)	7 months - 1 year (20)	Over 1 year (21)	Employment							
						*Total (5)	D-1 Non-wilful violator		Wilful violator (8)											Total (9)	Non-wilful violator (10)	Wilful violator (11)	In Agriculture (22)	Industry and other (23)	Seeking employment (24)	In institutions (25)	
							On 29-day vessels (6)	Other (7)																			
1	Total	25076	21	5246	1589	553	130	18	205	10	2	8	161	6	16887	933	20	1098	4918	10464	3831	4745	2044	16184	1563	3219	212
2	Canada	555		394	44	2			2				35		35	45	2	87	161	167	43	95	4	304	13	103	74
3	Mexico - adult males	17082	3	1126	14	2			2				62	3	15749	123	8	606	3815	7568	2440	2575	1945	10186	1199	2939	150
4	Mexico - females and children	1704		638	12								6		1007	49	1	86	177	561	312	565	71	1103	107	89	16
5	Cuba	10		3									1		6			1	3	1	5		5		3		
6	B.W.I. and British Honduras	367	3	254	45	25	25		1			1	9	1	26	28		3	24	89	50	201		319	22	5	14
7	Dominican Republic	71		57	7								1		3	3			1	18	8	44		67	1		2
8	Other Western Hemisphere	611		412	98	11		2	9	1		1	9		31	49		19	77	216	101	198	3	464	27	30	45
9	Chinese	308		89	157	28		3	25	1		1	2		2	29	1	40	28	126	40	73		271	4	5	13
10	Philippines	416		223	71	9			9				2		111			12	43	116	64	181		353	14	2	25
11	Other Asia	1485		457	747	29			29				16	1	2	233	3	104	173	664	276	265	1	1237	57	12	81
12	Greece	266	1	75	25	105	3	3	99	6	2	4	1		12	24	1	23	38	62	53	87		193	17	4	40
13	Italy	73		69	7	3			3				1		3	10	1	7	15	34	17	19	2	62	9	1	11
14	Scandinavia	56		32	8	2		2					1		13			4	14	21	14	3		35	2	2	2
15	Spain	32	17	12	1	2			2				1		2			5	5	13	3	6	12	15	1	3	1
16	United Kingdom	228		142	26	23	13	1	9				3		1	46	2	26	32	102	38	28		171	6	9	26
17	Yugoslavia	256		216	8	6			6				1		4	21		13	38	92	74	39	2	208	7		2
18	Other Europe	782		639	52	8		3	5				8		7	68	1	23	100	319	152	187	2	616	35	5	7
19	Other nationalities	754		398	267	98	89	2	5	1		1	2	1	3	73		40	102	293	145	174	2	575	42	7	42

Status at entry	Total (1)	Part IV. Place of entry											Part V. Method of location																
		Land Borders (2)	From Atlantic thru Toledo (3)	From Toledo thru Duluth (4)	From Duluth to Pacific (5)	California and Arizona (6)	New Mexico thru Del Rio, Texas (7)	From Del Rio to Gulf (8)	Sea Coasts (9)	New England (10)	New York Area (11)	Delaware Bay (12)	Chesapeake Bay (13)	North and South Carolina and Georgia (14)	Florida (15)	Gulf except Florida (16)	Lower Calif. No. 16 (17)	Upper Calif. No. 13 (18)	Washington and Oregon (19)	Alaska (20)	Hawaii (21)	Territories (22)	24. Total located	25. Masters or agents reports	26. Area control-illegal status	27. Other Investigative efforts	28. Border Patrol	29. Other	
20 Crewman - D-1 (wilful violator)	205	28	4	22	1		1	177	3	36	1	2	1	24	15	16	11	61	13					2507	1	19398	2754		
21 Crewman - D-2 (wilful violator)	8							8		2				1															
22 Slowway	6	4		2				2		1																			
23 E.W.I.	16887	16842	4	57	22	5547	6106	5706	45	13				3		10		4											

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Figure 9

UNITED STATES DEPARTMENT OF JUSTICE Immigration and Naturalization Service		DEPORTABLE ALIENS LOCATED BY BORDER PATROL													Month: _____		Reporting office: _____								
IV. BORDER PATROL (Contd.)  Operation	TOTAL Columns	Status at entry											Length of time illegally in U.S.				8 U.S.C. 1324, 1327, 1328			Fraudulent claim to USC		Fraudulent claim to legal status			
		Agricultural worker	Visitor	Student	Crewman				Immigrant	Stowaway	E.V.I.	Other	At entry	Within 72 hours	4-30 days	Over 30 days	Principals	Alien			Presented documents	Unsupported oral claims	Alien Registration Receipt Card (I-151)	Non-resident Alien Mexican border crossing Card (I-186)	Other
					D-1	D-2	By aircraft	By watercraft										By other means							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
1. TOTAL (Lines 2-10).....																									
2. Line watch .....																									
3. Patrol .....																									
4. Farm-ranch check .....																									
5. Traffic check .....																									
6. Transportation check - Total .....																									
(a) Bus .....																									
(b) Passenger train .....																									
(c) Freight train .....																									
(d) Aircraft .....																									
7. City patrol .....																									
8. Boat patrol .....																									
9. Crewman-stowaway .....																									
10. Turned over to BPsy other agencies .....																									
11. *Observation aircraft .....																									
12. *Electric eyes .....																									
13. *Ultraviolet light .....																									
14. *Other elec./rech. devices .....																									

\* Included in appropriate activity, lines 2 through 10.

CREWMAN - Exclude crewmen on 29-day vessels.

E. V. I. - Place of entry - Station area																																				
TOTAL	CHU	ECJ	CAO	ELC	CAX	YUM	TNA	CBN	CAG	TCA	AGL	CGL	LOB	DMV	EPT	YST	FBH	FHT	SBT	VHT	VAR	VRG	A-T	SNW	COM	GRT	LGT	CAR	LRT	HEB	KGC	MCA	WER	HRL	BRP	
	BLV	L'D	ORV	COV	BOV	WHF	BRN	CHL	HVM	MLT	WOL	PRT	BDT	PMB	WRM	IHF	GMM	SMY	VHM	DTM	TRE															

\* Stations not included by service location code.

In short, the INS reporting system, designed for management rather than research purposes, does not collect and tabulate more than a small portion of the available data on apprehendees.

2. D/L data. A substantial percentage of people seeking labor certifications do so while in the country illegally; when the Labor Department turns down such a request and notes that the alien reports a United States address, it reports this fact to the Immigration Service. The numbers are relatively small (amounting to one or two such notifications for every 100 INS apprehensions), but since the data deals with a group of nonapprehended illegals, in the labor force, it may be of some interest. The understaffed INS generally does not make use of these leads, so most of the people involved remain at liberty.

3. Other leads data. Every INS office has a collection of mail, and reports on telephone conversations, about illegals present (and not apprehended) in the country. The influx of these leads is often heavy (much heavier than the one from the Labor Department), and the individual items are usually laced with malice. The letters, particularly, often reflect an effort by an individual to remove another individual from his or her life, usually for motivations that have nothing to do with helping the Government enforce the law. If a motive shows up, it is often sexual jealousy; sometimes it is merely desire to evict a noisy neighbor who cannot be moved by more traditional means.

In any event, these are an interesting and potentially useful source of data, often more comprehensive than one might expect, with details about the suspected illegal's address, place of work, and method of entry often noted. For example, random sample of these leads, taken in New York and Los Angeles, indicates a much higher proportion of women than the apprehension records suggest.

4. Lawyers', immigrant-serving agencies' files. Whereas the three previous sets of data are in the hands of the government, the valuable sources of data noted in this section are in private hands. Clearly any use of this would have to be handled so as to protect the individual client's names and addresses. We have discussed the possible use of these files, as part of a research project, with a leading immigration practitioner in New York, and with the leaders of the two immigrant-serving organizations mentioned in Chapter III. All were not only willing, but enthusiastic about the use of their files in this way.

These files will generally have the same demographic and economic information as the apprehension data; they will reflect country of origin, place of work, occupation, sex, marital status, age, and the like. In addition, there is a significant kind of information not available from the other sources described in this chapter; an expert opinion of whether or not the alien is likely to be able to change his status to that of a legal resident.

This determination is not hard to find; it is a basic part of the document, because it is the accept-or-reject decision of

reputable lawyers or responsible immigrant-serving agencies. If the alien does not have a hope of legitimization, the lawyer does not accept him as a client, or the immigrant-serving agency explains the facts, and wishes him Godspeed. (There are clearly operators in the immigration business who do not handle themselves quite so honorably, but they would be excluded from any proposed study.)

5. Survey data. Some of the most interesting characteristics data would be collected in the residential and industrial surveys described in Chapter III. This is the case because, we hope, a cross-section of illegals would be interviewed. It will be interesting to see how this information correlates with that secured from the other sources listed here.

#### C. Recommendation

Our recommendation is that a coordinated study of the characteristics of illegal aliens be mounted, using the data just described; that to the extent possible similar data be collected from these sources; and that data be collected and tabulated in such a way that a series of matrices can be created, showing the relationships between such factors as:

- demographic factors
- economic factors
- length of stay in U.S.
- method of entry
- apprehended/not apprehended

- likely and unlikely to be legitimized
- impact on U.S. systems (to extent possible, largely in the residential survey)
- nation of origin
- location within the United States.

The data will be collected, tabulated and analysed in a manner which will be spelled out in more detail in the Study Design.

## CHAPTER VI. IMPACT STUDIES

### Introduction

Illegal aliens are people who work, get sick, have babies, pay taxes (though maybe not as often as they should) and mail money back home to their relatives. Some of them show up on welfare rolls, some get in trouble with the law, some of them are little children attending school. Some return to their country of origin, some become citizens, and some die here in an alien land.

Illegal aliens, in short, are making impacts on our society -- which is, in turn, making impacts on them. And since very few systems pay any attention to their legality or illegality, the level and kinds of those impacts are hard to measure.

In the preceding chapters, we have focused on questions of the numbers, distribution, flows and characteristics of illegals. We have suggested a variety of ways to secure data and estimates on those subjects. This chapter, on the other hand, consists of a series of suggestions about ways in which the interactions between illegals and the systems of our society can be studied.

We selected, somewhat arbitrarily, the fields of law enforcement, social security, welfare, health, labor market, education taxes, balance of payments, the impact of illegal immigration upon the sending nations, as well as the impact of illegal immigration upon the illegals themselves. We think these are areas of primary concern, but arguments can be made for similar attention to impacts on unem-

ployment insurance, on transportation systems, and on the impact of illegal immigration upon the nation's legal immigration practices.

In the pages which follow we outline some of the more pressing problems worth studying in this field, the objectives of such studies, and the suggested methodologies.

A. Impact of Illegals on the Criminal Justice System

1. Problem. Although the conventional wisdom of the border is that illegals are quiet, harmless people, only seeking work, there is reason to explore the relationship between illegal immigration and the criminal justice system in the light of new knowledge about the changing patterns of illegal immigration, and the greater concentration of illegals in urban places. Some initial probings in this area suggest that the problem is severe enough -- at least in some areas -- to justify such a study.

Our premise is that an illegal alien committing a crime, or even simply going through a (non-INS) criminal justice process as one accused of an anti-social act, is creating a less tolerable cost to society than that borne when a citizen (or other legal insider) commits a similar act.

2. Objectives of the study. The objectives of such a study would be:

- to secure basic data on the extent to which illegals are a crime problem, on a national level and in three localities of particular interest, Los Angeles, New York and El Paso;
- to review the extent and nature of the cooperation between law enforcement agencies (local and federal) and INS;
- to devise law enforcement strategies, on both local and national bases, to cope with the problem.

3. Data collection and analysis. By way of background, it is useful to review three different settings in which there is a relationship between illegal immigrants and the commission of

crimes. The first is the situation in which there is a polyglot group of illegals (New York, Chicago, San Francisco) in which resident illegals of different backgrounds have different proclivities (according to New York Police, natives of some sending nations are more inclined to violent crime, while people from other nations are more likely to be in the drug business).

In the second type of setting, there is a homogeneous resident illegal population (Los Angeles, San Antonio), while in the third there is a commuting illegal population (El Paso is the best example of this rather specialized situation; in that city there is a particularly difficult problem, we are told, with commuting juvenile delinquents. INS simply puts them back in Juarez, where they are free to return; neither the Texas penal system nor Mexico's criminal justice system will deal with these youths.)

In addition to studies of these three settings, we also suggest that a national sampling be done, via fingerprint files, to ascertain the extent to which apprehended illegals have criminal records.

The data collection for the three-locality study would include:

- literature search. There has been little written on the subject, but it is possible that a careful search will find local data not known to us at the moment. The single work on the subject which has come to our attention is the "Los Angeles Police Study of Impact of Illegal Aliens on Crime in LA -- Ramparts Division Case Study." This study concludes that illegal aliens are more likely to commit repressible and Part I crimes than other residents of the area studied, (the Ramparts section) and that following a major removal of illegal aliens by INS there was a substantial drop in those crimes in that area.

- interviews with knowledgeable people. It would be useful to talk with INS and other federal law enforcement people, with local law enforcement agencies, and with criminal defense lawyers, and others in the criminal justice system.
- identification of illegals among those arrested. The best way to secure primary data would be to set up a procedure, in the areas of concern, in which all foreign-born offenders charged with Part I crimes, or a sampling of them, would be screened by INS officers regarding the legality of their presence in the United States. This would produce data on foreign-born violators by nation of origin, by nature of crime, and by their status as citizens, resident aliens, legal nonimmigrants or illegals.

The data collected nationally would start from a different base, the apprehended illegal rather than the apprehended alleged offender. Again on a sample basis (perhaps related to the total numbers of illegals in the nation developed by the residential and industrial surveys) apprehended illegals would be fingerprinted, and the prints run through the FBI files. Data again would be arrayed along the lines of the nature of the crime, the nation of origin, the length of stay in the United States, and other characteristics data on those with (and without) criminal records.

In both the local and the national studies it would be important to check carefully how the illegal aliens entered the country, i.e., whether they were EWIs, visa abusers or those with faulty documentation.

Analysis of the data described above would include comparison of the apprehension rates, by locality and by nation of origin, by nature of entry (and by other variables) within the illegal population; it would also include a comparative study of the apprehension rates of the four subgroupings of foreign born mentioned

earlier, and a comparison of each of these four groups with the apprehension rates of native-born people in the same cities.

Similarly, the analysis of the national fingerprint data would be done within the illegal population, and between the illegal population and that of the native-born population. (It is perfectly possible that the latter study may indicate that illegals, perhaps because of the relative brevity of their stay here, may be much less likely to have criminal records than native-born Americans.) A time of exposure (the total length of time that the illegals have been here) would have to be measured in order to make these comparisons.

4. Alternative policy recommendations. Flowing from this analysis would be a series of alternative policy recommendations regarding local and federal criminal justice practices, as well as recommendations about the immigration law and its administration. Of particular interest would be the analysis of how criminal illegals enter the nation, for this might suggest new priorities (or buttress old ones) regarding law enforcement strategies.

B. Impact of Illegal Immigrants and Aliens Illegally Employed in the Labor Market

1. The problem. The presence of aliens illegally in the workforce is by no means a new phenomenon, but it is one that is attracting increasing attention both because of its increasing dimensions per se and because it is occurring in an economy of increasing scarcity, of rising unemployment and inflation.

Available data suggest that a large majority of illegals are workers; they are here because they want jobs and those jobs are not available in their country of origin or, if available at all, the disparity in wage rates is enormous. Pushed, then, by adverse economic and demographic conditions in their countries of origin, these aliens are simultaneously pulled both by the myth and by the reality of American economic opportunity.

The characteristics as well as the number of illegal aliens affect the labor market. Illegals appear to have minimal occupational skills, little knowledge of the language, and, because of those two factors and their illegal status, they have little or no bargaining power in the employment sector. Those characteristics combine to create a cheap and certainly an impotent labor supply that depresses the labor market. (Not all illegally employed aliens, of course, fall into the secondary labor market sector; e.g., the polylingual M.D. whose visa has expired.)

Though no longer largely concentrated in Southwestern agricultural employment, illegals tend to concentrate not only in certain segments of the economy but also in certain areas of the

country--increasingly, in metropolitan areas, where 91% of foreign-born residents live. Thus, the depressing effects of illegals are apparently concentrated, and particularly adversely affect low-skilled members of minorities (blacks, Mexican Americans, and Indians).

In addition, the presence of illegals tends to discourage union organization and illegals are sometimes consciously used to break strikes. The extent of this phenomenon is hard to measure, but it has certainly attracted the attention of the media, largely because of protests made on this score by Cesar Chavez.

2. Objectives of a study of the problem. The objectives of a study of the impact of illegal aliens on the labor market, a study we are currently undertaking for the Department of Labor (Contract #20-11-74-21, which includes research on the impact of green card commuters, as well as illegals) are threefold:

- the collection of reliable and relevant data on the number, characteristics, distribution, skills, employment and wages of illegally employed aliens;
- analysis of their impact upon the U.S. labor market;
- recommendations, based on those data and their analysis, for public policy.

3. Data collection. The illegals covered in this particular study are working-age, nonimmigrant aliens who either entered without inspection (EWI), entered with fraudulent or fraudulently obtained visas, or who have worked in violation of the terms of their visas. This definition includes people who are legally in this country, with a bona fide visa and who are seeking to regularize

their status, but who are working illegally. The definition excludes illegal aliens who are too old or too young to be in the labor market; nonimmigrant aliens who are working legally (temporary workers, exchange scholars, etc.) and any reference to the highly specialized worker problems of the Virgin Islands or Guam.\* For the purposes of this study, aliens illegally employed are categorized in three groups:

- those caught along the border, who are largely Mexican nationals, largely working in agriculture and, to an even greater extent, largely in travel seeking work (EWI)
- Mexican nationals caught away from the border, largely in urban areas covered by INS area control activities, and working in industry or commerce (mostly EWI's)
- all other nationalities, who are almost entirely not EWI's, and are largely working in industry, trade, commerce, and services.

(a) Literature search. A literature search on the impact of illegal aliens and related labor market studies will be undertaken.

(b) Utilization of existing statistical data.

(i) File search: apprehension data. INS data on apprehendees will furnish us with a significant amount of useful labor market data on illegals. One of the most useful sources of information on the labor market activities of illegals is the I-213 (reproduced earlier), which supplies data on the location of apprehension, characteristics of the apprehendee, which are tabu-

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\* This subject is well covered in "Aliens in the United States Virgin Islands: Temporary Workers in a Permanent Economy," prepared by Social Educational Research and Development, Inc., Silver Spring, Md., 1968.

lated, as well as potentially useful economic information, which is not tabulated. The latter includes the name of the employer and the worker's social security number, as well as his or her occupation. Analysis of a week's worth of I-213s from across the nation (20,000 or so forms) will produce fairly good data on the economic characteristics of illegals now being captured by INS.

(ii) File search: nonapprehension data. Many aliens illegally employed are not, however, caught by the INS, and data acquired from a sample of apprehendees will not accurately reflect the labor market activities of the illegals now in the United States.

File searches will, therefore, be conducted for four segments of the noncaptured illegals for whom files are available. Data on nation of origin, wages, occupations, sex, age, geographical location in the United States, length of stay, etc., can be secured for the following groups:

- those who have retained a member of the immigration bar,
- those who have sought help from legal assistance or immigrant-serving agencies,
- those who are known to INS and who are seeking to regularize their status, and
- those now in this country and working whose employers are seeking labor certification for them (most are working illegally).

(iii) INS employment surveys. In addition, it is expected that INS employment surveys, indicating the numbers of resident aliens, legal nonresident aliens, illegal aliens, and U.S. citizens, will supply helpful information establishing the

incidence of illegals in the labor force.

(c) Interviews. The best way to get indepth labor market information is from conversations with illegals, as our previous work with illegals and the work of sociologist Julian Samora has shown. We, therefore, will interview 850 illegals:

- 400 apprehended at the border (mostly Mexican nationals)
- 200 apprehended away from the border, who are not Mexicans
- 200 apprehended away from the border, who are Mexicans
- 50 nonapprehended illegals.

In the course of these interviews, we will ask questions on the following labor-related subjects:

- demographics: age, sex, marital status, place of birth, nation of citizenship;
- education and training, general and vocational;
- previous work experience in nation of origin, including occupation and wages;
- information about previous encounters with U.S. labor market, if any; wages, occupation, industry of employer;
- similar information on encounters with the U.S. labor market on this trip;
- social security number.

(d) Social security earnings data. Social security numbers of illegals secured from the above sources will be arrayed by cells of sufficient size (to avoid revealing any individual data), and social security earnings data for each of the cells will be sought. In this way, we should be able to learn, over time, the extent of the illegals' wages covered by social security taxes and, to the extent that a major portion of their wages were, in

fact, covered, we will learn something about their earning power in the United States.

(e) Interviews with knowledgeable persons. Some 30 knowledgeable people, in Washington, New York, and along the border, will be interviewed for additional sources of data concerning, and insights into the impact of illegals upon the labor market.

These people will include immigration lawyers, INS officials, representatives of labor, and immigration-serving agencies.

4. Data analysis. Simultaneously with the analysis of labor market data on illegal aliens, we will develop labor demand analyses of the selected geographic areas where we suspect there are high concentrations of short-term illegals (border counties) and long-term illegals (New York/Newark, Chicago, Los Angeles, Detroit and Miami), as identified by various techniques. Traditional Department of Labor data sources will be used. Simple economic impact models, particularly for the key border counties, will be developed from the Commerce Department Regional Economic Information System data on sectoral employment and earnings trends. The model will show historic growth relationships by sector of work in absolute terms and relative to U.S. growth, as well as mean earnings data. Work sectors of high employment of illegals will be analyzed.

Labor supply and demand data will then be linked and estimates of local labor market impacts made, assuming a loose approximation that the nonapprehended illegals behave as do apprehended illegals in each of the three major groups discussed earlier.

We will compare by nationality our data on the socio-economic, labor force, and geographic distribution of the apprehended illegals with other universes we know, such as the immigrants, foreign-born who entered in 1965-1970 (census data) and, in addition, the 50 nonapprehended illegals we will have interviewed. Using these, and other available sources of information, we will attempt to construct as realistic a picture as possible of the majority of aliens illegally employed--those who are not apprehended by INS, by major cells of nationality, geographic area, and sector of work.

5. Available policy alternatives and recommendations. On the basis of our analysis of all available data, we will outline our findings, policy alternatives available to the Government, and our policy recommendations.

C. Exploring the Relationships between Illegal Aliens and the Social Security Administration

1. Background. The relations between illegal immigration, on the one hand, and the Social Security Administration, (SSA) on the other, are complicated, multi-faceted, potentially fascinating, and, to date, brushed aside by both parties. The illegals regard Social Security as producing the card necessary to get a job, but little more; the system's administrators have no enthusiasm for using their system to find out more about the illegals.

Given both the low priority that the agency places on the subject, and the long list of problems, questions and opportunities presented by the relationship, we have not designed any single impact study, but have, instead, offered a menu of subjects which we think the Social Security Administration should be exploring.

2. Suggested further studies.

(a) The card as a work permit. SSA does not like the idea that the card should be viewed as a work permit; in fact it is, and on Oct. 30, 1972 the President signed a bill calling for new procedures for issuance of cards to aliens. The regulations on these procedures were published on March 19, 1974. In general terms, they require an alien to produce proof that he is entitled to work.

We understand, unofficially, that the procedures (where enforced) have been effective, and that there have been instances of illegals leaving the country because, among other things, they could not get a social security card. We also understand, equally unofficially, that only a minority of the SSA offices in the New York area are enforcing the new regulations.

The Congress (as witnessed on February 4, 1975 by the House immigration subcommittee's questioning of the acting Attorney General) remains interested in the denial of social security cards to illegal aliens. It strikes us that someone should take a look at the new SSA system from two points of view:

- To what extent is the system in actual operation?
- What could be learned about the people who make an initial application for a card, and then abandon their attempt when they find out that they have to prove that they are in the country legally? We gather that some 22,000 people had abandoned their efforts to secure cards in the six months ending in mid-September 1974. Where did these people file? What are their characteristics?

(b) Financial impacts. Illegals with social security cards, to the extent that they work and have social security taxes deducted, are making payments to the fund. On the other hand, some former long-term illegals, and or their survivors, are collecting benefits. What is known about these flows of moneys? We suspect that it might not only be possible, but highly likely that the illegals are subsidizing the fund. We think that is worth exploring.

Since the Immigration Service notes the social security numbers of apprehended aliens, it would be possible to run a sample of these numbers through SSA's tax records to see to what extent they are paying into the fund (and to secure some information on illegals wages in the process). At the other end of the scale, it would be possible to conduct in-depth interviews (without any penalty to the beneficiary) to determine to what extent illegals were becoming beneficiaries. (Such interviews would be done on a sample basis, among foreign born, in places with heavy concentration of illegals.)

Further, it might be possible to learn something about the status of the workers whose past work is now leading to a flow of benefit checks to Mexico and to other nations that send illegals to the States. There was an outflow of almost \$2.5 million monthly in benefits to more than 30,000 beneficiaries in Mexico in 1972. These totals, of both dollars and beneficiaries have been rising rapidly, and Mexico has been moving up the list of nation's receiving social security checks. (It is now third, after Italy and Canada.)

(c) Fraudulent cards. There is, reportedly, a brisk traffic in forged social security cards along the U.S.-Mexico border. Other illegals must be using numbers that they either copied from a friend's card, or simply invented.

It would be interesting to run a series of illegals' social security cards through the system (supplying name, number and state where work was done) to estimate the extent of this phenomenon. (The result of this practice, incidentally, would be additional funds for the system, since the likelihood of claims against these phoney numbers is problematical.)

(d) Non-employment cards.

- Some aliens, who not permitted to work, are allowed to get a card for non-working purposes, statistics are now coming in on the use of these cards for employment purposes. What can we find out about this subgroup?

What does Social Security do with this information?

(e) Seized cards. In some places, INS takes possession of social security cards found on illegal aliens; in other places, it does not.

In instances where they are seized, does this effectively cut off contributions to these numbers in the future, or does the illegal remember his number, and use it again the next time he has a job in the States? (That he will come back and get another job appears likely.)

What are the policy implications of the seizure - non-seizure question?

3. Policy matters. Clearly a number of other policy questions concerning the relationship between the illegals and the social security system arise. As we suggested in the section of this chapter on tax questions, employers failing to make social security tax payments in connection with illegals' employment should be penalized. To the extent that illegals, as a group, are paying into the fund (and not collecting from it) they are being penalized, automatically and routinely, as the cheating employer is not.

Should something be done to rectify this imbalance?

There clearly is a disagreement between the Social Security Administration and the Congress on the use of the card for identification process. How much further can the Government go, along the lines outlined by Congress, to use a card as a technique for discouraging illegal immigration?

Assuming for a moment that illegals are subsidizing the fund, would it be possible to construct a system using these surplus funds to remove some of the older illegals from the labor market, by putting them (prematurely) on a social security pension in return for their departure from the country? Some arrangement would have to be made to keep them out of the country, such as an in-person appearance, either monthly or on demand, at an American consulate, to keep the check coming. The provision in the law, which penalizes U.S. retirees who continue to work

would be a parallel use of the social security mechanism to remove people from the labor market.

It is perfectly possible, of course, that our assumptions are wrong; that few illegals make social security contributions (because so many of them work in a cash economy) and that through machinations unknown to us that many of them are collecting benefits. We are simply suggesting that with the input of illegals' social security numbers in the hands of INS, SSA could learn a great deal about the illegals, and about the illegals' impact on their own system.

D. Impact of Illegal Aliens on Tax Collection Systems

1. Problem. Illegal aliens come to the United States to work; many find work and there is a great deal of secondhand evidence that suggests that they do not pay their fair share of income taxes.

(Although the thrust of this discussion deals with the Federal income tax, similar studies could be conducted at the state level, regarding similar problems with state income taxes. Aliens presumably have less opportunity to avoid payment of sales taxes, and those property taxes passed through by the owners of rental property than they do income taxes.)

2. Objectives of the study. There are two sets of objectives for such a study:

(a) Determine the size of the problem, and identify the tax payment/evasion patterns of different groups of illegals in order to provide strategies to cope with the situation within the framework of the tax system.

(b) Determine to what extent the tax system should be used (apart from, and in addition to, revenue-raising purposes) as a part of a larger strategy to discourage illegal immigration.

3. Data collection and analysis. Since different agencies have different roles, they tend to collect data along lines that are useful internally, which may or may not mesh with the needs of other agencies. INS, for instance, does not routinely collect information on tax payment activities of the people it apprehends, nor does the Internal Revenue Service (IRS) sort out tax payments

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made by illegals. That both collect social security numbers in the course of their operations has not led to any exchange of information on this basis. Despite these factors, however, it is possible to mount a study on the impact of illegals on tax collection systems. The following would be the principal data collection elements in such a study:

(a) Review of existing information. There is some existing information on the subject, notably in the 1973 General Accounting Office report entitled "More Needs to be Done to Reduce the Number and Adverse Impact of Illegal Aliens in the United States." Further there are internal instructions, reports and memoranda within the agencies dealing with the subject. (There may also be some useful information at the state level.)

(b) Use of social security numbers. When INS apprehends an illegal alien the arresting officer is supposed to write down the illegal's social security number, if he has one. He often does, and usually the information is recorded. Since the number is on a form (I-213) which also has demographic and economic information on it (and which was reproduced earlier in this document), one can secure both tax payment and characteristics information, using the social security number as the key.

One use of the social security number would be to check, over time, the extent to which the illegal had taxes deducted, and the extent to which he filed income tax returns. Another possible use would be to compare what social security taxes were paid by these workers and to compare that to payments of income taxes; since

social security taxes are not reduced because of the presence (real or alleged) of dependents, there may be disproportionate payments by these workers to these two systems.

A third possible use of these numbers would be to see to what extent income tax rebates are mailed out of the country.

(c) Interview apprehended illegals. Since more than 10,000 illegals, many of whom have been earning money, are apprehended weekly, there is ample opportunity to interview the illegals on this subject. (From all accounts they tend to be cooperative under these circumstances, and many of them are carrying their financial records when caught. Interviews of south-bound illegals would be particularly interesting, because this self-selected group presumably has been successful enough in the U.S. economy to find time and money for a trip home.)

In the course of interviews with, say, people who have worked at least 3 months in the United States, it would be possible to secure information on the presence or absence of a social security number, whether or not their employer deducted taxes from their pay, whether they paid federal (and/or state) income taxes, and whether they filed income tax returns. Some will report that they were paid by cash, and this leads to the next subject.

(d) Follow-up with employers. The illegals, as they are caught, report the name and address of their employer. If, in the course of the interviews just described, they report either that they had no social security number, that the employer did not

deduct taxes, or that all transactions were in cash, it might suggest that the employer was not living up to his federal tax obligations. In such instances, IRS could dispatch investigators to check on the practices of such employers.

(e) Analysis. Once this data were collected, one could make an analysis of the patterns of tax payment and evasion by various groups of illegals, in terms of their origins, their occupations and the industries in which they worked. Similarly, geographic analyses could be made. Further, potential agency linkages, for joint attacks on mutual problems could be reviewed.

4. Alternative policies and recommendations. As suggested above, the alternative policies and recommendations would be expressed both in terms of the needs and priorities of the tax collection system, per se, and the other needs of the nation. The relative advantages and disadvantages, from both points of view, could be weighed for a variety of goals and strategies in this area.

E. Impact on the Welfare System

1. The problem. Illegal aliens who come to the U.S. are often unable to find steady sources of income; under these circumstances, some simply return to their homeland; others manage to secure benefits from the welfare system. Although most apprehended illegals are unaccompanied males, it is clear that, to some unknown extent there are illegals on the AFDC rolls, for instance.

The fact that illegals use the welfare system in a variety of circumstances has aroused much public concern, particularly from local and state governments, and has heightened interest in obtaining a much more precise picture of the situation. The laws and regulations involved in who gets welfare and who pays for it reflect an intricate network of responsibilities among the federal, state and local levels of government, and the additional question of the impact of illegals on that network raises a large number of issues. While legal requirements which require an illegal to pay taxes or make contributions to social security have been in effect for some time, only recently have federal regulations been promulgated which tighten up requirements on proof of legal status as part of eligibility (with respect to AFDC payments). This situation has had an effect on data gathering and enforcement.

2. Objectives of the study. The main purpose of studies in this area would be to identify the points where the welfare system interacts with illegal stocks and to determine ways in which estimates can be achieved of the actual use by illegals of the system and the resulting costs.

Such studies should provide information on the geographic areas of the U.S. where the problem is most prevalent and identify characteristics of illegals who most rely on the system. Estimates of illegals in this area will be useful in determining whether the costs of attempting to "solve" the problem may well outweigh the benefits of acting, a point of view which some have expressed. In all studies in this area, a major objective of the design must be the maintenance of the confidentiality of clients' records. This attempt to "close the loop" between the illegal and the welfare system is similar to the suggested effort described earlier to "close the loop" on employers who do not pay the social security taxes required by law.

3. Data collection.

(a) Literature search and interviews. The GAO currently has underway a study of the presence of illegals on the welfare rolls in California. The study is not completed, and we have not reviewed it, but we would recommend any future work use its data and findings. There is also a joint staff effort underway in New York City between INS and local welfare officials, and it should be contacted for further information. The completed state studies in California and Illinois offer some leads, and the persons who compiled them should be contacted. Other discussions with officials in the state and local systems, and outside experts will be important contributions. Interviews with apprehended and nonapprehended illegals using the welfare system would also be very useful.

(b) Discussions with federal officials. Within DHEW, SSA and SRS, preliminary inquiry has revealed that little data are currently available on this question, but these agencies' personnel will be knowledgeable sources regarding the system. They may also be helpful with respect to providing some actual data in the future. Both the SSI and AFDC programs have in effect quality control procedures which are designed to identify incorrect payments. Examination of these data, while based on limited numbers of cases, will be useful. Personnel at these agencies already contacted have been considering the alienage question to some extent.

(c) Collecting sample information. A search of a randomly selected group of files in local welfare offices in selected geographic areas of the country, would identify the numbers of aliens in the system by nation of origin. A joint review of these files would then be made by INS and welfare officials to determine how many AFDC clients were in fact illegals.

In the course of such a study it would be possible to explore the possibility of a joint INS-welfare agency program in which the two agencies would cooperate in location of illegals on the welfare rolls, and then, after INS has decided that the individuals are unlikely to be able to legitimize their presence here, the required departure from the country could be financed by the welfare agency. (Similar cooperative ventures could be worked out between INS and state unemployment insurance agencies.)

4. Data analysis. As a result of this sample survey, the researcher will have some estimates on how widespread an abuse of the system is in effect. The varied aspects of potential abuse and

the national origin of those who use the system the most should be the focus of the data analysis. This information will be a useful addition to other aspects of data gathering on identifying the illegal population in the U.S., and will also provide an excellent data base from which determinations on future actions in the welfare area can be made.

F. Impact of Illegal Aliens on U.S. Balance of Payments

1. The problem. Directly related to the impact of illegal aliens in the labor market, is the impact of the money they send home on the U.S. balance of payments. We know that most Mexican illegals, for instance, appear to be single, and most have families still living in Mexico. Further, we know from information gathered through contacts with illegals, lawyers for illegals, and immigrant-serving agencies that illegals send a great deal of money home.

Although some data on dollar transfers (i.e., banking systems and international money orders) through official channels are gathered, the true measure of the magnitude of the impact of remitted wages on this country's balance of payments is not known. This is primarily because, we suspect, and this has been substantiated by others familiar with the problem, many of the transfers occur through other "unofficial" channels.

2. Objectives of a study of the problem. The objectives of studying the impact of remitted wages to countries of origin by illegal aliens would be:

- the determination of the "unofficial" channels through which the wages of illegals are being transferred across American borders.
- the collection of reliable data on the amount of dollars being transferred.
- analysis of the impact on the U.S. balance of payments and recommendations on improved methods of data collection.

3. Data collection. Data collection efforts will first explore the "official" channels through which money flows in and out of this country to identify the types of data used in government reporting systems and the manner in which this data is collected. Secondly, interviews with illegal aliens will provide data and information with which to make reliable estimates of dollar amounts of outflows as well as the manner in which these transfers take place.

(a) Investigation of official channels of transfer. Statistics for "building" balance of payments accounts are currently gathered by the Bureau of Economic Analysis (BEA), Department of Commerce. The statistics collected on dollar transfers are compiled in several accounts, which may include dollar transfers occurring as a result of the remitted wages of illegal aliens. With the assistance of BEA, these accounts and the sources of data for these accounts should be further explored to determine the types and amounts of transactions handled.

In addition, through interviews with Federal Reserve Board officials in Washington as well as its district banks, information and data on the transactions in which the "Fed" is involved, should be gathered.

Not only will this provide information and data on the amount of dollar transfers handled through official channels and used for balance of payments accounting purposes, but may also provide information on the extent to which dollar transfers occurring through official channels are not picked up.

(b) Investigation of "unofficial" channels of transfer. We suspect the most effective way in which to gather data on the outflow of dollars across American borders is through interviews with illegal aliens apprehended and non-apprehended. Specifically, information will be sought on the amounts and percentage of wages earned in this country and remitted to the illegals' country of origin, as well as the manner in which those funds are transferred.

This effort, conducted concurrently with efforts to estimate the "stock" of illegals in this country should provide the basis for a more reliable estimate of the magnitude of dollar outflows. Such a base is important not only for providing another element with which to measure the full impact of illegal aliens in this country, but is also important for the purposes of agencies such as BEA, which is responsible for maintaining official records of goods and dollar transactions.

4. Analysis and recommendations. The analysis of data and information gathered through official and unofficial channels will provide the basis for two sets of recommendations:

- (a) Reliable estimates of the extent of the problem will enable the formulation of policy alternatives and policy recommendations.
- (b) Investigation of the unofficial channels of dollar transfers will lead to recommendations for supplementing and improving existing government data gathering methods.

G. The Impact of Children of Illegal Aliens on the Public School Systems

1. The problem. The growing numbers of children of illegal aliens in elementary and secondary public schools are creating an economic burden on school systems that already face serious social and financial problems. The New York Times reported an estimate of 65,000 illegal aliens in the New York City system alone.

In addition to the costs incurred by these additional numbers of children, there is the extra burden of providing special readiness programs, bilingual classes and psychological counseling to the children. Teachers and administrators are often not equipped to deal with the emotional and educational problems of these children, who usually come from poor socioeconomic levels.

The courts have ruled that public schools must educate all children in their districts, tuition free, regardless of the legality of their presence in the nation. Thus a mother who wants to bring her three children to a school to be registered need only show proof of residence in that district.

The focus of such a study would be on children of resident illegal aliens who are enrolled in public schools. The children may have been born outside the United States and brought with their parents as EWIs or, more likely, as nonimmigrants who subsequently became illegal aliens; or they may have been born in the

United States (in which case they are U.S. citizens) of illegal alien parents. In this study, both kinds of children will be treated as one group. The other major impact of illegal aliens in education, that of the foreign student who abuses his visa, should be treated as a separate matter and will not be discussed here.

2. Objectives of the study. The objectives of such a study would be:

- To gain better information on the numbers, distribution and characteristics of children of illegal aliens enrolled in the public school system.
- To determine the impact of these children on local school systems.
- To learn what different school systems are doing for this sub-population.
- To devise alternative strategies to deal with the problem.

3. Data collection and analysis. Given the knowledge that the illegal aliens vary geographically, data would be collected from urban and rural areas on both the East and West Coasts as well as from certain centers in the mid-west. These data would include.

- (a) Data collected through the study of the stock, flow and characteristics of illegal aliens, outlined in Chapters III, IV and V of this report, would be used to obtain information on the numbers, distribution and characteristics of the children of illegal aliens.
- (b) No data, to our knowledge, is kept on illegal aliens by the school systems; indeed they gather little data on nationality or immigration status

of alien children in general. Nevertheless, some data are available (the number of I-20s\* issued), which would be collected from state and local school systems in order to obtain more specific information on the size and impact of the legal nonimmigrant students in any given community.

- (c) Field staff would examine school records, memos, and internal reports to gain more information on the characteristics of the children, the problems created in the school systems and the ways in which the schools deal with the problems.
- (d) A file search would be made of samples of foreign-born children in the school system, and the data extracted would then be run through normal INS search procedures to check on the legitimacy of the children's presence in the United States. There are some potential difficulties with this approach, however; the schools might not be willing to open up their records if they thought it might lead to the expulsion of some students from the country, and the data might have to be secured on a no-adverse-action basis. Further, such a case-by-case study of legal or illegal presence would undoubtedly involve searches of parent's records, and, in some circumstances, interviews with parents, hence it would have to be a relatively small sample because of cost consideration.
- (e) Important information would be obtained through interviews with knowledgeable people, teachers, administrators, and counselors.

An analysis of the data secured would be made to:

- identify the schools of high impact.
- assess the size and impact in such communities.
- characterize the nature of the schools, problems caused by the presence of children of illegal aliens

\* This is an INS form issued by schools which usually leads to the issuance of an F visa by a consular official.

- determine the specific needs of these children, including the psychological problems caused by their alien and illegal status.
- identify the services provided by schools to meet the needs of these children.
- weigh the state and local government costs of providing education for the children of illegal aliens, including special programs, such as bilingual classes.
- analyze the comparative educational levels of these children in relation to children of immigrant status in the same school systems.

4. Available policy alternatives and recommendations. On the basis of our analysis of available data, policy alternatives and recommendations to federal, state and local governments would be outlined.

## H. Impact on Health

### 1. Background: A General Description of the Problem.

As might be expected, there has not been a great deal of data gathered on the impact of illegal aliens on the U.S. health care system. Most important to note, however, is the fact that the illegals' "hidden" status in society is a major determinant in their need for health services and their use of the health care system. The issue must be approached from two sides: the health status of the illegals, and the effect on the U.S. population and institutions as a result of that status.

From what we know about the illegal population, it is possible to say that they arrive in the U.S. with a relatively lower health care status than most of the U.S. population. Their poorer socioeconomic level, the greater possibilities of encountering disease in their home countries and the lack of preventive facilities, and assorted dietary and medical care deficiencies undoubtedly are the major contributors to this situation. Thus, if they have not come to the U.S. with some specific medical problems, they are certainly more prone to them. Their surreptitious entry into the country is another contributing factor to their use of U.S. medical care. In the case of the Mexican border for example, many illegals enter under conditions detrimental to health which often result in a need for medical care once they are safely across (examples would be smuggled in oil trucks with

false bottoms, spending large amount of time in closed car trunks, and exposure to the dangers of the mountains and the desert while crossing on foot.)\*

Once in the U.S., the illegal obviously seeks to avoid apprehension. Thus, he avoids availing himself of preventive health services such as immunizations, diabetic screenings, or tuberculosis skin testing where the possibility of detection of his illegal status might occur. (Whether or not local health departments care about alien status is not the issue; by and large the illegals seem to perceive this to be the case and considers it as unnecessary risk.) Thus, by the time he seeks health services, the illegal is generally much more in need of treatment and the resulting care he requires is often more time consuming and costly than it would have been for others in a similar health situation.

Although data is not very prevalent, available information indicates that the types of medical services which illegals seek out are emergency care (traffic accidents are most often cited) and obstetrics. The fear of apprehension and resultant shifts in housing location, etc., often mean that needed follow-up treatments may not be carried out.

\* Samora op. cit., pp. 107 - 128

The generally lower health status of illegals can have an impact on the communities in which they reside. In addition to being themselves more likely to incur diseases such as tuberculosis, flu or venereal disease, they have opportunities to spread them to others. Illegals are most often employed in low-paying jobs in restaurants (as busboys, waiters, dishwashers), housing (janitorial capacity) or in picking fruits and vegetables. The health status of illegal parents affects children who attend local schools and may then pass the diseases along. In many instances children born to illegal mothers are in worse medical condition than children of legal parents.

The illegals' health status also has a monetary effect on U.S. health care institutions. When needing medical care, illegals will generally enter the system through the emergency services of the local public or private hospital; in some instances they will also seek out neighborhood health clinics, some of which are known to be specifically receptive to them. In general, most who seek care from the hospital system do so in the public institutions which accept all who come to them for care whether or not they can pay. As is true of most users of the public system, illegals probably regard the local public hospital as their family health care facility and will use it for emergency services, which often results in inpatient treatment. Should they be unwilling or unable to pay for these services, or be unable because they are illegally here to receive third party

insurance, the local government -- county or municipal -- typically has to pay the bill. The ultimate burden thus falls on local taxpayers who support the hospital system.

From the material gathered thus far, there appear to be 3 main areas of inquiry which should be pursued by INS and DHEW in order to obtain more specific information on these issues. A description of each proposed study follows.

2. Determining selected communicable diseases of illegal population.

(a) The Problem. While it is known that illegals are more prone to communicable disease, and through employment are more easily able to unwittingly contribute to its spread, the extent of their health status is not known. Newspaper reports and isolated studies have commented on the incidence of tuberculosis, venereal disease, diphtheria, rabies, and flu. There is a need for more definitive data on the problem, particularly in view of jobs commonly held by illegals. A study designed to obtain this data would be an important contribution devising means of preventing increased incidence of various diseases.

(b) Objectives of the study. The purposes of the proposed study are:

- to gain more reliable information on the prevalence of certain communicable diseases (specifically tuberculosis and VD) among the illegal alien population in areas of the U.S. where there are known large concentrations

- to determine how these diseases are transmitted to U.S. residents through employment of illegals;
- to gather information on illegals' use of the U.S. health care system;

This study will be a joint effort of INS and the Public Health Service. Before entering the field test phase, the State health officers in the areas under study and appropriate local health officers should be consulted to make a final determination of the type of tests given. There should also be consultation with personnel at the Communicable Disease Center in Atlanta. A uniform set of tests will be given in each location.

(c) Data collection. The group covered in this study would be a random sample of those apprehended illegals who flow through the detention centers in Port Isabel, Texas; El Paso, Texas; and New York, N.Y. and those who are in the holding rooms in Los Angeles, California.

(i) Interview group. On the same day of each week, for 10 weeks, illegals in each site would randomly be asked to volunteer for medical tests. A total of 50 will be tested in each site each week. The total number of interviews would thus be 2000.

In recruiting volunteers, INS personnel would explain the purpose and conduct of the test in the illegals' native language. The voluntary nature of the project would be stressed.

maybe difficult to  
get a valid  
positive with  
one sample

(ii) Medical Tests. Upon agreeing to participate, each illegal would then be given medical tests. At a minimum, a chest x-ray for tuberculosis and a specimen for testing for venereal disease would be administered. Other tests could be offered, as long as they meet the following criteria (this is a matter to be covered in the consultations described in 2(b) above):

- they relate to higher incidence of disease in areas of concentration of illegals;
- results can be obtained within a time period of roughly 6 hours so that they can be told to the illegal who underwent them.

The tests would be administered by personnel employed by the Public Health Service either directly or on contract. Arrangements would be made to have the illegal's I-213 form available at that time so that the following information can be recorded, anonymously, on a separate data sheet: age, sex, marital status, country of citizenship, date of last entry, last known city of residence in U.S. and occupation. If the I-213 form is not available, the illegal should be asked for these data. In addition, the following types of questions should be asked of all illegals in their language:

- what kind of jobs have you held while in the U.S.? If working in a restaurant, did you handle food, wash dishes? Did you pick fruits and vegetables?
- Were you sick while in the U.S.? If so, what was wrong with you?
- Did you go to a hospital, health clinic? Where? How often?

(iii) Report to illegals on test results. The sites for the tests have been chosen because known illegals spend a finite amount of time in them and they have little to do during the period spent there. The administration of the tests should be designed with this in mind. For example, there are no overnight facilities in Los Angeles, and illegals typically spend from 8 a.m. to 3. p.m. in the holding rooms.

Given this situation, the types of test administered should be geared to obtaining results while the illegals are still in INS custody at the site of the tests. The illegal can thus be told the test results in his language. He also will be given a short form to take with him which describes his condition when he has any of the diseases tested. He will be encouraged to seek medical help upon his return home.

(d) Data analysis. From the results of the tests, some rough estimates of the incidence of these diseases among the illegal population will be evident. This data can be compared to local, state, and national estimates of these diseases among the U.S. legal alien population. Correlations between the types of jobs illegals hold and incidence of communicable diseases can be made. In addition, the questions asked on health services sought out by illegals should help determine further how they enter the delivery system, when they do so, and why.

The data gathered might be important input for future determinations on preventive care (e.g. screening for tuberculosis for employees in restaurants, etc.) or on ways of handling the illegals' need for health care (e.g. more use of neighborhood health clinics).

3. Comparative analysis of health status of newborn children.

(a) The problem. From empirical data and some hospital records, it is apparent that newborn children of illegal alien mothers are in poorer health than newborn children of legal aliens. In addition, the deliveries of these infants are much more difficult. The reasons for this no doubt stem from the problems cited earlier: a generally lower health status, dietary deficiencies, and postponement of visits to medical facilities until delivery, out of fear of apprehension. These newborn children of illegal mothers are usually underweight, smaller at birth, and more prone to disease.

(b) Objectives of the study. The need for an indepth analysis of this situation arises for reasons beyond a comparative research plan to examine the health care status of one group compared to another. Children born in the U.S. to illegal parents are U.S. citizens and their status as such allows their parents, if from the Western hemisphere, to gain legal admission to the U.S. This "pro-natal" policy thus fosters the practice of illegal entry by pregnant women prior to delivery in order to qualify the child, and ultimately, herself and her family, for legal status. U.S.

citizenship for the child means that he will be entitled to public benefits paid for by the U.S. taxpayer if the parents cannot afford them. Costs to local hospitals are increased by virtue of this policy as well.

This study will thus be aimed at examining the consequences of this policy through its analysis of the health status of these newly-born U.S. citizens and the medical care which they receive shortly after birth, in light of their mother's illegal status.

(c) Data collection.

(i) A sample study. (Responsibility for this project will be with DHEW). Two public hospitals in different cities with a heavy concentration of illegal populations of different national origins (e.g., Portugese in New Bedford, Mass.; Jamaicans in New York City; Mexicans in Los Angeles county) will be selected for study. Criteria for selection of the hospitals should include:

- sufficient number of mothers of a specific alien national group, both legal and illegal, coming to the hospital for deliveries;
- easy access to well-kept records, with assurance of patient confidentiality maintained;
- ability of hospital medical staff and administration to undertake project.

The hospitals conducting the study will draw up a plan of times to interview the mothers, gather data on health status of the mothers and children, devise a means of random sampling of the interview group, and agree on questions to be asked. The information gathered should be the same for all mothers and

children, both illegal and legal.

Additional questions might be asked of illegal aliens to determine the impact of their illegal status on future care of the child, plans for gaining legal entry into the U.S., etc. Participation in the project will be voluntary.

The number of mothers interviewed should total at least 100 legal aliens and 100 illegal aliens in each city. The deliveries should occur within a one month's period of time.

A system should be devised to monitor the health status of mothers and children for 3 months after initial discharge of the child. This monitoring process (the mothers will be asked to bring the children back to the hospital) will provide information on health status, and comparative willingness of aliens to come on a regular basis.

(ii) Literature search and interviews with experts.

As part of the questionnaire and design of medical record data form, consultations will be held with people knowledgeable about the specific health care needs and characteristics of the alien population under study. In addition, a literature search of relevant materials about health care of the poor should be undertaken.

(d) Data analysis. Comparative analysis of the data gathered on health status of mothers and children, ease of delivery, impact of alien status on health care and follow-up medical treatment, will be undertaken.

4. Impact on health delivery costs.

(a) The problem. Providing health care to illegal aliens is neither an inexpensive nor a diminishing problem. From all accounts, the rise in the number of illegals in the U.S. has meant a corresponding increase in the costs of providing medical assistance to them.

The data gathered to date on these costs varies in its validity from one area of the country to another, again a reflection of this "hidden" population surfacing to obtain care and usually unable to pay for it. It is fairly clear that the bulk of health care costs are incurred by illegals seeking medical attention through the emergency rooms of local hospitals.\*

By and large, illegals seek medical care in the local public hospital -- county or municipal -- which by law, admits anyone who comes to its doors regardless of ability to pay. There is little disagreement that these institutions are bearing the brunt of illegals' health costs, and the burden on them is increasing.

A recent survey of 18 California counties revealed that in FY 1973-74, illegal aliens cost these county hospitals \$11.5 million dollars. The bulk of that total was incurred in Los Angeles county, which estimated that \$8.1 million was spent for the care of illegals. Other reports from Arizona (\$500,000 a

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\* See statement of Howard McMahon, Regional Director, DHEW, during the Colorado hearings on illegals. U.S. Congress, House, Committee on the Judiciary, Illegal Aliens, Hearings before Subcommittee No. 1 of the House Committee on the Judiciary. 92nd Cong., 1st sess., 1971, pp. 518-524.

year in Maricopa County), and Colorado (\$750,000 - \$1 million in Denver), as well as rough estimates from other cities with heavy concentrations of illegals show that the problem has national implications.

With justification, the county and municipal governments believe that they and their taxpayers are unfairly being asked to fund a national problem. Just as the costs of the space program were distributed throughout the nation by the Federal tax system, they believe that these national costs should be reimbursed by the Federal government. In July, 1974 the county of Los Angeles submitted its bill for \$8.1 million to INS for reimbursement and wrote to Secretary of HEW Weinberger requesting a comparable appropriation from Congress for reimbursement for its costs. Both requests were denied because Federal legislation currently does not provide for such reimbursement.

Under present law, INS provides medical care to aliens who are actually in their custody when such care is needed. Payments can be made either to Public Health Service Hospitals or local public or private hospitals. In FY '74, INS reimbursements for medical care totaled \$154,531 (this is for all aliens, both legal and illegal; however, one can assume that by and large these are costs for illegals).

For the past two years, legislation has been introduced in the Congress by Rep. B. Sisk of California to provide local hospitals with reimbursement for emergency medical services.

(b) Objectives of the study. Further work is needed to determine costs, and to obtain better estimates on the amount of Federal funds being incurred through such programs as Medicaid. The ease with which these data can be gathered depends upon individual hospitals' record-keeping and availability of staff to do the job, the enforcement and regulation of state Medicaid programs, and the willingness of Federal agencies to take some direct hand in the process (primarily by paying the locals to do the job).

The county institutions in California -- Los Angeles and Valley Medical Center in Fresno, to cite two -- have identified their costs by determining the number of aliens who refused to apply for Medi-Cal or whose Medi-Cal applications were denied because of their alien status within a given month, by estimating the proportion of those patients to their total patient load, and by assigning costs of the care given to those patients. (See attached breakdown from LA county). Some have data going back a few years. Valley Medical Center specifically tracked all of its patients through the welfare system as well, to help determine eligibility. Their figures do not include those illegals who did pay for the services, a phenomenon which does occur.

These examples are cited as possible avenues for determining the study's major objective: a reasonable way of determining costs of care to the institutions which must provide it.

(c) Areas of study. There are a number of possible ways of approaching the task of identifying costs. They should and can be instituted as quickly as possible, given the pressing need for

data in this area.

- A pilot project in 10 selected local hospitals in areas of heavy concentration of illegals to determine ways of assessing costs and then making the determinations. Given different state and local requirements, the methods employed by each institution will differ, but the process of working up these methods will be useful in other areas after completion of the project. Information on the type of care sought by illegals and incidence of disease can be a by-product of this effort. The California hospitals' experience will be an excellent base.
- An assessment of Medicaid requirements in each State to determine how illegals get into the System without detection. This will involve an analysis of the laws and regulations with respect to ease of entry; consultation with state and local officials on enforcement procedures; selected interviews with illegals both apprehended and non-apprehended, to determine how they entered the System.
- Little attention has been given to the potential use of local neighborhood clinics as alternative places for treatment of illegal aliens. In some cities it is known which of these facilities will treat aliens with no questions asked. Given the need to divert patients away from the already crowded emergency rooms of public hospitals where illegals go for care now, neighborhood clinics offer a possible alternative. What their costs are, how many illegals they treat, whether this patient load has been increasing, and how they pay their costs for this care, should be determined.

TABLE 11

COUNTY OF LOS ANGELES - DEPARTMENT OF HEALTH SERVICES

Estimated Non-Reimbursable Health Services

to

Aliens Ineligible for Federal/Government Programs

1973-74

Inpatient, Hospitals 1973-74 (Monthly Management Report Covering Financial Status of Patients)	\$4,175,988
Outpatient, Hospitals (Estimate based upon inpatient experience - per above)	692,384
Community Health Clinics (Estimate based upon special study in July and August of 1973 covering 2,189 families involving 4,328 individuals)	3,202,922
Mental Health (Estimate based upon Hospital Outpatient Methodology - per above)	<u>82,510</u>
1973-74 Total (Estimated)	<u><u>\$8,153,804</u></u>

I. Impact of Illegal Aliens upon Their Country of Origin

1. The problem. As ecologists like to remind us these days, no one can ever do only one thing. Certainly, no nation's immigration policies and practices can fail to affect its immigrants' countries of origin, particularly, of course, if the flow of emigration from those countries is heavy, unplanned, uncontrolled, and undocumented. And today, not only is the number of illegal aliens in the United States increasing rapidly, but so too are the number of their countries of origin. Indeed, the flow of clandestine emigration from underdeveloped, impoverished, and labor-rich countries to industrialized nations is worldwide and is a subject of increasing international attention.

The historic source of illegal immigration into the United States is its closest, most populous, and economically underdeveloped neighbor, Mexico, still the largest single source of illegals--with more than nine times the annual number of apprehended illegals as compared to legal immigrants in FY 1974. A study of the impact of illegal Mexican aliens upon their country of origin--their effect upon its population and birth rate, its culture, and family stability, in addition to a study of such international issues as their impact on balance of payments (treated separately in this report)--can serve as a paradigm of other studies of the impact of other illegal aliens upon other countries of origin; for example, the Dominican Republic, Jamaica,

Trinidad and Tobago, Haiti, Colombia, Ecuador, and other heavy sources of today's--and perhaps increasingly tomorrow's--illegal aliens.

2. Objectives of a study of the problem. The objectives of a study of the impact of illegal aliens upon their country of origin would be to assemble existing data, to secure additional (primary) data, to analyse the implications of those data for that country and for the United States, and to examine their congruence with current national and international policies and needs, both foreign and domestic. Although in some cases, e.g., in matters of population and balance of payments, what is done for one nation is essentially a mirror image of what is done to the other nation, that is not always the case. For example, the movement of substantial numbers of young males out of rural Mexico or the Caribbean, for substantial periods of time, may have depressing effects on the birth rate of those countries, without having a significant impact on U.S. birth rates. Moreover, any radical shift in current U.S. immigration policies and practices as they relate to illegals--such as the more restrictive legislation and tighter border policies that are increasingly being called for--may profoundly affect their countries of origin--most obviously, their unemployment and birth rates--and thereby indirectly affect our future foreign relations.

3. Data collection and analysis. The study of the stock, flow, characteristics, and domestic impact of illegal aliens, through the methods outlined elsewhere in this report, will

provide reliable data on such relevant matters as illegals' national origin, place of foreign residence, age, sex, marital status, education, occupation, and occupational skills. Studies on their impact upon their countries of origin (e.g., Mexico) would make use of that data, which would be both amplified by and applied to a collection of data on the conditions and trends in population, migration, labor force, unemployment and under-employment, and minimum wages of earning in those countries of origin that reveal a high incidence of illegal emigration. In addition to the literature search and analysis that such studies would entail, interviews with illegals who are returning to these countries of origin would help determine such currently unanswerable--and still often unasked--questions as to whether illegal immigration to the U.S. is depriving a foreign country of its pool of occupational skills and talent; whether it is, on the contrary, exporting its raw labor and its unemployment problem; whether it is artificially (i.e., temporarily) depressing its birth rate and thereby delaying national consideration of its population problems and policies; whether it is artificially raising the economic conditions of those families and communities that receive undocumented income from relatives illegally working in this country; and whether and to what extent its returning illegals serve as conscious or unconscious carriers of such significant but hidden social changes as modern methods of sanitation, concepts of nutrition or contraception.

4. Available policy alternatives and recommendations. On the basis of the analyses proposed above, it will be possible to determine the differential impacts of alternative immigration policies upon illegal aliens' countries of origin, which currently range from a strategy of open borders to the imposition of criminal sanctions on illegals and their American employers. The effects of those alternatives upon the already precarious economies and vulnerable social structures of those nations currently supplying large numbers of illegal aliens should be considered in any determination of future U.S. immigration policy.

J. Impact of the Illegal Immigration Process on the Illegal Immigrant

1. Problem. A compilation of possible studies about the impact of illegal aliens on American society would not be complete without a look at the other side of the coin. What does this process do to the individual illegal? In the previous pages we have largely looked at what the presence of illegals does to our systems; we now turn to the question, what is the illegal doing to himself, and what are we doing to him in this process?

Illegals are hurt physically and financially in the process of seeking work in the States, as Samora demonstrates with considerable effectiveness. Some illegals are kicked around by some of their employers, some pay too much for too little housing; some are mistreated by both their countrymen and by the Anglo society. They avoid systems which help others, because of possible backlashes. (One of the illegals we interviewed in Los Angeles had been picked up because he had reported that his car had been stolen; his illegal presence was detected and he was turned over to INS.)

2. Objective of the study. A study of this kind should seek to:

- identify the nature and extent of problems faced by illegals as they enter, as they stay, and as they leave the country (either voluntarily or involuntarily).

- determine what changes in policies, regulations and laws are needed to provide protection to illegals, so that they are not deprived of wages and property due them, for instance,
- work out some ground rules within the context of illegal presence; a sort of bill-of-rights-without amnesty arrangement.

3. Data collection. The first part of methodology would consist of a series of interviews with apprehended and unapprehended illegals, to determine what problems they had experienced. Once initial data had been collected in this way, and a thorough literature search and interviews with officials of immigrant-serving agencies had been conducted, one would turn to the nature of the problems experienced by the illegals, designing the balance of the study on the earlier set of findings.

The second part of the study would deal with:

- the systems which produced the problems for the illegals;
- the way these systems are regulated, if at all, in connection with interactions with legal residents of the nation;
- techniques that could provide greater consumer and worker protection to the illegals without identifying them to federal authorities.

4. Recommendations. We are dealing with a complicated set of trade-offs in this setting. On the one hand, illegal aliens are here contrary to the laws of the land, and once located by INS they are likely to be forced to leave. On the other hand, it is to the benefit of the illegal, and the larger society, that

he be paid the minimum wage, for instance. As an individual, he will make more money, and his non-exploitation will make it less likely that the employer will exploit others or seek out other illegals for employees, thereby opening more jobs to legal residents.

Naturally, if all illegals were to receive either amnesty or be deported immediately, no such complications would exist. But since neither of these solutions are likely to be enacted and enforced, techniques for protecting the illegal from exploitation are needed.

**END**