

Illegal Immigration and the U.S. Labor Market

**Prepared Testimony of Steven A. Camarota, Director of Research,
Center for Immigration Studies**

For

Subcommittee on Health, Employment, Labor, and Pensions,
of the Education and the Workforce Committee

Hearing entitled “The Impact of Biden’s Open Border on the American
Workforce”

Wednesday, September 13, 2023

One of the most important reasons to limit immigration and enforce those limits is to protect the interests of American workers. There is evidence that illegal immigrants adversely impact the wages and employment of some American workers. One of the chief arguments for tolerating illegal immigration is that the low unemployment rate means there are not enough workers. However, this ignores the dramatic long-term decline in labor force participation, particularly among working-age, less-educated, U.S.-born men. Those not in the labor force do not show up as unemployed because they are not actively looking for work. In total, there are some 44 million U.S.-born 16- to 64-year-olds not in the labor force — nearly 10 million more than in 2000. Using large-scale illegal immigration to fill jobs may please employers, but doing so has allowed policy-makers to largely ignore the extremely troubling decline in participation. Research shows the fall-off in participation contributes to profound social problems, from crime and welfare dependency to suicide and drug overdoses.

Overview:

- The current surge of illegal immigration is unprecedented. Some 2.6 million inadmissible aliens have been released into the country by the administration since January 2021. There have also been 1.5 million “got-aways” — individuals observed entering illegally but not stopped. Visa overstays also seem to have hit a record in FY 2022.
- We preliminarily estimate that the illegal immigrant population grew to 12.6 million by May of this year, up 2.4 million since January 2021. Perhaps nine million are now in the labor force. However, additional research is necessary to confirm these estimates.
- All prior research, and the limited data on the current surge, indicate that the overwhelming majority of illegal immigrants have modest education levels. Based on prior research, some 69 percent of adult illegal immigrants have no education beyond high school, 13 percent have some college, and 18 percent have at least a bachelor’s degree.

- Due to their education levels, they are heavily concentrated in lower-wage, less-skilled jobs such as construction labor, building cleaning and maintenance, food service and preparation, groundskeeping, retail sales, and food processing. However, the vast majority of workers in these jobs are still U.S.-born or legal immigrants.
- The notion that illegal immigrants only do jobs American's don't want is false. Even in the two dozen occupations where illegal immigrants are 15 percent or more of all the workers, 5.7 million U.S.-born Americans are employed.
- Though often the focus of illegal immigration debate, farmworkers comprise less than 1 percent of the entire U.S. labor force; and less than 5 percent of all illegal immigrants work in that relatively small sector.
- There is clear evidence that immigration reduces the wages and employment of some U.S.-born workers, though distinguishing the impact of illegal immigration in particular is difficult. However, it should be pointed out that lower wages can also result in higher profits for employers or lower prices for consumers.
- Illegal immigration has to be understood in the context of the extremely troubling decades-long decline in labor force participation among less-educated U.S.-born men, which coincides with the rapid increase in immigration since the 1960s.
- For example, 96 percent of "prime-age" (25 to 54) U.S.-born men with no more than a high school education were in the labor force in 1960, meaning they were working or at least looking for work. By 2000 it had fallen to 87 percent and by 2023 it was just 82 percent.
- Job competition with immigrants, including illegal immigrants, is not the only reason for this decline. However, immigration, including tolerating large scale illegal immigration, has allowed society to ignore the decline and the accompanying social pathologies.

Introduction

The current surge of illegal immigration raises concerns about the impact on public safety, national security, public coffers, social services, schools, hospitals, and the rule of law. While these things are all certainly important, my testimony will focus specifically on the impact of illegal immigration on the U.S. labor market. Congress set limits on legal immigration and has allocated funds to enforce those limits for good reason. One of these reasons is to protect American workers, especially those Americans with relatively fewer years of schooling who are most likely to compete with illegal aliens. There is research on the education level of illegal immigrants and the types of jobs they tend to do. This helps to determine, to a large extent, their impact on the U.S. labor market, both in terms of the labor they provide to employers and the

potential impact they have on American workers. While having access to illegal immigrant workers may be desirable from the point of view of business owners, there is evidence that illegal immigration reduces the wages and employment of working-class Americans.

The Current Surge of Illegal Immigration

Border Encounters and Aliens Released. From January 2021 through July 2023 there have been seven million “encounters” at U.S. borders.¹ There has never been a 2.5-year period with this many encounters, which in the past were referred to as “apprehensions”. There are differences between the two terms but, as best I can tell, the current sustained surge is unprecedented. The administrative data that is probably the most relevant to growth in the illegal immigrant population is the number of inadmissible aliens released into the United States. Court records and other information on Department of Homeland Security (DHS) websites indicate that about 2.6 million (possibly 2.7 million) inadmissible aliens have been released into the country since the start of the Biden administration.² The decision to release these aliens represents new additions to the illegal immigrant population. Many of those released have pending asylum applications or are parolees. But they are still subject to deportation under the Immigration and Nationality Act and are illegal immigrants.

Got-Aways. In addition to those released into the interior of the country, there are so-called “got-aways”. This is defined by DHS as “the number of subjects who, after making an unlawful entry, are not turned back or apprehended”. Between 2011 and 2019, there was some fluctuation, from a low of 86,000 in 2011 to a high of 172,000 in 2013. The number averaged about 128,000 in the three fiscal years before Covid (2017, 2018, and 2019), and was roughly 137,000 in 2020. In 2021, the number more than doubled to 391,000.³ DHS has not published any newer numbers. However, Fox News has reported that there were 599,000 got-aways in FY 2022.⁴ Further, at a May press conference, Secretary Mayorkas seemed to confirm a reporter’s question that there had already been more than 530,000 got-aways in FY 2023 at that time.⁵ All told, this indicates that there have been 1.5 million got-aways since the president took office.⁶ On an annual basis, the 600,000 got-aways in FY 2022 and 2023 is 4.5 times what they averaged in the first three years of the Trump administration before Covid-19.

Visa Overstays. A significant number of new illegal immigrants, and perhaps a majority before the current border surge, were admitted legally on a temporary visa or under the visa waiver program and then did not leave the country when the time limit expired. DHS for FY 2022 showed 850,000 foreign visitors overstayed their authorized stay in that year. The total overstay rate for 2022 was 3.64 percent, which is more than double the rate of recent years. Of course, not all of these individuals stay long term, and there is always some number of people who leave the country but their departure was not properly recorded.⁷ Still, the current level of overstays is much higher than in 2021 and the years before Covid-19.⁸

Census Bureau Data. Administrative data such as border encounters, aliens released, and got-aways give us a sense of what has been happening. But they do not show how many illegal

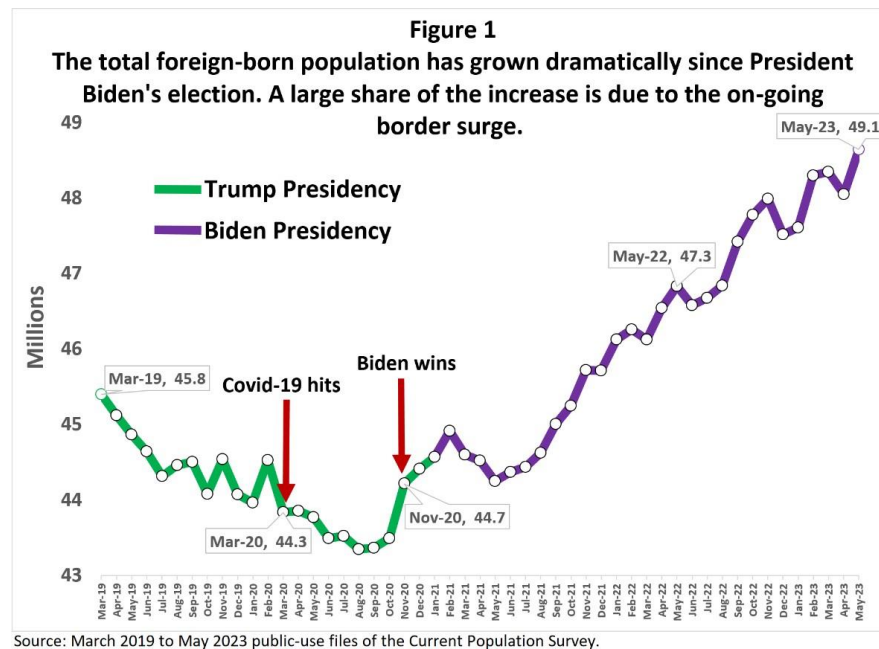
immigrants actually live in the United States. The Census Bureau collects data on an annual and monthly basis that reports the size of the total foreign-born or immigrant population — individuals who are not U.S. citizens at birth. The bureau’s surveys ask about country of birth, year of arrival in the United States, and if the person is a U.S. citizen. Other information in the surveys such as education, age, sex, and occupation can provide a picture of the labor market impact of immigration. Further, it is well established that illegal immigrants are included in Census Bureau surveys, though some share get missed.⁹ Various organizations, including my own, as well as DHS, Pew Research, the Center for Migration Studies, and the Migration Policy Institute have compared administrative data on legal immigration to the total foreign-born population in Census surveys to obtain a baseline estimate of the size and composition of the illegal immigrant population.¹⁰

What the Monthly Census Data Shows.

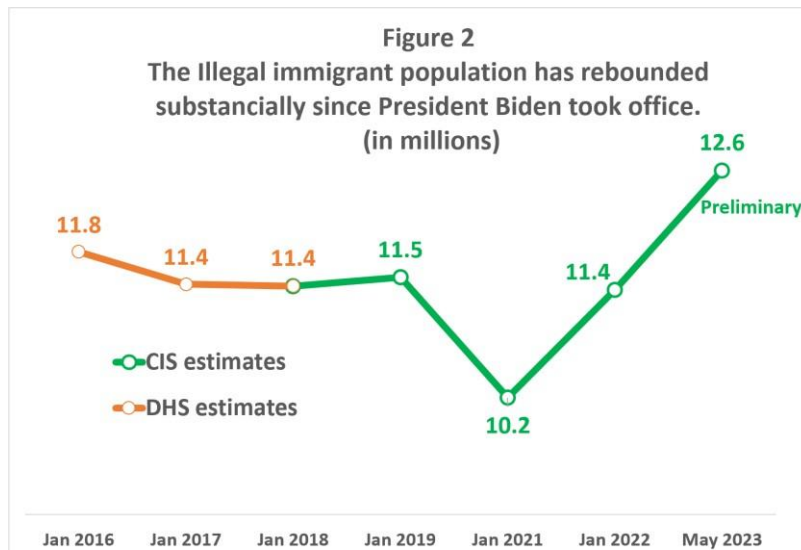
The largest Census Bureau survey that captures the foreign-born population is the American Community Survey (ACS), which is released annually, and reflects the population in July of each year. The most recent ACS available is for 2021, so it is not much help in evaluating the recent illegal surge.

However, the monthly Current Population Survey (CPS), which the Census Bureau collects for the Bureau of Labor Statistics, provides the most up-to-date data available, though it is much smaller than the ACS. Because of the way the CPS is weighted, it is not really designed to capture a sudden influx of illegal immigrants. Still, the CPS is released each month so it can provide a look at the foreign-born population, and it does show enormous growth in the foreign-born population in the last two and a half years.

Estimating the Illegal Population in 2023. The CPS shows 49.1 million immigrants (legal and illegal) in the country in May of this year, up from 45 million in January of 2021 — an increase of 4.1 million in just 29 months. This increase can be seen as unprecedented.¹¹ Using administrative data on legal immigration and making reasonable assumptions about out-migration and mortality, we estimate that the post-1980 legal immigrant population in the CPS grew from 28.4 million in January 2021 (our prior estimate), to 30.5 million in May 2023 — a 2.1 million increase.¹² The May 2023 CPS also shows 42.8 million post-1980 immigrants (legal and illegal) in the country.¹³ If our estimate of the post-1980 legal population is correct, then there were 12.3 million illegal immigrants in the CPS in May of this year (42.8 million minus 30.5 million).¹⁴ Adjusted for undercount, the total illegal population stood at 12.6 million in



May, 2.4 million larger than in January 2021.



Source: Department of Homeland Security and Center for Immigration Studies estimates of the illegal immigrant population. Due to anomalies in the data, we are not able to estimate illegal immigrants in 2020.

The growth is certainly a very large increase in such a short time. Moreover, it must be pointed out that all of these figures represent net increases — not the number of newcomers. The number of new arrivals is larger but is always offset by outmigration (including deportations), natural mortality, and in the specific case of illegal immigrants, legalizations (e.g., successful asylum applicants and marriage to an American).

However, it should also be noted that our January 2021 estimate of 10.2 million represented a low point after Covid. In 2019, we estimate the illegal population was 11.5 million. So relative to the number before Covid, the current total is large but not dramatically so. Further, most research showed decline or stability in the decade prior to Covid (2019) in the number of illegals in the country.¹⁵ Finally, it must again be emphasized that our new estimates are all still only preliminary.¹⁶

Effect on the Labor Force

The Educational Level of Illegal Immigrants. Educational attainment is a key factor when considering the impact of illegal immigrants on the labor force because it determines what type of jobs they typically do. All prior research indicates that the overwhelming majority of illegal immigrants have modest education levels. Averaging estimates from the Migration Policy Institute (MPI) and the Center for Migration Studies (CMS) indicates that 69 percent of illegal immigrants have no education beyond high school, 13 percent have some college, and 18 percent have at least a bachelor's.¹⁷ Based on the citizenship of individuals encountered at the border and Census Bureau data, I find that new illegal immigrants who arrived during the current surge also have similarly modest levels of education.¹⁸ While some illegal immigrants are well educated, their primary impact on the labor market is to increase the supply of workers with no more than a high school education.

Illegal Immigrants by Occupation. It is likely that there are now roughly 8.8 million illegal immigrants in the U.S. labor force.¹⁹ Due to their education levels, they are heavily concentrated

in lower-wage less-skilled jobs such as construction labor, building cleaning and maintenance, food service and preparation, groundskeeping, retail sales, and food processing. In a 2018 Center for Immigration Studies report, we estimated the illegal share of workers in all 474 occupations as defined by the Department of Commerce using Census Bureau data.²⁰ Even in the two dozen occupations where illegal immigrants are 15 percent or more of the workers, there are still 5.7 million U.S.-born Americans and 2.2 million legal immigrants employed.

The notion that illegal immigrants only do jobs American's don't want is simply false. It is true that most Americans do not face significant job competition from illegal immigrants, because they tend to have more years of schooling or they work in the public sector, where there are relatively few illegal immigrants. But millions of Americans do compete with them for jobs. Those who do face competition from illegal immigrants tend to be the least educated and poorest Americans — U.S-born and legal immigrant.

Top Ten Occupations where Illegal Immigrants Are the Largest Share					
Occupation	Illegal Share	Legal Immigrant Share	Native Share	Natives in Occupation	Illegal Immigrants in Occupation
Plasterers & Stucco Masons	31%	27%	42%	14,797	10,832
Graders & Sorters, Agricultural Products	30%	32%	38%	27,593	21,993
Drywall Installers, Ceiling Tile Installers, & Tapers	28%	20%	51%	80,702	44,761
Agricultural Workers, Animal Breeders	28%	23%	49%	451,512	258,484
Pressers, Textile, Garment, & Related Materials	26%	22%	52%	25,394	12,911
Roofers	24%	18%	58%	139,662	56,912
Sewing Machine Operators	22%	30%	48%	97,777	45,908
Painters, Construction & Maintenance	21%	21%	59%	378,866	132,961
Carpet, Floor, & Tile Installers & Finishers	21%	19%	60%	104,023	35,565
Maids & Housekeeping Cleaners	20%	29%	51%	873,439	351,434
Total Labor Force	5%	12%	83%	133,452,383	7,655,428
Top Ten Occupations with the Largest Number of Illegal Immigrants					
Occupation	Illegal Immigrants in Occupation	Illegal Share	Legal Immigrant Share	Native Share	Natives in Occupation
Maids And Housekeeping Cleaners	351,434	20%	29%	51%	873,439
Cooks	336,363	13%	16%	71%	1,840,832
Construction Laborers	332,258	17%	18%	65%	1,275,355
Agricultural Workers, Animal Breeders	258,484	28%	23%	49%	451,512
Grounds Maintenance Workers	255,066	17%	17%	66%	1,000,518
Janitors And Building Cleaners	243,608	9%	18%	73%	2,012,226
Driver/Sales Workers And Truck Drivers	191,777	5%	12%	83%	3,009,564
Cashiers	191,306	5%	10%	85%	3,319,122
Carpenters	178,254	14%	14%	72%	926,980
Laborers, Freight, Stock, Material Movers	153,790	6%	9%	85%	2,110,123
Total Labor Force	7,655,428	5%	12%	83%	133,452,383

There Are No Jobs Americans Won't Do, Steven A. Camarota, Jason Richwine, and Karen Zeigler, August 2018, Center for Immigration Studies.

Figures are based on five-year (2012 to 2016) public-use file of the American Community Survey.

Total may not equal 100% due to rounding.

Farm Labor. The need for agricultural labor often dominates the discussion on illegal immigrant workers. Many people mistakenly assume that most illegal immigrants work on farms, but this has not been true for many decades. In fact, only about 1 percent of the entire American labor force is employed in agriculture, so it is impossible for farm workers to account for a large share of all illegal immigrant workers. In the aforementioned 2018 Center for Immigration Studies report by myself and two colleagues, we estimated that just 4 percent of all

illegal aliens in the labor force were employed in agriculture. Pew Research estimates a similar percentage.²¹ Although illegal immigrants make up a significant share of workers in this small sector, only a tiny share of all illegal immigrants are farm workers. The vast majority work in the service, construction, and other sectors discussed above are U.S.-born or legal immigrants.

Evidence that Immigration Reduces Wages. Despite assertions to the contrary, there is clear evidence that immigration does reduce the wages and employment of some U.S.-born workers, though distinguishing the impact of illegal immigration in particular is difficult. In its 2017 magisterial report, the National Academies of Sciences, Engineering, and Medicine reviewed the research on the effects of immigration on the U.S. labor market and cited numerous academic studies showing negative wage impacts from immigration, particularly on the least educated.²² A 2019 review of over 50 studies by economist Anthony Edo took a more international perspective and again came to the same conclusion. Edo points out that low-skill immigration tends to make low-skill natives the “losers” and high-skill natives the “winners”, with an increase in inequality as one of the consequences.²³ Of course, lower wages for some Americans can increase economic opportunities for other workers, and it can also increase profits for businesses and lower prices for consumers. But there is no free lunch; these benefits require that some Americans, typically at the bottom of the labor force, lose out.

Trump Slowdown May Have Helped Workers. A report by Karen Zeigler published earlier this year found that the number of new immigrants (legal and illegal) averaged 1.38 million from 2017 to 2019, compared to 1.62 million in 2015 and 1.75 million in 2016. A significant part of this falloff seems to have been a reduction in illegal immigration. We further found that this slowdown coincided with a 3.2 percent increase (inflation adjusted) in median weekly wages for U.S.-born workers without a bachelor’s, in contrast to slight declines in the prior four years. Labor force participation also increased during the slowdown much more than it did in the years before the Trump administration.²⁴ A new study in *Economic Review* finds something similar. It shows that the downturn in immigration during Trump’s presidency coincided with an increase in job offers in areas where immigrants had traditionally been settling relative to lower immigration areas.

Further, advertised wages grew substantially more in areas that had become more dependent on immigration than lower immigration areas. This lends support to the idea that the slowdown during the Trump administration helped U.S.-born workers.²⁵ The period 2017 to 2019 represented a real-world test of whether restricting immigration during a good economy would improve things for American workers. There is evidence that the U.S.-born benefited from a reduction in immigration, including less illegal immigration.

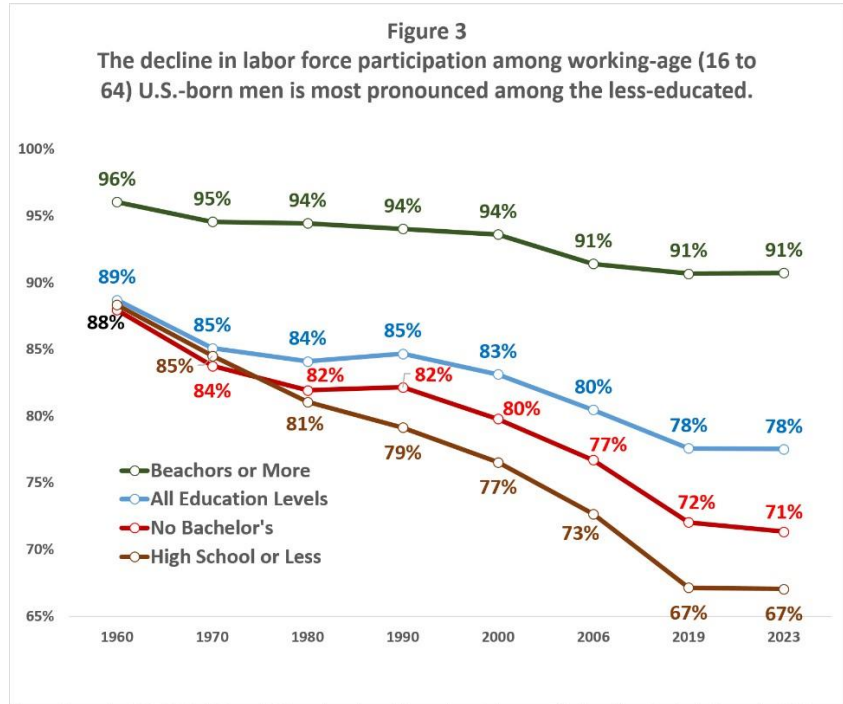
The Overall Decline in Labor Force Participation.

One of the arguments for immigration, including tolerating illegal immigration, is that the low unemployment rate means there are not enough workers. But this ignores the enormous increase in the share of U.S.-born people who are of working age, but not in the labor force. They do not show up as unemployed because they are not actively looking for work. The labor force participation rate is the share of working-age people either working or looking for work.

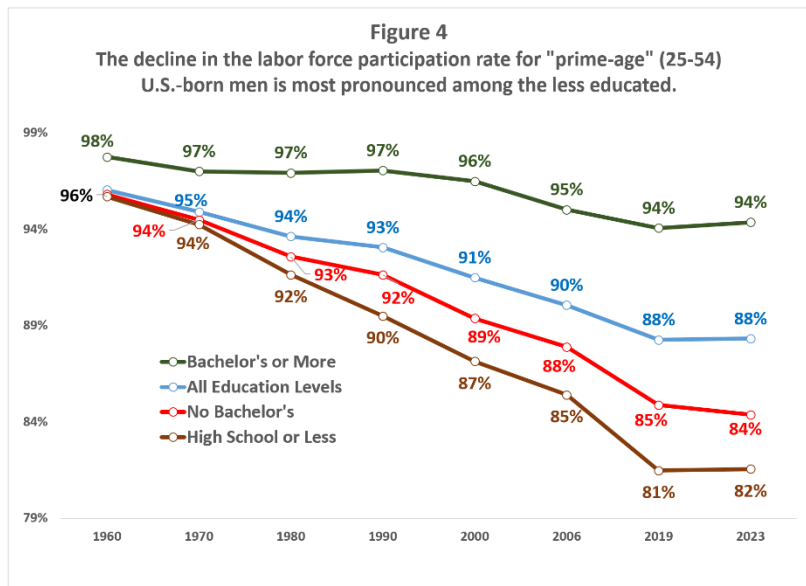
In a report published in August for the Center for Immigration Studies my coauthor and I show that in April 2023, 78 percent of working-age (16 to 64) U.S.-born men of all education levels were in the labor force, down from 83 percent in April 2000, and 89 percent in 1960.²⁶ If participation returned only to the 2000 level, it would still add 4.8 million men to the labor force. Participation has also declined some for U.S.-born women since it peaked in 2000. If U.S.-born women’s participation returned to the level in 2000, it would add 1.7 million more women to the labor force.

Decline in Work Among the Less-Educated. As already discussed, immigration mainly increases the supply of workers with modest levels of education, and it is precisely such workers who have seen their labor force participation decline the most. For men (16 to 64) with no more than a high school degree, the participation rate declined from 88 percent in 1960 to 77 percent in 2000 to 67 percent in 2019 (pre-Covid), and it remains at that level as of April of this year. If

we exclude the young and those who might have retired early and focus only on “prime age” men (25 to 54), who are traditionally the most likely to work, we still find a decline for those with no education beyond high school from near universal participation of 96 percent in 1960 to



Source: Figures for 1960, 1970, 1980, and 1990 are from the public-use decennial census, which is collected in April. Figures for 2000, 2010, 2019, and 2023 are from the April public-use CPS.



Source: Figures for 1960, 1970, 1980, and 1990 are from the public-use decennial census, which is collected in April. Figures for 2000, 2010, 2019, and 2023 are from the April public-use CPS.

87 percent in 2000 to just 82 percent in 2023. For U.S.-born women (25 to 64) with no more than a high school degree, the participation rate declined from 73 percent in 2000 to 67 percent in 2023, which is a little higher than it was in 2019 before Covid, but still quite low relative to the recent past. The overall picture is one of a substantial decline in work among the U.S.-born, that is most pronounced among those who do not have great deal of education. Immigrants, it should be noted, have not experienced the same decline.

Has Immigration Caused the Decline in Work? The extent to which immigration reduces the wages of some U.S.-born workers, particularly those with relatively few years of schooling, undermines the incentive to work. The fall-off in immigration in the first three years of the Trump administration certainly coincided with an increase in labor force participation among workers without a bachelor's degree. A 2019 Center for Immigration Studies analysis of EEOC discrimination cases found numerous instances where immigrants were used to replace U.S.-born workers.²⁷ Other research finds a negative impact on the employment of young U.S.-born workers, while more than one study has found a negative impact on the employment of Black Americans from immigration.²⁸ However, it seems certain that many factors have contributed to the decline in labor force participation.

Some researchers believe globalization and automation have weakened demand for less-educated labor and caused a long-term decline in wages, making work less attractive.²⁹ If correct, then tolerating large scale illegal immigration is highly counterproductive since it primarily adds less-educated workers. Other researchers point to overly generous welfare and disability programs that undermine work.³⁰ Some research holds that changing expectations about men as providers, including the decline in marriage, has caused them to value work less.³¹ There is also evidence that substance abuse, obesity, and criminal records can be causes *and* effects of the decline in work.³² Immigration is likely only one of many factors that has reduced the labor force participation of the working-age. But immigration almost certainly has an indirect impact on labor force participation by allowing our society to ignore this problem.

Ignoring the Decline in Participation. One of the things most striking about the enormous decline in native labor force participation is how little it is ever discussed, particularly when the need for more workers is mentioned. Our August 2023 report on labor force participation shows that that the total number of U.S.-born, working-age (16 to 64) men and women not in the labor force was 44 million in April of 2023, nearly 10 million more than in April 2000.³³ The continued arrival of so many immigrant workers, a large share of whom are illegally in the country, allows policy-makers to ignore this huge deterioration in participation. After all, why worry about all the American-born people not in the labor force when we can simply bring in ever more immigrants to fill jobs? The extensive list of politicians and business groups currently calling for giving work authorization to illegal immigrants in the last two months is but the latest example of how immigration allows opinion leaders to focus on giving more jobs to immigrants to deal with a tight labor market rather than deal with all of the U.S.- born Americans on the economic sidelines.³⁴

Conclusion

Administrative data on border encounters, got-aways, apprehensions, and visa overstays all indicate that illegal immigration has accelerated dramatically since President Biden took office. So often the discussion about the current surge, or illegal immigration in general, is framed in terms of hardships illegal immigrants face or the implications illegal immigration has for crime. But the need to enforce immigration laws exists for many reasons, including to protect American workers, especially those with modest levels of education. These workers already earn the lowest wages and are the most likely to be unemployed or out of the labor force entirely. The overwhelming majority of illegal immigrants have no education beyond high school and primarily compete with the U.S.-born, and legal immigrants, in lower paid occupations that require modest levels of education.

Perhaps as important as the direct competition for jobs, is that tolerating so much illegal immigration allows the business community, policy-makers, and the public to ignore the decades-long huge decline in labor force participation — the share of the working-age holding a job or at least looking for one. This decline is especially pronounced among the less-educated U.S.-born men and long predates Covid. There is a near consensus that this dramatic decline is contributing to profound social problems, including crime, social isolation, and so-called deaths of disappear such as drug overdoses and suicides.

Dealing with this problem is extremely hard. It will require undertaking the politically difficult task of reforming our welfare and disability programs so that returning to work is emphasized whenever possible. Combating substance abuse and the mental health crisis defy easy solutions, but expanding treatment options is clearly necessary. Re-examining our approach to globalization, including the wisdom of off-shoring so many good-paying factory jobs, should also be considered. Real wages for the less-educated have declined or stagnated for decades. Allowing wages to rise must be a big part of the solution.³⁵ Reducing illegal immigration by enforcing our immigration would help in this regard.

Dealing with the decline in labor force participation is so difficult because it is not only an economic problem or even one caused solely by misguided public policy. Fixing it will involve changing norms and reestablishing the importance and value of work. Simply turning to eager immigrants to fill jobs is easy, and it's why that is what we have generally done in recent years. But we face a clear choice as a country: Either undertake the difficult policy and social reforms needed to address the decline in labor force participation or continue to allow in ever more immigrants to take jobs and then somehow deal with all the social problems that come from having so many working-age people not working.

¹ Encounter data can be found at the Customs and Border Protection website: <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

² Former immigration judge and Resident Fellow in Law and Policy at the Center for Immigration Studies Andrew Arthur has estimated this number based on information released by DHS to comply with a disclosure order in *Texas v. Biden* (Northern District of Texas, Amarillo Division, Case No. 2:21-cv-00067-Z) as well as limited information at the CBP “Custody and Transfer Statistics” webpage <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics> and ICE’s “Detention Management” webpage, <https://www.ice.gov/detain/detention-management>. For a detailed discussion on the number of inadmissible aliens released into the United States based on the available information see “It’s No Secret — Biden’s Hiding Bad Border Numbers,” Andrew Arthur, Center for Immigration Studies blog, September 1, 2023, <https://cis.org/Arthur/Its-No-Secret-Bidens-Hiding-Bad-Border-Numbers>.

³ See Table 2b in Department of Homeland Security Border Security Metrics Report: 2022. U.S. Department of Homeland Security, July 3, 2023), [07/2023_0703_plcy_fiscal_year_2022_border_security_metrics_report_2021_data.pdf](https://www.dhs.gov/sites/default/files/2023/07/072023_0703_plcy_fiscal_year_2022_border_security_metrics_report_2021_data.pdf).

⁴ “Border officials count 599,000 ‘gotaway’ migrants in Fiscal Year 2022,” Fox News October 2, 2022, <https://www.foxnews.com/politics/border-officials-count-599000-gotaway-migrants-fiscal-year-2022-source>.

⁵ Press Briefing by Press Secretary Karine Jean-Pierre and Secretary of Homeland Security Alejandro Mayorkas, May 11, 2023, <https://www.whitehouse.gov/briefing-room/press-briefings/2023/05/11/press-briefing-by-press-secretary-karine-jean-pierre-and-secretary-of-homeland-security-alejandro-mayorkas/>.

⁶ Of course, fiscal year 2021 included September, October, and November of 2020, before the president took office. If the pace at the end of calendar year 2020 was similar to what it was in FY 2020, then perhaps 34,000 got-aways should be subtracted from the 1.5 million. However, we do not have apprehension figures for June, July, and August of this year, which almost certainly total much more than 34,000, so the 1.5 million estimate is probably too low.

⁷ Fiscal Year 2022 Entry/Exit Overstay Report, June 2022, Department of Homeland Security, <https://cis.org/sites/default/files/2023-06/FY%202022-2023%20Entry%20Exit%20Overstay%20Report.pdf>.

⁸ For additional discussion about the FY2022 report see, DHS Reports Record Number of Overstays in 2022, Jessica M. Vaughan, Center for Immigration Studies, June 23, 2023.

⁹ The Census Bureau website states “unauthorized migrants are implicitly included in the Census Bureau estimates of the total foreign-born population.” *Frequently Asked Questions (FAQs) About Foreign Born* <https://www.census.gov/topics/population/foreign-born/about/faq.html>. Also, the Bureau of Labor Statistics acknowledges the inclusion of illegal immigrants, which they refer to as “undocumented immigrants” in the monthly CPS used in its Employment Situation Reports each month, <https://www.bls.gov/news.release/empsit.faq.htm>.

¹⁰ Baker, Bryan. “Estimates of the unauthorized immigrant population residing in the United States: January 2015–January 2018.” *United States Department of Homeland Security* (2021). Warren, Robert. “Undercount of Undocumented Residents in the 2020 American Community Survey and Estimates and Trends in the Undocumented Population from 2010 to 2020, by US State and Country of Origin.” *Journal on Migration and Human Security* 10.4 (2022): 228-237. “Profile of the unauthorized population: United States.” *Migration Policy Institute*, Accessed 7 Sept. 2023. Passel, Jeffrey S., and D. Cohn. “Mexicans decline to less than half the US unauthorized immigrant population for the first time.” *Pew Research Center* 12 (2019).

¹¹ Since the monthly CPS first asked about citizenship on a regular basis in 1994 there has never been a 29-month period that witnessed this kind of growth, except earlier this year when October to March 2023 data is compared to 29 months earlier in 2020, during the height of Covid. However, the collection of Census Bureau surveys was disrupted by the pandemic so the foreign-born in 2020 may not be entirely accurate. Though there was almost certainly a real fall-off in the overall size of the foreign-born in early 2020 to the middle of that year. But except for this very unusual time period, the foreign-born has not grown by more than four million in a 29-month period at least going back to 1994.

¹² This includes an adjustment down from the actual legal immigrant population because of undercount in the survey.

¹³ The foreign-born that arrived before 1980 should contain virtually no illegal immigrants because the IRCA amnesty should have legalized them and the passage of time further reduces the illegal immigrant population that came in this time period. Because of special provisions in the law that allow Cuban immigrants to adjust to legal status, it is very difficult for them to be in the country illegally, so they are excluded from this population.

¹⁴ For a detailed discussion of how we estimate the size of the total illegal immigrant population see our report “Estimating the Illegal Immigrant Population Using the Current Population Survey,” Steven A. Camarota and Karen Zeigler, March 29, 2022, Center for Immigration Studies, <https://cis.org/Report/Estimating-Illegal-Immigrant-Population-Using-Current-Population-Survey>. The key administrative data necessary for updating our prior estimate of the legal immigrant population comes from the State Department’s Bureau of Consular Affairs website on “Monthly Immigrant Visa Issuance Statistics,” <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-statistics/immigrant-visa-statistics/monthly-immigrant-visa-issuances.html>, the Department of Homeland Security website for “Legal Immigration and Adjustment of Status Report Fiscal Year 2022,” <https://www.dhs.gov/immigration-statistics/special-reports/legal-immigration#:~:text=Lawful%20Permanent%20Residents,-Recent%20Trends&text=Approximately1%20281%2C000%20noncitizens%20obtained,increase%20from%20FY%202020%20Q4>, data from the Refugee Processing Center’s website, <https://www.wrapsnet.org/admissions-and-arrivals/> and Executive Office for Immigration Review Adjudication Statistics, <https://www.justice.gov/eoir/page/file/1107366/download>.

¹⁵ Baker, Bryan. “Estimates of the unauthorized immigrant population residing in the United States: January 2015–January 2018.” *United States Department of Homeland Security* (2021). Warren, Robert. “Undercount of Undocumented Residents in the

[2020 American Community Survey and Estimates and Trends in the Undocumented Population from 2010 to 2020, by US State and Country of Origin.](#) *Journal on Migration and Human Security* 10.4 (2022): 228-237. "[Profile of the unauthorized population: United States.](#)" *Migration Policy Institute*, Accessed 7 Sept. 2023. Passel, Jeffrey S., and D. Cohn. "[Mexicans decline to less than half the US unauthorized immigrant population for the first time.](#)" *Pew Research Center* 12 (2019).

¹⁶ The largest uncertainties surrounding these numbers are: First we do not have all the data available to estimate legal immigration through May of 2023. Second, we do not know how out-migration (emigration) may have changed among the existing legal immigrant population or illegal immigrant population in a post-Covid world, so we use prior patterns. Third, there does not exist a detailed recent literature on the undercount of immigrants generally and illegal immigrants in particular in the monthly CPS. It is unclear how many illegal immigrants are currently being missed by the survey. In our most recent estimate, we had assumed only 2.3 percent undercount for illegal immigrants, if the undercount is larger, then the illegal immigrant population would be correspondingly larger. Our hope is to revise and improve this estimate as more information becomes available over time.

¹⁷ The Center for Migration Studies estimates that in 2019, 67 percent had no education beyond high school, 14.5 percent have some college and 18.5 percent have a bachelor's or more. Center for Migration Studies website, <http://data.cmsny.org/>. The Migration Policy Institute's estimate based on pooled data from 2015 to 2019 shows that 70 percent have no education beyond high school, 12 percent have some college and 18 percent have at least a college education. Migration Policy Institute website, <https://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/US>.

¹⁸ To estimate the education of those encountered at the border, I use the detailed population shares by country reported at Customs and Border Protection website for border encounters in FY 2021, FY 2022, and so far in FY 2023. I combine this with the educational attainment from those same countries of new immigrants (arrived in 2020 through 2023) using a pooled sample of the monthly CPS from January to July 2023. This shows that, for adults encountered at the border, 64 percent had no education beyond high school, 12 percent have some college, and 24 percent have at least a bachelor's. Of course, this approach can only provide limited insight into the possible educational attainment of new illegal immigrants, primarily because we do not have specific data on the subset of those encountered who were released or got-aways or new visa overstayers. (Note: This estimate is only for those identified by country in the CBP data. It excludes the 6 percent of encounters for which no country was reported. Cubans are also excluded because those paroled into the United States can receive permanent residency within one year due to a special provision in the law and therefore do not add to the illegal immigrant population.) Custom and Border Protection web <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

¹⁹ In their estimates CMS shows 71 of all illegal immigrants (not just those of working age) are in the labor force. MPI estimated 66 percent (again, not just those of working age) are in the labor force, but it is based on data from 2015 to 2019, when the economy was weaker. Center for Migration Studies website, <http://data.cmsny.org/>. Migration Policy Institute website, <https://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/US>.

²⁰ "There Are No Jobs Americans Won't Do: A detailed look at immigrants (legal and illegal) and natives across occupations," Steven A. Camarota, Jason Richwine, and Karen Zeigler, August 2018, Center for Immigration Studies, <https://cis.org/Report/There-Are-No-Jobs-Americans-Wont-Do>.

²¹ See Appendix D in *Size of U.S. Unauthorized Immigrant Workforce Stable After the Great Recession*, Jeffrey S. Passel and D'Vera Cohn 2016, Pew Research, <https://www.pewresearch.org/hispanic/2016/11/03/appendix-d-detailed-tables/#occupation>.

²² See Table 5-2 in *The Economic and Fiscal Consequences of Immigration*, National Academies of Sciences, Engineering, and Medicine, Francine D. Blau and Christopher Mackie, Eds. National Academies Press, 2017.

²³ Anthony Edo. The Impact of Immigration on the Labor Market. *Journal of Economic Surveys*, Vol. 33 (2019), pp. 922-948. <https://onlinelibrary.wiley.com/doi/abs/10.1111/joes.12300>.

²⁴ "Less-Educated U.S.-Born Workers Do Better When Immigration Is Lower: Trends in Median Weekly Earnings for Immigrants and the Native-born, 2012 to 2022", Steven A. Camarota and Karen Zeigler, May 2023, Center for Immigration Studies, <https://cis.org/Report/LessEducated-USBorn-Workers-Do-Better-When-Immigration-Lower>.

²⁵ "Do Immigration Restrictions Affect Job Vacancies? Evidence from Online Job Postings", Elior Cohen and Samantha Shampine, *Economic Review*, Vol. 108 (2023).

²⁶ "Working-Age, but Not Working: A look at the decades-long decline in labor force participation among the U.S.-born and its implications for immigration policy," Steven A. Camarota and Karen Zeigler, Center for Immigration Studies, August 21, 2023, <https://cis.org/Report/WorkingAge-Not-Working#:~:text=The%20consistent%20growth%20in%20the%20labor%20force%20continued%20to%20increase>.

²⁷ "No Americans Need Apply: EEOC lawsuits reveal how employers are eager to replace low-skill native workers with immigrants", Jason Richwine, Center for Immigration Studies, October 2019, <https://cis.org/Report/No-Americans-Need-Apply>.

²⁸ "The Impact of Low-Skilled Immigration on the Youth Labor Market", Christopher L. Smith, 2012, *Journal of Labor Economics*, Vol. 30, No. 1 January 2012, pp. 55-89. "The impact of immigration on Unemployment and Earnings among Racial Minorities in the United States", Augustine J. Kposowa, 1995, *Ethnic and Racial Studies*, Volume 18, 1995. "Latino Employment and Black Violence: The Unintended Consequence of U. S. Immigration Policy", Edward S. Shihadeh and Raymond E. Barranco, March 2010, *Social Forces*, Vol. 88, No. 3, <https://www.jstor.org/stable/40645896>. Immigration and African-American Employment Opportunities: "The Response of Wages, Employment, and Incarceration to Labor Supply Shocks NBER Working Paper No. w12518, George J. Borjas, Jeffrey Grogger and Gordon H. Hanson, Revised Sept. 2022, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=930608.

²⁹ Nunn, Ryan, and Jana Parsons. "[Labor Force Nonparticipation: Trends, causes, and policy solutions.](#)" Brookings, (2019). Groshen, Erica L., and Harry J. Holzer. "[Labor market trends and outcomes: What has changed since the Great Recession?](#)" *The ANNALS of the American Academy of Political and Social Science* 695.1 (2021): 49-69.

³⁰ Winship, Scott. "[Reconnecting Americans to the benefits of work](#)," United States Congress Joint Economic Committee (2021). Greszler, Rachel. "[Social Security Disability Program May Appear 'Solvent' but It's a Bad Deal for Workers and a Poor Program for Individuals with Disabilities](#)." Heritage Foundation, (2022).

³¹ Eberstadt, Nicholas. *Men without work: America's invisible crisis*. Templeton Foundation Press, 2016.

³² Henkel, Dieter. "[Unemployment and substance use: a review of the literature \(1990-2010\)](#)," *Current drug abuse reviews* 4.1 (2011): 4-27. Crabtree, Steve. "[Obesity linked to long-term unemployment in US](#)." *Gallup*, (2014). Agan, Amanda, and Sonja Starr. "[The effect of criminal records on access to employment](#)." *American Economic Review* 107.5 (2017): 560-564.

³³ "Working-Age, but Not Working: A look at the decades-long decline in labor force participation among the U.S.-born and its implications for immigration policy," Steven A. Camarota and Karen Zeigler, Center for Immigration Studies, August 21, 2023, <https://cis.org/Report/WorkingAge-Not-Working#:~:text=The%20consistent%20growth%20in%20the.labor%20force%20continued%20to%20increase.>

³⁴ Governor Hochul's Letter to President Biden, August 24, 2023, <https://www.governor.ny.gov/news/what-they-are-saying-governor-hochul-calls-president-biden-direct-federal-government-provide>.

Press Release Senator Dick Durbin (D-IL) May 23, 2023. "Durbin Delivers Opening Statement During Senate Judiciary Committee Hearing On Immigrant Workers, Agriculture, And Need For Immigration Reform,"

<https://www.durbin.senate.gov/newsroom/press-releases/durbin-delivers-opening-statement-during-senate-judiciary-committee-hearing-on-immigrant-workers-agriculture-and-need-for-immigration-reform>

Steward Anderson. Forbes, "New York Businesses: Give Immigrant Work Permits To Asylum Seekers," Sep 1, 2023,

<https://www.forbes.com/sites/stuartanderson/2023/09/01/new-york-businesses-give-immigrant-work-permits-to-asylum-seekers/?sh=143df6474219>

Hannah Meisel, *Capitol News Illinois*, "Pritzker, state leaders call on Biden to allow Illinois to sponsor work permits for migrants," August 30, 2023, <https://www.capitolnewsillinois.com/NEWS/pritzker-state-leaders-call-on-biden-to-allow-illinois-to-sponsor-work-permits-for-migrants>

³⁵ "Real Wage Trends, 1979 to 2019" *Congressional Research Service*, December 2020. <https://sgp.fas.org/crs/misc/R45090.pdf>