

United States General Accounting Office

GAO

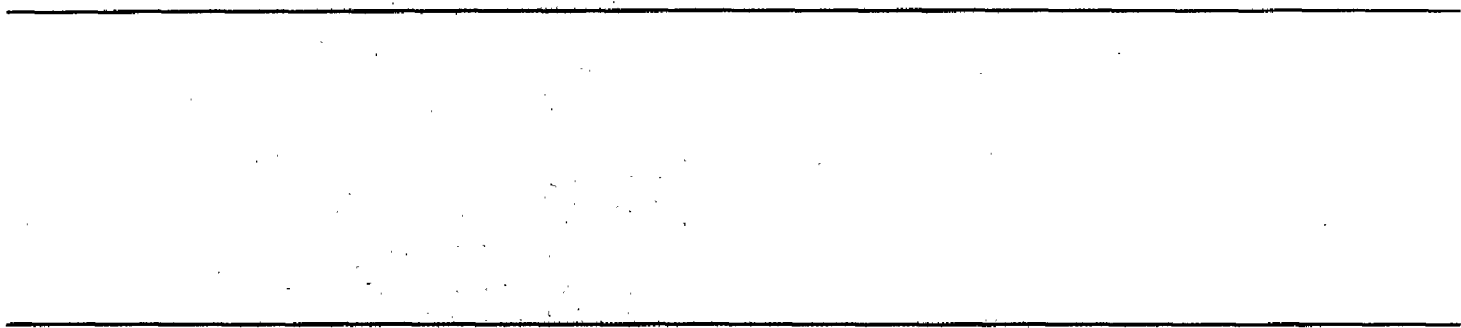
Report to the Chairman, Subcommittee
on Immigration and Refugee Affairs,
Committee on the Judiciary, U. S.
Senate

November 1989

IMMIGRATION REFORM

Major Changes Likely Under S. 358







United States
General Accounting Office
Washington, D.C. 20548

Program Evaluation and
Methodology Division

B-227679

November 9, 1989

The Honorable Edward M. Kennedy
Chairman, Subcommittee on Immigration
and Refugee Affairs
Committee on the Judiciary
United States Senate

Dear Mr. Chairman:

In response to your letter of February 19, 1988, we are submitting this report on the likely effects of proposed legislation S. 358, compared to current law, during the period 1990-99. The only major difference between S. 358 and the bill you originally asked us to analyze, S. 2104, is that S. 358 changes the effective date from fiscal year 1990 to 1991. This report analyzes S. 358 as originally introduced on February 7, 1989. We have included a chapter that summarizes the likely major effects of S. 358 as amended and passed by the Senate on July 25, 1989.

Copies of the report will be sent to the Subcommittee on Immigration, Refugees, and International Law of the House Committee on the Judiciary. Copies will also be sent to the attorney general, the secretaries of the Department of Labor and Department of State, the commissioner of the U.S. Immigration and Naturalization Service, and the director of the Bureau of the Census, and we will make copies available to others upon request.

If you have any questions or would like additional information, please call me at (202) 275-1854 or Dr. Lois-ellin Datta, Director of Program Evaluation in Human Services Areas (202) 275-1370. Other major contributors to this report are listed in appendix IV.

Sincerely,

Eleanor Chelimsky
Assistant Comptroller General

Executive Summary

Increasing immigration to meet the needs of the U.S. economy may help increase its international competitiveness, solve labor problems associated with low birth rates, and deal with weaknesses in the education of young U.S. workers. This, however, would constitute a change in policy from immigration's historical family reunification objectives. Even with protection for workers, such a change would require comprehensive legislation that could reconcile both labor market and family goals.

The Subcommittee on Immigration and Refugee Affairs of the Senate Committee on the Judiciary has proposed such legislation in S. 358, the Immigration Act of 1989. The subcommittee asked GAO to assess the effects S. 358 would be likely to have, compared to current law, during 1990-99. GAO examined likely effects in four areas: (1) family-based immigration, (2) visa waiting lists, (3) labor market immigration, and (4) immigration from high-demand countries. References in this report to S. 358, unless otherwise noted, refer to the original bill introduced on February 7, 1989. There are a few references to an amended S. 358 that passed the Senate on July 25, 1989; this is referred to as the Senate-passed bill.

Background

Most aliens who become immigrants under current law have family members here. Family-based immigration has two major components: (1) immediate relatives (spouses, unmarried children under 21, and parents of adult U.S. citizens) and (2) preference-system immigration, which consists of six classes, two of which are occupationally based. The four family preferences are defined by the type of family relationship between an alien and a U.S. citizen or immigrant sponsor. Preference-system immigration is limited to 270,000 annually (216,000 family-preference plus 54,000 occupational-preference immigrants), with a 20,000 per country limit. The demand for preference-system immigration has exceeded 270,000 annually for many years, resulting in a waiting list of over 2.3 million persons in January 1989. There are no limitations on immediate-relative immigration. (See pages 12 and 13.)

If S. 358 took effect in 1991, it would change legal immigration in three major ways. First, although the bill would continue to allow unlimited immediate-relative immigration, it would reduce family-preference immigration for any given year by the amount that the sum of family-preference and immediate-relative immigration exceeded 440,000 during the previous year. Second, S. 358 would make a larger percentage of visas available to the spouses and unmarried sons and daughters (under

age 26) of immigrants (second preference class)—and a lower percentage to brothers and sisters of adult U.S. citizens (fifth preference class). Third, S. 358 would create a new “independent immigrant” category to increase the number of immigrants with skills in demand in the U.S. labor market. The largest class within this new category would be the new “selected immigrants.” Aliens applying under this class would be rated according to a new point system. (See pages 14-16.)

Results in Brief

GAO projects that family-preference immigration would decline sharply and reach zero by 1998-99 under S. 358 under a fixed 440,000 limit. Total family-preference immigration during 1990-99 would be an estimated 1.21 million under S. 358 versus 2.16 million under current law. These reductions would result because (1) the annual number of immediate-relative immigrants is projected to increase, and (2) as immediate-relative immigration increases, the linkage in the bill between immediate-relative and family-preference immigration would require parallel decreases in family-preference immigration. This sharp decrease in family-preference immigration is unlikely under the Senate-passed bill, which guarantees a 216,000 annual level. Total immigration would be slightly higher under the original S. 358 (6.22 million versus 6.07 million under current law), and would rise to an estimated 7.20 million or more under the Senate-passed bill. (See pages 27-29, 58, and 59.)

One of the bill’s goals is to increase the number of immigrants with labor market skills in demand in the United States. S. 358 would increase these annual admissions from 54,000 under current law to nearly 150,000 by 1994. If family members of the immigrant workers are not counted, the rate of increase under S. 358 would be even greater: a four-fold annual increase in actual workers from about 24,300 to an estimated 98,550 by 1994. (See pages 43-46.)

Another major goal of S. 358 is to divide numerically limited immigration into “family-based” and “independent immigrant” admission tracks. GAO concludes that these tracks would be separate only in part. Separate programs are established, separate eligibility criteria are specified, and specific numbers of visas are allocated for the new independent immigrant category, but the two groups are likely to mingle. The spouses and children of selected immigrants seeking entry would increase the number of applicants awaiting second-preference visas. As family-preference immigration decreased, the waiting lists for those preference classes could become much longer. (See page 42.)

GAO's Analysis

Family-Based Immigration

The projected steady increase in immediate-relative immigration for 1990-99 would reduce family-preference immigration because of the 440,000 limit. GAO finds three sources of these increases. First, GAO estimates a 6.2-percent average annual increase in immediate-relative immigration, based on the average annual increase during 1970-87. Second, former undocumented aliens who participated in the so-called legalization program in 1987-88 under the Immigration Reform and Control Act of 1986 (Public Law 99-603) could become U.S. citizens by 1994-95 and would then be eligible to petition for their immediate relatives. Third, by 1995-96, when the new selected immigrants could become citizens, they could petition for their spouses and children as immediate relatives. (See pages 23-26.)

These increases would be translated into a decreased supply of family-preference visas unless the 440,000 limit were increased. Under S. 358, starting in fiscal year 1994, the president could recommend to the Congress a change in the 440,000 limit. If the change were 5 percent or less for a 3-year period, it would go into effect unless altered by the Congress. GAO projects that raising the 440,000 limit by 5 percent in 1994 and again in 1997 would delay the drop to zero family-preference immigrants by 1 year but would make no other basic changes. (See pages 27 and 28.)

Visa Waiting Lists

The waiting lists are likely to be longer under S. 358 than under current law for three reasons. First, the predicted decrease in family-preference visas would add a new source of demand for visas. Second, the spouses and children of selected immigrants would add more applicants to the second preference waiting list. Third, the bill would decrease admissions under the fifth preference, and it could be 75 years or more before petitions filed and approved now would be acted upon. The 90,000 visas that would be allocated for reduction of the fifth preference waiting list would be made available to only 2 countries, Mexico and the Philippines, because they have the earliest filing dates and there are no per country limits on these special visas. The new selected immigrant class is likely to have large numbers, in the millions, of qualified applicants, but only a small percentage could become immigrants each year because of the numerical limits. (See pages 42, 47, and 48.)

Labor-Market-Based Immigration

GAO finds that S. 358 would increase immigration by persons with needed labor-market skills for three reasons: (1) by increasing the number of visas for independent immigrants, (2) increasing the skill and educational requirements under the third and six preferences, and (3) assigning relatively large weights to educational and occupational measures in the point system to be used for choosing selected immigrants. (See pages 43-48.)

It is unclear how well occupations “in demand” can be identified. S. 358 would require the Department of Labor to identify such occupations and assign points to aliens who are qualified to become selected immigrants. Some argue that occupational shortages are largely self-correcting in a free enterprise system because shortages should result in higher wages, attracting more persons to the occupation. However, no matter how the Department of Labor identifies occupations in demand under S. 358, there is likely to be controversy about the value of such data or projections based on the data. (See pages 49-51.)

Immigration From High-Demand Countries

S. 358 seeks to increase immigration from countries that had been high-demand countries but are “now virtually excluded” because insufficient relatives are here to sponsor them. S. 358 would change the pattern under current law, which is higher projected levels of family-preference immigration from 8 “high-demand” countries GAO identified than from the remaining 167 countries of the world. These 8 are China, the Dominican Republic, Great Britain, India, Mexico, the Philippines, South Korea, and the dependency of Hong Kong. Under the bill as introduced, the 8 high-demand countries would have greater reductions in the supply of family-preference visas than would the 167 countries. Under the Senate-passed bill, GAO projects the number of family-preference immigrants from the 167 countries would be higher than under current law. The 8 high-demand countries would have reductions in family-preference visas compared with current law, but the reductions would be less than under the original S. 358. (See pages 29-31 and 62-63.)

Recommendations

GAO is making no recommendations.

Agency Comments

At the request of the subcommittee, GAO did not seek formal agency comments on this report. However, a draft was discussed with responsible agency officials and changes were made as appropriate.

Contents

Executive Summary		2
<hr/>		
Chapter 1		10
Introduction		
	How the Immigration Process Works Under Current Law	12
	Changes Proposed to Current Law by S. 358	14
	Objective, Scope, and Methodology	17
	Strengths and Limitations of Our Approach	19
	Organization of This Report	21
<hr/>		
Chapter 2		22
Numbers of Immigrants		
	Total Immigration	22
	Total Family-Based Immigration	23
	Labor Market Immigration and All Remaining Classes	32
	Conclusions	32
<hr/>		
Chapter 3		34
Visa Waiting Lists		
	Definition of the Visa Waiting List	34
	Why Waiting List Sizes Differ by Preference Class and Country	35
	Prospects for Change in the Waiting Lists Under S. 358	38
	Conclusions	41
<hr/>		
Chapter 4		43
Labor Market Immigration		
	Provisions for Labor Market Immigration	43
	Immigrant Occupational Structure	45
	Occupations Under S. 358	46
	How Current Law and S. 358 Meet U.S. Labor Market Demand	49
	Country of Origin of Independent Workers	51
	Conclusions	52
<hr/>		
Chapter 5		54
Conclusions		
	Increased Importance of Labor Market Skills	54
	Immigration From Countries “Now Virtually Excluded”	55
	More Emphasis on Closer Relatives Under Family-Based Immigration	57

<hr/>		
Chapter 6		58
Projected Immigration During 1990-99 Under S. 358 as Amended	Projections Under S. 358 as Amended	58
	Immigration From High-Demand Countries	62
<hr/>		
Appendixes		
	Appendix I: Immigration Experts Whom We Consulted	64
	Appendix II: Details of Our Projections Under Current Law and S. 358	66
	Appendix III: Projected Immigration Under S. 358 as Amended	101
	Appendix IV: Major Contributors to This Report	105
<hr/>		
Bibliography		106
<hr/>		
Related GAO Products		112
<hr/>		
Tables		
	Table 1.1: Visa Allocation System for Numerically Limited Immigrants	11
	Table 1.2: Immigrant Classes and Numerical Limits Under Current Law and S. 358	16
	Table 1.3: Four Major Goals of S. 358	18
	Table 2.1: Projected 1990-99 Immigration Under Current Law and Different Limits for Family-Preference Immigration Under S. 358	23
	Table 3.1: Estimated Waiting Periods for New Applicants for Immigrant Visas	37
	Table 4.1: Projected 1990-99 Labor Market Immigration	43
	Table 6.1: Projected 1990-99 Immigration Under Current Law and S. 358 as Introduced and Amended	59
	Table 6.2: Projected 1990-99 Differences in Distribution of Family-Preference Class Visas	62
	Table II.1: Immediate-Relative Immigration	68
	Table II.2: Projected Immediate-Relative and Similar Immigration	70
	Table II.3: Projected Immigration Under Current Law	72
	Table II.4: Projected Immigration Under S. 358	76
	Table II.5: Projected Family-Based Immigration Under S. 358, Assuming a 5-Percent Increase in the 440,000 Limit in 1994 and 1997	78

Table II.6: Projected Family-Based Immigration Under S. 358, Assuming a 5-Percent Annual Increase in the 440,000 Limit Beginning in Fiscal Year 1994	79
Table II.7: Projected Family-Based Immigration for High-Demand Countries Under Current Law	82
Table II.8: Projected Family-Based Immigration for High-Demand Countries Under S. 358, Assuming No Change in the 440,000 Limit	86
Table II.9: Projected Family-Based Immigration for High-Demand Countries Under S. 358, Assuming a 5-Percent Increase in the 440,000 Limit in 1994 and 1997	88
Table II.10: Projected Family-Based Immigration for High-Demand Countries Under S. 358, Assuming a 5-Percent Annual Increase in the 440,000 Limit Beginning in 1994	90
Table III.1: Projected Immigration Under S. 358 as Amended	101
Table III.2: Projected Family-Based Immigration for High-Demand Countries Under S. 358	103

Figures

Figure 2.1: Projected Annual Family-Based Immigration Under Current Law	24
Figure 2.2: Projected Annual Family-Based Immigration Under S. 358	25
Figure 2.3: Projected Annual Immediate-Relative Immigration	26
Figure 2.4: Projected Annual Family-Preference Immigration	29
Figure 2.5: Projected Family-Preference Visa Distribution Under Current Law and S. 358 as Introduced	31
Figure 6.1: Projected Family-Preference Class Visa Distribution Under Current Law, S. 358 as Introduced, and S. 358 as Amended	63
Figure II.1: Actual and Average Immediate-Relative Immigration	69
Figure II.2: Projected Family-Preference Immigration From the Dominican Republic	93
Figure II.3: Projected Family-Preference Immigration From the Philippines	95
Figure II.4: Projected Annual Percentage Distribution of Family-Preference Class Visas	97

Figure II.5: Projected Annual Numerical Distribution of
Family-Preference Class Visas

98

Abbreviations

DOL	U.S. Department of Labor
GAO	U.S. General Accounting Office
INS	Immigration and Naturalization Service

Introduction

Increases in immigration geared to the needs of the U.S. economy may be useful in increasing the nation's international competitiveness, solving labor problems associated with low birth rates, and dealing with weaknesses in the education of young U.S. workers. This, however, would constitute a change in policy from immigration's historical family reunification objectives. Even with protection for U.S. workers, such a change would require comprehensive legislation that could reconcile both labor market and family goals.

Senator Edward M. Kennedy, the chairman of the Subcommittee on Immigration and Refugee Affairs of the Senate Committee on the Judiciary, asked us to assess how the proposed bill, S. 358, the Immigration Act of 1989, compares to current law with regard to trends in legal immigration and the likely composition of future legal immigration by immigrant class to the United States over the next 10 years.¹ In this chapter, we summarize the major provisions of current law and changes proposed under S. 358; the objective, scope, and methodology of our work; strengths and limitations of our approach; and the organization of the report.

Aliens may become immigrants—that is, be admitted for legal permanent residence to the United States—under three major categories.

1. immediate relatives of U.S. citizens: spouses, unmarried children under 21, and parents of U.S. citizens 21 or older;
2. preference-system immigrants: persons admitted on the basis of a family relationship to U.S. citizens (three classes) or close family relatives of permanent residents (one class) or persons admitted on the basis of occupation (two classes); and

¹Senator Kennedy originally requested that we assess a previous bill, S. 2104. The only major difference between S. 2104 and S. 358 as originally introduced on February 7, 1989, is that the latter changes the effective date of the proposed legislation from fiscal year 1990 to 1991. We subsequently revised our analyses of S. 2104 to account for this change and reported our preliminary findings in testimony (see GAO, 1989a). On July 25, 1989, an amended S. 358 passed the Senate. We estimate that this Senate-passed bill, if enacted, would have substantially different effects than the bill as introduced. In chapter 6, we provide selected projections under the Senate-passed bill comparable to those in previous chapters of this report for the purpose of showing the effects of these amendments. We define "immigrant" as "an alien admitted for legal permanent residence in the United States," in accordance with the Immigration and Naturalization Service (INS) definition under current law, but we recognize that others may use this term to refer to all aliens regardless of their status. We use the terms "immigrant" and "permanent resident" interchangeably in this report.

3. refugees and asylees: persons who are outside their country of nationality and are unable or unwilling to return to that country because of persecution or a well-founded fear of persecution.

The first two categories—immediate relatives and preference-system immigrants—are the focus of this report. At the request of the subcommittee, we did not include refugees and asylees in our assessments. We have included “special immigrants” (such as former U.S. government employees abroad and ministers of religion) in our assessments but have not discussed our results for this class because of its small size and miscellaneous composition. The classes of the preference system, which are numerically limited to 270,000 annually, are described in more detail in table 1.1.

Table 1.1: Visa Allocation System for Numerically Limited Immigrants^a

Preference	Immigrant class ^b	Visas	
		Percent	Number
1st	Unmarried adult children of U.S. citizens and their children	20%	54,000
2nd	Spouses and unmarried sons and daughters of immigrants	26	70,200 ^c
3rd	Members of the professions or persons of exceptional ability in the arts and sciences and their spouses and children	10	27,000
4th	Married children of U.S. citizens and their spouses and children	10	27,000 ^c
5th	Brothers and sisters of adult U.S. citizens and their spouses and children	24	64,800 ^c
6th	Workers in skilled or unskilled work occupations in which laborers are in short supply in the United States and their spouses and children	10	27,000
Nonpreference ^d	Other qualified applicants		

^aThe number of visas is 270,000 per year. These allocations have not been changed since fiscal year 1983.

^bA minor is younger than 21 years old; an adult is 21 or older. Refugees, asylees, and immediate relatives are not included in the visa allocation system.

^cNumbers not used in higher preferences (which are often termed “fall-down” numbers) may be used in these classes.

^dNonpreference visas are available to any qualified applicant not entitled to one under the other preferences. Nonpreference numbers have been unavailable since September 1978 because of high demand in the preference classes.

^eAny numbers not used above.

Source: Immigration and Naturalization Service, 1983 Statistical Yearbook (Washington, D.C.: U.S. Government Printing Office, 1985), p. viii.

In this report, our references to “years” or a particular year or years are intended to refer to fiscal years unless otherwise noted, because immigration law is administered according to fiscal years.

Most immigration under current law is based upon various family relationships. The objective of the current immigration process is to reunify families by allowing relatives to join their family members who previously immigrated to the United States. An immigrant is eligible to become a naturalized U.S. citizen after legally residing in the United States for 5 years and by meeting certain other legal requirements. Naturalization increases the number of classes under which a former immigrant may sponsor or petition for new immigrants. Naturalization is, therefore, an important variable in the immigration process.

How the Immigration Process Works Under Current Law

A qualified alien may become an immediate-relative immigrant—the first of the three categories—only as the result of a petition filed by a U.S. citizen.² If a U.S. citizen marries an alien, that spouse and any of that spouse’s children (if under 18 at the time of the marriage) qualify as immediate relatives. Because there are no limits on the number of immediate-relative admissions, qualified aliens can usually obtain immigrant visas and enter the United States (or if inside the United States, adjust their status) without delay after approval of an immediate-relative petition.

The preference system—the second category—was designed to allow specified amounts of immigration under four family and two occupational-preference classes and to prioritize admissions. The system is administered under the Immigration and Nationality Act, which consists of complex provisions under which both U.S. citizens and permanent residents can petition for certain relatives and other persons to become immigrants.³ Unlike the immediate-relative category, for which no limit

²In general, a petition is a document filed by party A to accord a particular status under the Immigration and Nationality Act to party B (the petitioner is often referred to as the “sponsor” of an alien who is seeking to become an immigrant). However, an alien does not “become an immigrant” until he or she has “entered”—that is, been lawfully admitted to the United States for permanent residence with an appropriate immigrant visa (also including aliens who adjusted to permanent resident status while already in the United States). A petition simply accords a status. A petition does not acquire an immigrant visa nor allow an alien to “enter” the United States.

³Public Law 82-414, June 27, 1952. Also known as the McCarran-Walter Act, it was mostly a recodification of existing immigration law that retained the national-origins quota system developed during the 1920’s and was last comprehensively revised in major amendments in 1965. It should be noted, however, that “current law” is not synonymous with the 1965 amendments, because additional amendments were enacted in 1970, 1976, 1978, 1980, 1981, and 1986.

is placed on the number of admissions, the number of preference-system immigrants worldwide is limited to 270,000 annually. Preference-system immigrants are also limited to no more than 20,000 annually from any foreign state (5,000 for a colony or a dependency). The per country limit means that a country may use up to 20,000 visas each year, not that any country is entitled to 20,000 numbers. Because of the interaction of demand, the 270,000 limit, and workings of the preference system, most countries do not receive 20,000 numbers.

The total number of aliens who are entitled to immigrant status under the preference system (or previous system) has exceeded the annual numerical limits since numerical limits were established during the 1920's, and this excess demand has generated a long waiting list.⁴ The names of aliens to whom visa numbers are not available when petitions according them status have been approved are placed on the waiting list according to the dates on which petitions were filed for them. In January 1989, the current preference-system waiting list was 2,328,479. A total of 1,785,812 applicants came from 13 countries—that is, nearly 77 percent of all applicants on the current preference-system waiting list.⁵

Relatively few countries accounted for most of the waiting-list applicants. For these countries, the demand for immigration greatly exceeds the annual per country limits. For a country with a large number of applicants, the waiting list for a given preference class can be very long. For example, only a relatively small number of the 235,675 qualified applicants from the Philippines currently on the January 1989 fifth preference waiting list can become immigrants each year because of the annual numerical limitations. However, for most low-demand countries, or for countries lacking qualified applicants in some preference classes, there are no waiting lists. Therefore, qualified aliens from such countries may be issued immigrant visas (at least in preference classes that are not oversubscribed) immediately after their petitions are approved and may generally immigrate to the United States (or, if already in the United States, adjust their status to that of permanent resident) without additional delay.

⁴The term "entitled to status" means the status or condition of a would-be immigrant after approval of a petition according an immigrant status and prior to formal application for a visa. An "application" is a formal document entitled "Application for Immigrant Visa and Alien Registration" and is filed by an applicant after a visa number is available and he or she has been given an appointment for a specific date on which to apply for a visa.

⁵These countries are, in order of greatest number of applicants, the Philippines, Mexico, India, South Korea, China, Vietnam, Taiwan, the Dominican Republic, Jamaica, Hong Kong, Pakistan, Guyana, and El Salvador.

Changes Proposed to Current Law by S. 358

If enacted as introduced on February 7, 1989, S. 358 would change legal immigration in three major ways. First, it would require the annual volume of family-preference immigration to be linked to the amount of immediate-relative immigration.

Under S. 358, the number of aliens who would be allowed to become family-preference immigrants during a given fiscal year would be calculated by subtracting from 440,000 the number of aliens who became immediate-relative immigrants during the previous fiscal year.⁶ This contrasts with an annual limitation of 216,000 family-preference visas (270,000 minus 54,000, which is the sum of the allocations under the two occupational preference classes) under current law, which cannot be reduced if immediate-relative immigration increases. Under S. 358, the current policy of allowing unlimited immediate-relative immigration would be continued.

What this means is that if S. 358 were enacted and immediate-relative immigration exceeded 224,000 during any given year, family-preference immigration during the following year would have to be reduced below 216,000 by the amount of that excess. And if immediate-relative immigration continued to increase, family-preference immigration would continue to be curtailed.

The 440,000 limit, as we show later in this report, serves to stabilize the total of immediate-relative plus family-preference immigration rather than functioning as a true annual limit, because immediate-relative immigration would not be subject to any numerical limits. In this report, we have used the term "family-based immigration" to represent the sum of immediate-relative plus family-preference immigration.

Second, compared to the preference system under current law, S. 358 would provide a greater percentage of visas to unmarried adult children (under age 26) and spouses of U.S. residents (current second preference class) and a smaller percentage of visas to brothers and sisters of adult U.S. citizens (current fifth preference class), within the family preference limitation.

⁶Family-preference immigrants are termed "family connection immigrants" under S. 358. For the sake of continuity of presentation, we refer to these persons as family-preference immigrants in this report. We refer to the 440,000 limit as the number from which immediate-relative immigration is subtracted. Some relatively small classes of numerically unlimited immigrants would also be included with the number of immediate relatives used to calculate the annual level of family-preference immigration. These classes are listed in table II.2 of appendix II.

Third, S. 358 would create a new category of "independent immigrants" that is not family-based. This category would be largely made up of (1) a new class of "selected immigrants" who qualify on criteria such as age, education, and occupation and (2) the two occupational classes currently under the preference system, which would be slightly redefined under S. 358. There would be an initial 120,000 annual limit for independent immigrants, of whom about 45 percent (53,800) would be selected immigrants. The independent-immigrant and 440,000 limit would be combined for a total annual worldwide limit of 590,000 visas.⁷

Table 1.2 contrasts the main features of S. 358 with those of the current law. Note that of the four family preferences, only the second and fifth preference definitions would be changed under S. 358. The current third and sixth preferences, which are occupationally based, would be included in the independent immigrant category under S. 358, and eligibility would be restricted somewhat to better-educated and more highly skilled workers. The major new class under the independent immigrant category is that of selected immigrants, as discussed above. Also note that, under S. 358, the numerical limitation under each numerically limited immigrant class would be calculated as a percentage of numbers available after reductions because of increases in immediate-relative immigration, compared to fixed numbers under current law.

⁷During fiscal years 1991-93, 30,000 visas would be allocated annually to reduce the fifth preference waiting list during that period. In fiscal year 1994, these 30,000 visas would be reallocated to the independent-immigrant category, for a total of 150,000. Therefore, the annual limit of 590,000 is maintained under both allocations.

**Chapter 1
Introduction**

Table 1.2: Immigrant Classes and Numerical Limits Under Current Law and S. 358^a

Immigration category	Immigrant class		Numerical limit		
	Current law	S. 358	Current law	S. 358	
				Number	Percent
Immediate relatives	Spouses, unmarried children under 21, and parents of adult U.S. citizens	No change	No limit ^b	No limit	^c
Family preference	1st: unmarried adult sons and daughters of U.S. citizens	No change	54,000	33,000	15% ^d
	2nd: spouses and unmarried sons and daughters of permanent residents	Limited to spouses and unmarried sons and daughters under 26	70,200	143,000	65
	4th: married sons and daughters of U.S. citizens	No change	27,000	22,000	10
	5th: brothers and sisters of adult U.S. citizens	Limited to never-married brothers and sisters	64,800	22,000 ^e	10
Total			216,000^f	220,000^g	100%
Independent	Special immigrants (ministers of religion, for example)	No change	No limit	6,000	5% ^h
	3rd: professions and exceptional ability	Advanced degree required for professions	27,000	27,600	23
	6th: skilled and unskilled workers	Limited to skilled workers ⁱ	27,000	27,600	23
		Employment creation: an immigrant must invest \$1 million capital and create 10 full-time jobs ^j		5,000 ^k	4
		Selected immigrants chosen according to new point system		53,800	45
Total			54,000	120,000	100%

^aBased on fiscal year 1987 data.

^bAbout 220,000 aliens became immediate-relative immigrants in fiscal year 1987.

^cNot applicable.

^dPercent going to each family-preference class each year after the number of immediate relatives (and similar immigrants) during the previous year is subtracted from 440,000.

^eDoes not include the addition of 30,000 per year during fiscal years 1991-93 to reduce the current 5th preference waiting list.

^fExcludes immediate relatives.

^gNumber fluctuates according to the number of aliens who became immediate-relative immigrants during previous year, here assumed to be 220,000.

^hPercent of total independent visas going to each independent class.

ⁱThe definition of this class under S. 358 is ambiguous. In the previous bill, S. 2104, this preference was limited to skilled workers. In S. 358, the definition was changed to "skilled and unskilled workers" in the initial reference, but parallel changes that would be needed to reflect this change in other parts of S. 358 were not made. We have assumed that only "skilled workers" constitute this preference.

^jNo such category under current immigration law.

^kS. 358 specifies this number is to be the greater of 4 percent of total independent immigrants (4,800) or 5,000, and we have assumed the latter.

^lThe jobs created by an employment-creation class immigrant (investor) must be used by U.S. citizens or immigrants other than the family of the investor.

Source: U.S. Senate, *Immigration Act of 1988 Report 100-290*, 100th Cong., 2nd sess. (Washington, D.C.: U.S. Government Printing Office, 1988). We adapted this Senate report on S. 2104 to S. 358.

The bill would also establish procedures for changing the numerical limits, starting in fiscal year 1994.⁸ The president can recommend to the Congress a change in the 440,000 limit used to calculate annual family-preference immigration, the 150,000 independent-immigrant limit, or the total 590,000. If the recommended change were 5 percent or less for a 3-year period, it would go into effect unless the Congress changed it by joint resolution. If it were greater than 5 percent, it could become effective only by a joint resolution of the Congress approving the change.

Objective, Scope, and Methodology

The objective of this review was to assess the likely effect of S. 358 versus current law for a 10-year period in three areas:

- numbers of immigrants by class and country of origin,
- the visa waiting list by class and country of origin, and
- labor-market-based immigration.

The major goals of S. 358 that we assessed are listed in table 1.3. We selected these four goals because they can be objectively quantified and related specifically to the major policy changes from current law. These four goals relate to the three areas of effect whose assessment was the objective of our review. The goal of increasing immigration based on labor market characteristics is addressed mainly in our analysis of labor market effects. The goal of “more-equal access” through the family-based and independent-immigrant categories relies primarily on data from our analysis of the visa waiting lists. Our findings on the sending countries come from our analysis of both the numbers of immigrants and labor market immigration. The goal of higher priority for the closest family members is addressed mainly in our findings on numbers of immigrants. We present these results for the four goals of the bill in a summary chapter.

⁸Senator Kennedy asked us to assess the information needed to provide the ability to periodically review the operation and effect of the numerical limitation provisions of the new bill. Our work on the periodic review appears in GAO, 1988d.

Table 1.3: Four Major Goals of S. 358

Goal	Description
1	To increase the number of immigrants admitted on the basis of labor market characteristics, rather than upon their family relationships, and to ensure that "a larger proportion of immigrants will be subject to labor market and skills tests"
2	To provide "more-equal access" by creating "two separate immigrant-visa 'preference systems': one for close family members, another for 'independent' immigrants." Under S. 358, "the family preference will no longer compete with the job-related 'independent' preferences." This was also a recommendation of the Select Commission on Immigration and Refugee Policy in 1981
3	To stimulate immigration "from the earlier sources of immigration" to the United States, particularly by "those now virtually excluded" because "they have no family connections in the United States"
4	To alter the distribution of family-related admissions by giving "higher priority to the closest family members"

Source: U.S. Senate, Immigration Act of 1988 Report 100-290, 100th Cong., 2nd sess. (Washington, D.C.: U.S. Government Printing Office, 1988). We adapted this Senate report on S. 2104 to S. 358.

We drafted a set of questions about effect, and they were reviewed by a panel of immigration experts affiliated with academic, government, and other institutions during a 1-day meeting in which we used small group conference techniques.⁹ The immigration experts whom we consulted are listed in appendix I.

Using a structured procedure, we asked the experts to predict trends in these three areas under current law and the new bill, using whatever data were available and useful to support their answers. Many of their analyses consisted of projections from data bases on immigrant admissions maintained by INS and of visa number use and waiting lists maintained by the Department of State. We determined the extent of consensus or disagreement in their responses during a second group meeting. This second meeting included discussions of the decision processes the expert panel members used to interpret the data they cited and their assessments of degree of confidence in their answers.

⁹Our study design and questions were also reviewed by three independent evaluation researchers to ensure the methodological soundness and comprehensiveness of our approach. These experts, who also reviewed the draft version of this report, were Thomas D. Cook, Northwestern University; Lee Sechrest, University of Arizona; and Carol H. Weiss, Harvard University.

We assembled and reanalyzed these various projections and synthesized the results to develop our own estimates.¹⁰ We have presented independent answers to the three questions regarding changes in number of immigrants, the visa waiting list, and labor market immigration on the likely future trends under current law and S. 358.¹¹ Details regarding our assumptions and methods in constructing our estimates are provided in appendix II.

Strengths and Limitations of Our Approach

Our approach has a number of strengths, particularly in our study design, which provided a thorough coverage of the issues and many opportunities for exchanges of viewpoints. First, our individual and collective work with both immigration and evaluation experts in developing questions helped ensure that our assessments would be as complete as possible. Second, subsequent group meetings provided opportunities for the immigration experts to exchange viewpoints and modify their responses on the basis of additional evidence or analysis. Third, by not forcing the experts to reach a consensus, we obtained the best information on the range and diversity of viewpoints and evidence that a decisionmaker could be expected to confront. The study was also greatly aided by the availability of data bases from INS and the Department of State.

One limitation to our approach resulted from not forcing a consensus among the experts. We were unable to determine the answer or response that would be acceptable to the largest number of experts for the issues that elicited widely divergent viewpoints. For example, the lack of consensus regarding the linkage of immigration and labor market issues resulted in a limited basis for choosing a “best” answer from among alternatives.

Another limitation resulted from the lack of historical data or experience in some areas, such as the selected-immigrant class, which precluded the use of ordinary forecasting methods. Our reliance on projections as a methodological tool to illustrate, clarify, and focus attention on the likely differences between current law and S. 358 must, therefore, be fully understood. The reason is that there are inherent

¹⁰Like all estimates, those presented in this report are subject to exogenous influences that may cause inaccuracies—for example, an unforeseen change in U.S. foreign policy or a change in the policies of sending countries.

¹¹We also used our own previous work on projecting legal immigration (see GAO, 1988a).

dangers in failing to appreciate the assumptions on which our projections rest and misinterpreting the results. Accordingly, it is important to underscore that in this analysis of immigration, we do not intend the results of our projections to represent a foundation for an evaluation of the effects of immigration on the U.S. population or economy.¹²

Two qualifications concerning our projections are relevant. First, these projections refer to immigrant admissions, which include adjustments to immigrant status by aliens who are already in the United States, not actual arrivals in any particular year.¹³ Second, we have not accounted for emigration (the number of immigrants who leave the United States) in our projection methodology, nor could we account for emigration, because current data are not available. Since approximately 30 percent of immigrants to the United States have eventually emigrated and current emigration is significant, our projections of admissions cannot be interpreted as demographic measures nor used to address the demographic consequences of the proposed legislation. Similarly, our projections cannot be used as a basis for assessing the possible effect of immigration under the proposed bill on labor market conditions and occupational supply or on the national origins composition of immigrant populations residing in the United States in the future.¹⁴

¹²The subcommittee staff said that the effects of S. 358 of interest in this study concerned determining the likely composition of future legal immigration to the United States rather than determining the effects of immigrants upon the United States.

¹³We did not attempt to distinguish between an adjustment to immigrant status and a “new arrival”—a lawful permanent resident alien who enters the United States at a port of entry—in our projections. Of the 643,025 aliens who became immigrants during fiscal year 1988, about 41 percent (265,140) represented adjustments to immigrant status, of whom 105,276 were refugees. We noted in an earlier study (GAO, 1988a) that refugees (whom we excluded from our projections in this study) cannot adjust to immigrant status until at least 1 year after their arrival in the United States. Excluding refugees, approximately 113,000 aliens who adjusted to immigrant status during fiscal year 1988 entered the United States in calendar year 1986 or earlier, and nearly 50,000 of these prior to 1981. Also, because an immigrant visa is valid for up to 4 months, immigrants who are issued a visa during the last part of a fiscal year may use that visa to enter the United States during the first part of the next fiscal year. We note the INS reports immigrant adjustments in the year the aliens adjust their status and not in the year they migrate to the United States.

¹⁴The number of aliens who become immigrants and then later emigrate is unknown, and there are no estimates of the size of this group. In a previous report, we studied this issue and recommended that the attorney general direct the commissioner of INS to consult with the director of the U.S. Bureau of the Census to develop and implement a uniform methodology for estimating net migration to the United States by adequately accounting for the emigration of permanent residents (see GAO, 1988a). In a different study of this legislation (when the bill was known as S. 2104), we found that available data are frequently not adequate for the purposes of the reporting requirements under the bill. Consequently, we recommended that the link between measures of effect and the process of periodic review of the numerical limits be removed from the bill (see GAO, 1988d).

Finally, this study analyzes S. 358 as introduced on February 7, 1989. The Senate Committee on the Judiciary reported an amended version of S. 358 in June 1989, and the Senate further amended and passed the bill on July 25, 1989. We have included a final chapter that provides selected projections of immigration under S. 358 as amended and passed by the Senate.

Organization of This Report

Chapters 2, 3, and 4 address changes in the number of immigrants, the visa waiting list, and labor-market-based immigration, respectively. Chapter 5 summarizes our findings and conclusions. Chapter 6 contains our projections of legal immigration under S. 358 as amended and passed by the Senate on July 25, 1989. Other materials supporting our analyses and projections appear in the appendixes.

Numbers of Immigrants

This chapter presents and explains our projections for differing numbers of immigrants likely under current law and under S. 358, by immigrant class and country of origin, during 1990-99.¹ We report our projections of total immigration and immediate-relative, family-preference, labor-market-based preference, and all remaining classes.

We made two assumptions: a continuation of present world social and economic conditions and no changes in current law or S. 358. However, we projected S. 358 under different numerical limits, and it is important to note that the bill would provide flexibility in immigration by allowing periodic changes in the 590,000 limit. Our first projection assumed no change in the 440,000 limit used to calculate family-preference immigration or the 150,000 independent-immigrant limit (120,000 during 1991-93 only). Our second projection, made at the request of the subcommittee, increased the 440,000 limit by 5 percent annually, beginning in 1994. We note that such an increase, which would be greater than 5 percent during a 3-year period, would require congressional approval by joint resolution. We made a third projection that increased the 440,000 limit by 5 percent in 1994 and again in 1997, to illustrate the maximum increase in the 440,000 limit that would be allowable during 1990-99 without congressional action.

Total Immigration

We estimate that total immigration would be slightly higher during 1990-99 under S. 358, as shown in table 2.1. Our estimate of 6,072,727 under current law was slightly lower than our estimate of 6,216,246 under S. 358 (assuming no increase in the 440,000 limit). Our other estimates assuming increases in the 440,000 limit were 6,340,464 and 6,638,184.² The distribution by major immigrant classes, however, is likely to be very different under current law and S. 358.

¹We use the term "projection" to indicate a model that has been constructed to illustrate certain analytical relationships. We do not consider any projection in this report to be a "forecast"—that is, a projection that would be the most likely population for any given year during the 1990-99 projection period.

²The detailed annual projections upon which these totals are based are shown in tables II.3-II.6 in appendix II.

Chapter 2
Numbers of Immigrants

Table 2.1: Projected 1990-99 Immigration Under Current Law and Different Limits for Family-Preference Immigration Under S. 358

Immigrant class	S. 358			
	Current law	No increase in 440,000 limit	5% increase in 440,000 limit in 1994 and 1997	5% annual increase in 440,000 limit beginning in 1994
Immediate relative	3,280,697	3,539,897	3,539,897	3,539,897
Family preference				
1st	117,600	83,901	92,628	117,600
2nd ^a	1,124,400	838,004	928,651	1,141,857
4th	216,000	121,314	133,736	163,507
5th ^b	702,000	169,914	182,336	212,107
Subtotal	2,160,000	1,213,133	1,337,351	1,635,071
Total family based	5,440,697	4,753,030	4,877,248	5,174,968
Labor market preference				
3rd	270,000	316,800	316,800	316,800
6th	270,000	316,800	316,800	316,800
Employment creation	^c	51,000	51,000	51,000
Selected immigrants ^d	^c	566,400	566,400	566,400
Total labor market	540,000	1,251,000	1,251,000	1,251,000
All other classes	92,030	212,216 ^e	212,216 ^e	212,216 ^e
Total	6,072,727	6,216,246	6,340,464	6,638,184

^aIncludes estimated falldown of unused 1st preference visa numbers.

^bIncludes estimated falldown of unused 4th preference visa numbers.

^cNot applicable.

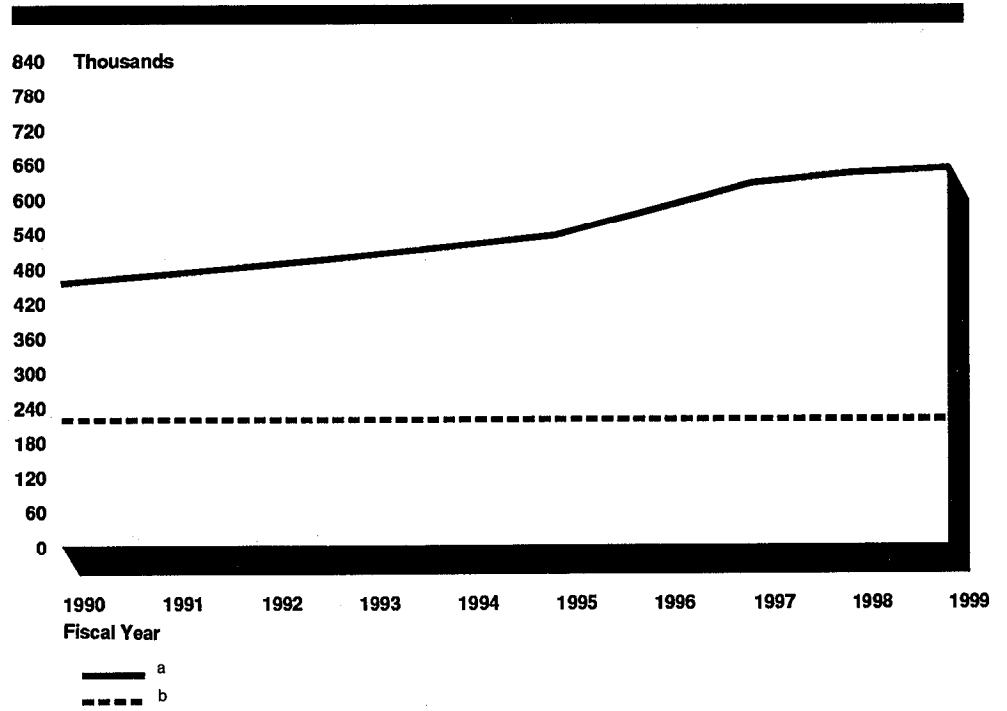
^d"Selected immigrants" would be chosen at random from a pool of qualified applicants. Since there is no basis for estimating unused visa numbers in higher preferences, no estimates of falldown of unused numbers have been included.

^eIncludes 90,000 visa numbers that would be made available during 1991-93 to reduce the 5th preference waiting list. We did not include this class under the family preferences because it resulted from a special provision that is not to be continued during 1994-99 and is not a factor in calculating the annual family-preference limitations.

Total Family-Based Immigration

We project total family-based immigration under current law to be 5,440,697, compared with a range of 4,753,030 to 5,174,968 under S. 358. Total annual family-based immigration under current law and S. 358 during 1990-99 is illustrated in figures 2.1 and 2.2.

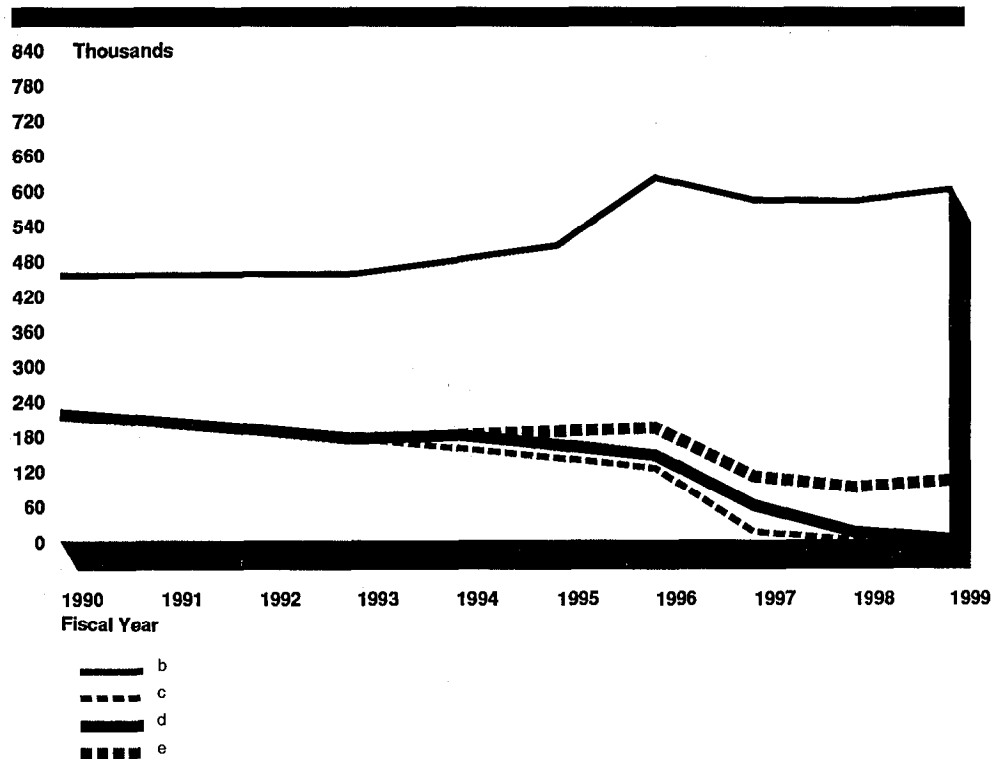
Figure 2.1: Projected Annual Family-Based Immigration Under Current Law



^aTotal family-based immigration, including immediate relatives, who are not numerically limited.

^bFamily-preference immigration.

Figure 2.2: Projected Annual Family-Based Immigration Under S. 358^a



^aThis figure illustrates total annual family-based immigration under three scenarios: a 5-percent annual increase beginning in 1994, no increase, and two individual increases of 5 percent. This gives a total figure of 5,174,968, assuming a 5-percent annual increase in the 440,000 limit beginning in 1994. If there were no increase in the 440,000 limit, family-preference immigration would decrease, as shown by the thin dotted line at the bottom of the figure, and total family-based immigration would be 4,753,030. If the 440,000 limit were increased by 5 percent in 1994 and again in 1997—the maximum increase that could be made without congressional action—family-preference immigration would decrease as shown by the thick solid black line toward the bottom of the figure, and total family-based immigration would be 4,877,248. Total immediate-relative immigration would be the same—3,539,897—under each of the scenarios above.

^bTotal family-based immigration including immediate relatives, who are not numerically limited.

^cFamily-preference immigration assuming no increase in the 440,000 limit.

^dFamily-preference immigration assuming a 5-percent increase in the 440,000 limit in 1994 and 1997.

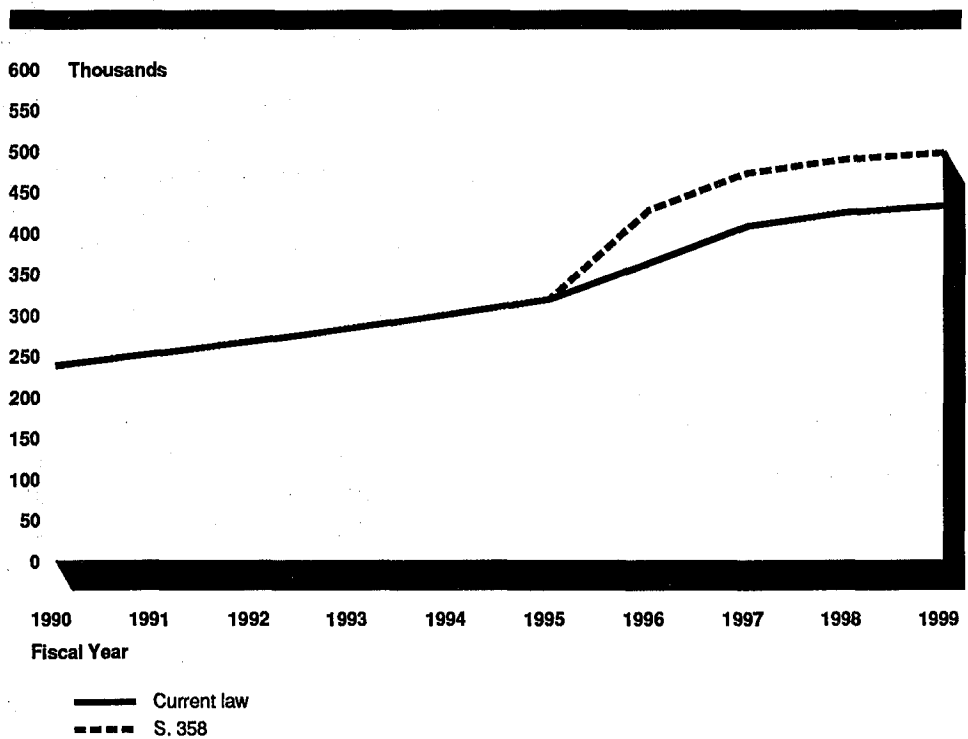
^eFamily-preference immigration assuming a 5-percent annual increase in the 440,000 limit beginning in 1994.

Immediate-Relative Immigration

We estimate that immediate-relative immigration during 1990-99 would be similar under current law and S. 358—3,280,697 and 3,539,897, respectively. We project a steady increase in immediate-relative immigration under both current law and S. 358 through 1995, as shown in figure 2.3. The 6.2-percent average annual rate of increase we assumed is the average annual growth rate during 1970-87. We expect an

increase of about 150,000 immediate relatives during 1996-99 under current law and S. 358 as the result of petitioning by beneficiaries of the Immigration Reform and Control Act of 1986.³ Under that act, some undocumented aliens were eligible to apply for temporary resident status, which could subsequently be adjusted to permanent resident status. By 1994-95 and thereafter, aliens who were approved for adjustment could qualify to become naturalized citizens. After naturalization, they would be eligible to petition for certain close family members as immediate relatives.

Figure 2.3: Projected Annual Immediate-Relative Immigration



³Public Law 99-603, November 6, 1986. If recent rates of naturalization and petitioning for immediate relatives by country of origin for legal immigrants are applied to the act's beneficiaries, then a maximum of about 300,000 immediate relatives could be expected. We made a conservative estimate of 150,000 rather than 300,000, because we think the latter figure is unrealistically high for two reasons. First, the 300,000 estimate assumes all 3 million beneficiaries will be in the United States by 1994-95, when they are eligible to become citizens. In fact, many are likely to emigrate during this initial period. Second, the historical averages are likely to represent a more stable population than for a major group who constitute about one third of the beneficiaries—"special agricultural workers"—who may be younger and more transient than the earlier groups upon whom the historical averages are based.

Figure 2.3 also shows a further increase in immediate relatives under S. 358, representing the spouses and children who are likely to be associated with the selected-immigrants program. That program does not provide derivative status, meaning that spouses and children of selected immigrants cannot become immigrants under that class simply because they are the spouses and children of selected immigrants. A spouse or child could become a selected immigrant only by (1) achieving a sufficient point score based upon his or her labor market characteristics, skills, and other attributes and (2) being selected through a random drawing. An accompanying result is that if selected immigrants later become citizens, their spouses and children could become permanent residents through the immediate-relative class.⁴

We estimated 259,200 additional immediate-relative immigrants under S. 358 during 1996-99 from petitioning by selected immigrants who will become permanent residents during 1991-94 and naturalized citizens during 1995 and thereafter.⁵ We believe it would be extremely unlikely that their spouses and children would obtain admission earlier through the second preference class because of the waiting list, a point we cover in more detail in chapter 3.

Family-Preference Immigration

We project family-preference immigration to be 2,160,000 under current law during 1990-99 and much lower under S. 358.⁶ We project that under S. 358, family-preference immigration would be 1,213,133 or 1,337,351 or 1,635,071, depending upon changes in the 440,000 limit. Family-preference immigration could be eliminated by 1998-99 as the result of projected increases in immediate-relative immigration, as shown in figure 2.4. As discussed in chapter 1, family-preference immigration decreases under S. 358, because the previous year's immediate-relative immigration is used to determine the current year's family-preference limit by

⁴If a permanent resident becomes a naturalized citizen, a second preference petition would be automatically converted to immediate relative status. No new petition need be (or would be) filed.

⁵We assume that most of these selected immigrants will become naturalized citizens and that the average beneficiary ratio will be approximately 1.2 spouses and children during 1996-99. This estimate is based upon the comparison that can be made with current law—that of the ratio of workers to their spouses and children under the third and sixth occupational preference classes, which grant derivative status to accompanying spouses and children.

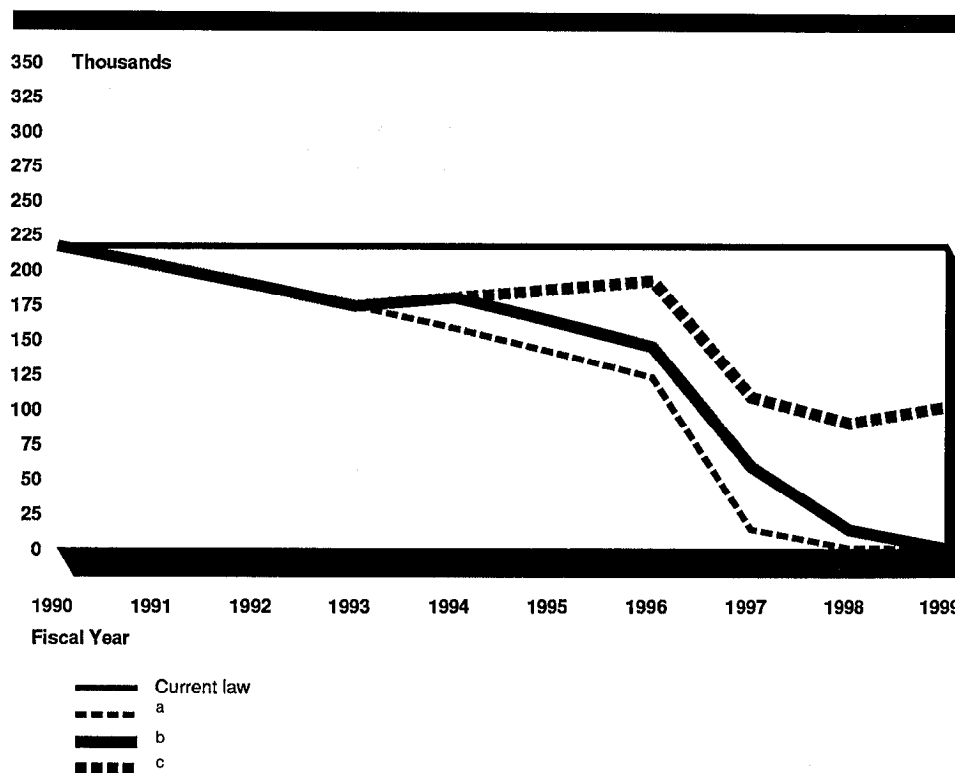
⁶We excluded from our projections some numerically limited immigrant classes that would be charged against the overall and per country limits. To include these immigrants, who typically number fewer than 400 annually, would unnecessarily complicate our projections. Because this number is so small, we do not think this omission significantly affects our analyses.

subtracting from 440,000. Note the accelerated drop in family-preference immigration predicted for 1997, which represents the 1-year lag associated with our previously discussed increases in immediate-relative immigration starting in 1996.⁷ Increasing the 440,000 limit moderates the projected declines in family-preference immigration.⁸

⁷In figure 2.3, our projections reflect what is likely to happen with growth in immediate-relative immigration to within about 1 year up to 1995. The fluctuations in the growth rate we have observed in the past make this a reasonable expectation. There are obviously more uncertainties during 1996-99 because of the two additional immediate-relative groups—those resulting from petitioning by the 1986 act's beneficiaries and selected immigrants—but we think that in any scenario, the family-preference limit would be drastically reduced if not eliminated. The drop to zero under the fixed 440,000 limit could occur a year or two later than we show in figure 2.4 but is not likely to occur earlier.

⁸We found that the annual 440,000 limit (and increases in it) somewhat stabilizes immigration but does not necessarily function as a true annual limit on admission, because increases in immediate-relative immigration are not limited. Our three projections under S. 358 demonstrate that the annual sum of family-preference and immediate-relative immigrant projections exceed 440,000 during each year. Also, when the 440,000 limit is increased, our projections show that the annual sum of immediate-relative and family-preference immigration exceed the increased limit as well, during all the years we projected.

Figure 2.4: Projected Annual Family-Preference Immigration



^aS. 358 assuming no increase in the 440,000 limit.

^bS. 358 assuming a 5-percent increase in the 440,000 limit in 1994 and 1997.

^cS. 358 assuming a 5-percent annual increase in the 440,000 limit beginning in 1994.

High-Demand Countries and Other Countries

Under current law, immigration is concentrated among certain countries. For example, in fiscal year 1987, 55 percent of the immediate-relative immigrants admitted to the United States were from 8 countries. These same countries accounted for nearly 50 percent of family-preference immigration that same year. For our projections, we defined a “high-demand” country as one that (1) was one of the 7 countries (including 1 dependency) with the highest levels of immediate-relative immigration during fiscal year 1987 and (2) is generally likely to use all the family-preference visas made available to that country up to the maximum per country limit during 1990-99.

We assumed that the family-preference visa use of the 7 countries (including 1 dependency) would average approximately 16,000 annually per country when grouped for purposes of analysis. These countries are

China, the Dominican Republic, Great Britain, India, Mexico, the Philippines, South Korea, and the dependency of Hong Kong.⁹ (For additional details regarding our assumptions about projected immigration from these 8 countries, see appendix II.) Because we lack comprehensive information about the demand for immigration from other countries, we treated all remaining countries as a residual category representing some combination of immigration from the remaining 167 countries of the world.

Immediate-Relative Immigration

Although we project that total immediate-relative immigration during 1990-99 would be 259,200 greater under S. 358 than under current law, we believe that the levels of immediate-relative immigration from the 8 high-demand countries we identified would probably be very similar under both current law and S. 358, for three reasons. First, S. 358 would continue the current policy of allowing unlimited immediate-relative immigration. Second, as we explain in chapter 4, because we found no basis for the identifying countries of origin of selected immigrants, there is also no basis for identifying the country of origin for the 259,200 immediate relatives whom we projected would become immigrants during 1996-99. Consequently, we were unable to estimate the extent, if any, that these projected 259,200 immediate relatives may originate from the 8 high-demand countries we identified. Third, the 259,200 difference between total projected immediate-relative immigration under S. 358 (3,539,897) versus current law (3,280,697) is relatively small. Therefore, we believe that the levels of immediate-relative immigration from the 8 high-demand countries we identified would be likely to be similar under current law and S. 358.

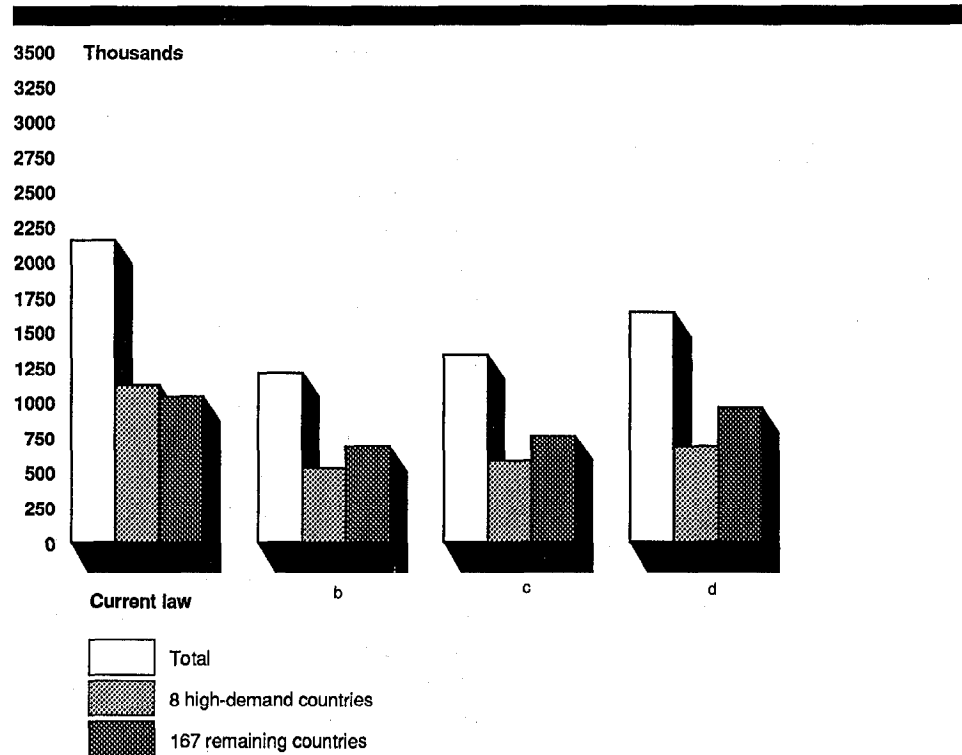
Family-Preference Immigration

We project that S. 358 would shift the balance under current law, in which the 8 high-demand countries have more family-preference immigration than the 167 remaining countries, as shown in figure 2.5. Under current law, these 167 countries would receive about 1.04 million family-preference visas during 1990-99, compared with approximately 1.12 million for the high-demand countries during the same period, whereas under S. 358 they would receive approximately 682,000 or 757,000 or

⁹ Although Great Britain is not likely to use the maximum number of family-preference visas, we included it as a high-demand country for purposes of this study because it is one of the seven countries with the highest levels of immediate-relative immigration and is the governing area to which large numbers of family-preference visas from Hong Kong, a high-demand dependency, are charged. We believe that potential overestimates for Great Britain would be counteracted by potential underestimates of family-preference visa use by the remaining high-demand countries. Although there is no distinction between North and South Korea for purposes of visa issuances (which are charged against Korea), we have listed South Korea in this report because immigrants from Korea generally originate from South Korea.

958,000 (depending on changes in the 440,000 limit), compared to approximately 531,000 or 580,000 or 677,000 for the high-demand countries.

Figure 2.5: Projected Family-Preference Visa Distribution Under Current Law and S. 358 as Introduced^a



^aThe data are for 1990-99. The high-demand countries are defined as those with high levels of immediate-relative immigration and generally likely to use all the family-preference visas made available to them up to the maximum per country limit under current law during 1990-99. We selected 8 countries for analysis: China, the Dominican Republic, Great Britain, India, Mexico, the Philippines, South Korea, and the dependency of Hong Kong.

^bS. 358, fixed 440,000 limit.

^cS. 358, assuming a 5-percent increase in the 440,000 limit in 1994 and 1997.

^dS. 358, assuming a 5-percent increase in the 440,000 limit beginning in 1994.

Labor Market Immigration and All Remaining Classes

We project that the total volume of labor-market-based preference class immigration during 1990-99 would more than double from 540,000 under current law to 1,251,000 under S. 358.¹⁰ This increase results mainly from the 566,400 selected immigrants included in S. 358. We cannot predict trends of labor market immigration by country of origin, because there is no experience with the demand. We have reserved our analysis of labor market immigration for chapter 4.

We project that immigration under all remaining classes under current law would be less than 100,000 during 1990-99. The corresponding immigration under S. 358 would be approximately the same, except for the additional 90,000 visa numbers that would be made available during 1991-93 to reduce the fifth preference waiting list.

Conclusions

One major objective of S. 358 is to alter the distribution of family-based immigrants to favor closer rather than more-distant relatives of U.S. citizens and permanent residents. S. 358 would decrease annual admissions for fifth preference, increase the proportion of second preference admissions among the family-preference classes, and allow continued immediate-relative immigration without any numerical limitations. The reductions we predict in overall family-preference immigration under S. 358 serve to concentrate family-based immigration among the closest relatives.

Another objective of the bill is to stimulate immigration from source countries that in the past constituted a large proportion of the flow and now constitute much less. Because of uncertainties associated with demand, our assessment is limited with respect to the degree to which S. 358 may be expected to increase immigration from countries "now virtually excluded."

With regard to family-preference immigration, we conclude that S. 358 would shift the balance of family-preference immigration from the 8 high-demand countries we studied under current law to the remaining 167 countries of the world, and it is reasonable to assume that the demand for immigration would fill these slots. However, there is no assurance that there would be increased immigration from the specific low-demand countries that were also earlier sources of immigrants.

¹⁰Under current law, we have defined immigrants in the third and sixth occupational preferences as labor-market-based immigrants. Under S. 358, we have defined labor-market-based immigrants as all independent immigrants except "special immigrants," who include certain ministers of religion and former U.S. government employees abroad.

Under any of the projections, the 8 high-demand countries we studied would continue to dominate family-preference class immigration. We believe there would be little difference in the amount of projected immediate-relative immigration during 1990-99 for the 8 high-demand countries under current law compared with S. 358. We discuss parallel results for independent immigrants in chapter 4.

Visa Waiting Lists

This chapter describes the visa waiting lists maintained in accordance with regulations established by the Department of State and assesses the likely changes in these lists under current law and S. 358. In the first and second parts of this chapter, we explain why waiting lists differ by preference class and country of origin. In the third part, we assess the probable changes in the waiting lists under S. 358. Finally, we summarize our conclusions.

We noted in chapter 1 that relatively few countries accounted for most of the waiting list applicants. For these countries, the demand for immigration greatly exceeds the annual per country limits. These same elements produce waiting lists that result in delays that qualified aliens experience in becoming immigrants. As we show, factors such as demand and economic changes in the sending countries prevent straightforward interpretations of the waiting lists.

Definition of the Visa Waiting List

The Immigration and Nationality Act requires that waiting lists be maintained in accordance with regulations prescribed by the Department of State. The waiting lists for each country, when combined, make up the total visa waiting list.

The visa waiting list contains the priority dates of qualified aliens who cannot apply for visas when the petitions to accord them immigrant status are approved. The waiting list represents the number of qualified aliens who exceed the 270,000 overall and 20,000 per country annual limitations that apply to numerically limited immigrants. Instead of being issued immigrant visas, these aliens are placed on the waiting list according to their priority date, which is the term used for the date on which the "sponsor" filed a petition for them. Each month, to the extent that visa numbers are made available and visa number distribution rules allow, qualified aliens are issued immigrant visas.

Since numerical limitations on immigration were established in the United States during the 1920's, the demand for immigration has exceeded the supply of available immigrant visas, and since that time there has been a visa waiting list. The length of the visa waiting list has been increasing during recent years. In January 1980, the total waiting list was approximately 1 million. By January 1989, it had increased to 2,328,479, an indication that the demand for immigration to the United States has been increasing and that current demand greatly exceeds the

current visa supply.¹ The largest increases occurred in the fifth preference waiting list (brothers and sisters of adult U.S. citizens), which currently numbers 1,469,231—about 63 percent of the total waiting list.

Although the size and growth in the waiting list is one indication of the current demand for immigration, it does not reflect the desire of many people to immigrate to the United States. Many people cannot meet the usual requirements of having either a family member to petition for them or the skills needed under an occupational preference class. In fact, the large numbers of applications—about 4.6 million—for new immigrant classes not requiring sponsorship indicate that current desire for immigration is not reflected in the waiting list.²

Why Waiting List Sizes Differ by Preference Class and Country

Waiting list sizes by preference class and country are different because of an interaction between demand, per country limits on immigration, and visa distribution rules. For high-demand countries with large numbers of qualified applicants—such as in the fifth preference—relatively few applicants can be admitted each year in relation to the number of qualified applicants on their waiting lists. Consequently, it can be many years before applicants can be admitted, and new applications add to an already large waiting list. However, when there is insufficient demand or there are relatively few applicants—as for most countries under the first preference—there is often no waiting list.

Different levels of demand for immigration, therefore, result in different waiting periods for applicants already on the waiting list. To illustrate these differences comparatively, we have calculated the waiting periods

¹We intend the term “demand” to mean only persons who are qualified for immigrant status. Careful correlating of visa office reports on preference visa issuances and adjustments from immigrant applicants and the annual waiting lists does provide a fairly good guide to demand in other countries. It does not, however, cover aliens in the United States who might be able to adjust their status to that of permanent resident at some point in time.

²In January 1987, 1.4 million applications were received for the 10,000 visas to be made available under the Immigration Reform and Control Act during fiscal year 1987-88 to citizens of 36 countries deemed “adversely affected” by the 1965 amendments to the Immigration and Nationality Act. In March 1989, there were 3.2 million applications for 20,000 visas to be made available to citizens of 162 “underrepresented” countries—that is, countries whose citizens received fewer than 5,000 visas in 1988. These 20,000 visas will be made available during 1990-91.

for new applicants to receive their immigrant visas.³ These waiting periods, shown in table 3.1, assume that all applicants on the current waiting list will stay in line and be issued immigrant visas.⁴ Since waiting lists are significantly affected by demand and the per country limits, it is not surprising that the longer waiting periods represent two high-demand countries—Mexico and the Philippines.

³By "waiting period," we mean the time after an alien becomes qualified to become an immigrant up until the alien actually becomes an immigrant, not the period between the alien's priority date and the current calendar date (that is, "today's date"). Visa numbers are allocated and issued monthly, subject to the annual overall 270,000 limitation and preference class limitations. As visas are issued each month, there are changes in the cutoff date for each preference, both overall and by country in the case where the demand for visa numbers exceeds the available monthly allotment. A cutoff date is the priority date of the first applicant who could not be reached in the visa number allocations for that month. The priority date establishes a qualified immigrant's place in line in a particular preference class or country waiting list. The priority date does not necessarily represent the waiting period, because the preference cutoff date can advance to the date when an immigrant visa may be issued at a slower rate than the current calendar date. For example, the fifth preference cutoff date is currently advancing by approximately 4 months per calendar year for most countries. Put another way, as of January 1, 1989, the fifth preference cutoff date for most countries of May 22, 1982, had not been reached, and this date could be expected to advance to September 22, 1982, by January 1, 1990.

⁴We estimated future waiting periods for new applicants by dividing the number of active visa applicants on the waiting lists by the number of immigrants admitted during the previous year. Although our estimates are a relative indication of differences in waiting periods, they can be overestimated or underestimated. An overestimate would result from some active cases subsequently becoming inactive. An underestimate is likely to result because the registered demand for visa numbers does not include cases being processed for adjustment by INS. Other factors, such as changes in the world economy or diplomatic relations, can influence future waiting periods.

Table 3.1: Estimated Waiting Periods for New Applicants for Immigrant Visas^a

Preference class	Length of waiting period in years in January 1989		January 1989 waiting list	
	Low	High	Number	Percent
1st	0	4.7	27,785	1.2%
2nd	1.7	16.7	402,221	17.3
3rd	1.0	10.0	32,660	1.4
4th	0	12.5	133,266	5.7
5th	20.0	52.8	1,469,231	63.1
6th	3.0	6.0	100,468	4.3
Nonpreference	^b	^b	162,848	7.0
Total			2,328,479	100.0%

^aVisa numbers are allocated and issued monthly, subject to the annual overall 270,000 limitation and preference class limitations. As visas are issued each month, the cutoff date for each preference changes, both overall and by country in the case where the demand for visa numbers exceeds the available monthly allotment. A cutoff date is the priority date of the first applicant who could not be reached in the visa number allocations for that month. We calculated the "high" waiting periods by dividing the number of visa applicants on the January 1989 waiting list for the countries with the earliest cutoff dates by the number of immigrants from those countries admitted in fiscal year 1988, by preference. The "low" waiting periods reflect either (1) no waiting period, since visas are available immediately to qualified applicants from most countries, or (2) if there is a waiting list, the rate at which the cutoff date has been advancing for most countries. For example, in January 1989, the cutoff date for the 5th preference was May 22, 1982, for most countries, and it has been advancing at approximately 4 months per calendar year. Therefore, a 5th preference application that was filed now and approved would be eligible for visa issuance in approximately 20 years, assuming all qualified applicants stayed on the waiting list.

^bNonpreference visa numbers have been unavailable since 1978.

The length of the waiting period is also affected by annual visa number availability. Visa number availability—the ultimate factor that determines the length of the waiting period—must be understood on two different levels: (1) overall, for a particular preference, and (2) at the per country level for that same preference. The size of the overall waiting list for a preference is influenced by the demand for immigration (represented by the size of the waiting list and the number by which that waiting list increases or decreases each year) and by the number of overall admissions. For example, second preference admission numbers about 112,000 annually, compared with 70,000 under the fifth preference. Viewed against the size of their waiting lists—402,221 and 1,469,231, respectively—it is clear that the number of admissions affects the size of the waiting lists, as well as the waiting period to receive an immigrant visa. If a waiting list is dominated by several high-demand countries, a relatively large proportion of the total visa numbers is made available to them, reducing the number that can be made available to other countries.

Per country visa availability is more difficult to understand than overall preference availability because of complex rules governing per country visa distribution among the preference classes, which are applied according to a particular country's level of demand for immigration. For a country that has fewer than 20,000 numbers made available to it during a given fiscal year, visas are made available in the order of demand from highest to lowest preference. For a country that reaches its 20,000 ceiling during a given fiscal year, however, visa numbers must be made available in specified amounts to all the preferences during the following fiscal year.⁵ The visa number distribution rules affect visa availability (and, consequently, the waiting periods), in two ways. First, they restrain number use by preference class, creating longer waiting lists in the higher preferences if there is excess demand in higher preferences (for example, second preference). Second, they increase immigration from other countries by making more visas available to them.

Prospects for Change in the Waiting Lists Under S. 358

Changes in the visa waiting lists cannot be projected with any great confidence, for two major reasons. First, many important variables associated with demand cannot be addressed by legislation, such as economic and social conditions in the sending countries or the desire to immigrate to the United States. Second, we cannot predict the extent to which potential immigrants will change places in line—that is, switch to different means of entry or apply for entry under more than one class. We can, however, describe the pressures that are likely to cause changes in the waiting lists and roughly quantify their overall magnitudes.

The rapid dropoff of family preference visas under S. 358—assuming no change in the 440,000 limit—is likely to translate into increases in the waiting lists. During 1990-99, 1,213,133 family-preference visas would be made available under S. 358 (assuming no change in the 440,000 limit), or 946,867 fewer than the 2,160,000 we projected under current law. If the 440,000 limit were increased by 5 percent in 1994 and 1997,

⁵These rules are summarized as follows. Visa distribution in order of demand: section 203(a) of the Immigration and Nationality Act requires that visas be made available in the order of demand in the preference classes. This means that qualified applicants must be issued immigrant visas in order of the first, then second, then third (and so on) preference classes, according to their filing dates. Visa distribution in order of percentage allocations: if 20,000 visas are made available to a country during a given fiscal year, section 202(e) of the act requires that the distribution of visas during the following fiscal year be according to the percentage allocation requirements for each preference class. This means that 20 percent of the visas must be made available to the first preference, 26 percent to the second preference, 10 percent to the third preference, 10 percent to the fourth preference, 24 percent to the fifth preference, and 10 percent to the sixth preference, according to their filing dates. The purpose of section 202(e) is to ensure an equitable distribution of visas to all preference classes. It is the per country limit, not section 202(e), however, that restrains overall visa usage in general.

the number of family-preference visas would be about 13 percent less than under current law, or 822,649 overall. The number of family-preference visas would be 1,635,071—the closest of the three projections to current law, but still a reduction of more than 500,000—if the 440,000 limit were increased 5 percent annually beginning in 1994. We think all these reductions would probably translate into some increases in the waiting list, and we believe that pressures are likely to be greatest on the second and fifth preferences. Our basis for discussion of other family preferences under S. 358 is more limited, as is our ability to discern the likely composition of or changes in the waiting lists by country and preference class.

Second Preference

We project that under S. 358, if the demand for first preference visas remains low, slightly more than 150,000 second preference visas could be issued during the first year (1991), compared with about 112,600 under current law. Both estimates include expected “falldown” from unused, relatively low-demand first preference visas.⁶ This initial proposed increase in second preference visa availability would be countered by three factors that would each act to increase pressure on second preference waiting lists.

First, the number of second preference visas likely to be made available under S. 358 during 1990-99 would, in the projections we made, at best about equal the 1,124,400 likely to be made available under current law during the same period. Under the 440,000 limit of S. 358, 838,004 second preference visas would be made available during 1990-99. If the 440,000 limit were increased by 5 percent in 1994 and 1997, the number of second preference visas made available would increase to 928,651. If the 440,000 limit were increased by 5 percent annually beginning in 1994, second preference visa availability would be 1,141,857, slightly greater than under current law.

Second, although new second preference demand would be decreased by approximately 25 percent because of the restriction of immigrant status to unmarried sons and daughters under 26 years of age, this reduction would probably be immediately offset by the addition of petitions from selected immigrants whose spouses and children have no derivative status. Selected immigrants would be able to petition immediately for

⁶Under the current preference system, visas that are made available to but not used by some preference classes can be used by lower preference classes, as shown in table 1.1. The visas that are initially made available to a higher preference but used by a lower preference are often termed “falldown” visas.

spouses and children, and any such petitions would be added to the end of the current second preference waiting list. We think this could result in an additional second preference demand totaling about 680,000 during 1991-99. Although most countries do not have waiting periods exceeding 1.7 years, this could change if the list were further pressured by additional high-demand countries.

Third, beginning in 1989—under both current law and S. 358—the second preference class is likely to face additional pressures from beneficiaries under the Immigration Reform and Control Act, who will petition for admission of spouses and children who did not qualify under one of the legalization programs. Many of these spouses and children are from Mexico and would not be admissible because of the lengthy waiting period for Mexico's second preference. Beneficiaries may wait until they are naturalized, when any second preference petitions that were filed for spouses or children would automatically convert to immediate-relative status. We believe that about 150,000 such immediate relatives would be likely to become immigrants during 1996-99 under either current law or S. 358, based on our analysis of petitioning and arrival times.

Fifth Preference

Admission under the fifth family preference—brothers and sisters of adult U.S. citizens—is likely to decrease from about 70,000 annually under current law to fewer than 20,000 under S. 358.⁷ The 702,000 fifth preference visas likely to be made available under current law during 1990-99 are much greater in number than the 169,914 that would be made available under S. 358 (assuming no increase in the 440,000 limit). If the 440,000 limit were increased by 5 percent in 1994 and 1997, the fifth preference visa availability would be 182,336. If the 440,000 limit were increased by 5 percent annually beginning in 1994, fifth preference visa availability would be 212,017, about 30 percent of that under current law.

The current fifth preference cutoff date is advancing at about 4 months per year for most countries, and some petitions filed in 1982 have not yet been reached. A reduction of fifth preference under S. 358 to just 20,000 annually would correspondingly reduce advancement in the waiting list to slightly more than 1 month per calendar year and would increase the waiting period for an applicant who was approved now to

⁷The current fifth preference, with some changes, would be redesignated the fourth family preference under S. 358, but we refer to it as the fifth preference in this chapter to preserve the continuity of our comparison with current law.

about 75 years. As the 20,000 figure declined from family-preference cuts associated with the 440,000 limit, as we have projected, advancement in the waiting list would be correspondingly reduced, and the waiting period would become even longer than 75 years.

Finally, any new fifth preference applications would be added to the current waiting list. It should be noted that although limiting new fifth preference applications to “never married” brothers and sisters would drastically reduce new applications by approximately 90 percent, the length of the current waiting list and limits on admissions mean that it could be 75 years or more before petitions filed now and approved would be acted upon.

S. 358 would allocate 90,000 visas for the reduction of the fifth preference waiting list during 1991-93. Under the regulations that would implement this provision of S. 358, the distribution of these visas would be limited to two countries and would not appreciably reduce any country’s waiting list.

These special visas could be used by qualified applicants from only two countries, Mexico and the Philippines, for two reasons. First, Mexico and the Philippines have the earliest filing dates. Second, because there are no per country limits on the use of these special visa numbers and the waiting lists for Mexico and the Philippines are so large, all 90,000 visa numbers would be used by those countries before the filing dates from other countries could be reached.

Conclusions

If pressures on the waiting lists increase, as we predict, some immigrants might seek to enter through the nonimmigrant system as students and temporary workers, who are allowed to bring in spouses and children. There is a high positive correlation between the number of nonimmigrants who overstay their visas and the size of the waiting list, by country of citizenship. Some aliens may seek to enter the United States illegally or, having entered legally, remain illegally. We believe that the visa waiting list, nonimmigrants who overstay their visas, and aliens who enter the United States illegally are a reflection of an excess demand for immigration to the United States relative to the numerical limits.

These dynamics could imply an increased “gaming” of the immigration system through multiple applications and an expanded effort by would-be immigrants to seek the quickest route of entry—whatever it may

be—depending on such variables as country of origin, family size, and nature of family relationships with persons in the United States. The incentive to reduce waiting times by movements across classes would be particularly great under S. 358 for the 1,469,231 qualified aliens on the current fifth preference waiting list, who would be “grandfathered” into the revised fifth preference.

Under S. 358, the waiting list is likely to be longer than under current law for three reasons. First, the available number of family-preference visas would be systematically reduced and possibly eliminated. Second, the lack of derivative status for beneficiaries of selected immigrants would place additional pressures on the second preference waiting list. Third, decreasing admissions under the fifth preference would be likely to increase the waiting period for new applicants beyond 20 years and create incentives for them (and other individuals) to seek other means of becoming immigrants.

The provision of S. 358 that would allocate 90,000 visa numbers for reduction of the fifth preference waiting list during 1991-93 would not appreciably reduce any country’s waiting list. These visas could be used by qualified applicants from only two countries, Mexico and the Philippines, because they have the earliest filing dates and there are no per country limits on the use of these special visa numbers.

Finally, our projections of numbers of immigrants in chapter 2, coupled with the assessment above of likely changes in the waiting list, lead us to conclude that family-based immigrants and independent immigrants would be only partly on separate admission tracks. Separate programs are in fact established, separate eligibility criteria are specified, and specific numbers of visas are allocated for the new “independent immigrant” category. Yet there is likely to be considerable competition between these two groups. The spouses and children of selected immigrants would increase competition among all those seeking second preference visas. The projected decreases in family-preference immigration imply that the waiting lists could become much longer and that some persons currently in the family-preference classes might seek to enter the pool of “selected immigrants” if they were qualified.

Labor Market Immigration

This chapter compares projected labor market immigration during 1990-99 under current law and S. 358. In the first part of the chapter, we review the provisions for labor market immigration under current law and S. 358. In the second and third parts, we discuss information on immigrant occupations and occupations under S. 358. We also discuss the way in which current law and S. 358 meet U.S. labor market demand and the likely countries of origin of these immigrants.

Provisions for Labor Market Immigration

As we show in table 4.1, we have projected the volume of labor market immigrants under S. 358 at more than double that under current law for 1990-99—that is, 1,251,000 compared to 540,000. The increase is attributable to the addition of a projected 566,400 persons under the new, selected immigrant class; 51,000 persons under the employment creation class; and 46,800 more persons each to the current third and sixth preference classes. Under S. 358, the third and sixth preferences would be separated from the current preference system and become part of an overall independent-immigrant program that would operate under an initial limit of 120,000 visas annually. (See table 1.2 for details.) We retain the terms third and sixth preference in discussing these classes under S. 358 to preserve the continuity of our comparisons with current law. We next discuss the differences between current law and S. 358 regarding the provisions for these two preference classes.

Table 4.1: Projected 1990-99 Labor Market Immigration^a

Immigrant class	Current law	S.358
3rd preference	270,000	316,800
6th preference	270,000	316,800
Selected immigrants	^b	566,400
Employment creation	^b	51,000
Total	540,000	1,251,000

^aWe have excluded special immigrants because they are not admitted on the basis of their labor market characteristics.

^bNot applicable.

To be admitted as a lawful permanent resident through the third and sixth preference classes under current law requires an employer's sponsorship and the meeting of labor certification requirements. First, the potential immigrant must have a job offer from a U.S. employer. Second, the Department of Labor (DOL) is required to determine labor certification on a precertification or individual basis, deciding (1) whether there are sufficient U.S. workers who are able, willing, qualified (or equally

qualified in the case of members of the teaching profession), and available when the visa is applied for and at the place where the alien is to perform such labor and (2) whether the employment of the alien will adversely affect the wages and working conditions of U.S. workers similarly employed. Most aliens are certified individually.

Under S. 358, the procedure for making labor certification determinations would be changed. The new bill would change current procedure by requiring DOL to certify that (1) there are not sufficient qualified workers (or equally qualified workers in the case of aliens who are members of the teaching profession or who have exceptional ability in the sciences or arts) available in the United States in the positions in which the aliens will be employed and (2) the employment of aliens in such positions will not adversely affect the wages and working conditions of workers in the United States.

In the making of either determination, S. 358 would also permit DOL to make a labor certification determination (without regard to a specific job opportunity) on the basis of "labor market information" while retaining the possibility for case-by-case determination. If the labor certification was denied on the basis of "labor market information," and the employer submitted evidence that individual case determination would result in a different determination, DOL would be required to make a labor certification determination with regard to the specific job opportunity. The term "labor market information" is not defined in S. 358. S. 358 would also allow the secretary of Labor to, at the secretary's discretion, substitute for the determination and certification described above

"a determination and certification that there are not sufficient workers who are able, willing, qualified (or equally qualified in the case of aliens who are members of the teaching profession or who have exceptional ability in the sciences or in the arts), and available at the time of application for a visa and admission to the United States and at the place where the alien is to perform such skilled labor."

Changes would also be made in the qualifications to become an immigrant under the occupational preferences. The third preference now applies to members of the professions and aliens of exceptional ability; S. 358 would be more restrictive by requiring that qualified applicants who are members of the professions have an "advanced degree." The sixth preference now applies to both skilled and unskilled workers. We have assumed in our projections that S. 358 would limit the sixth preference to skilled workers who (1) possess a baccalaureate degree and are members of a profession or (2) have at least 2 years of training or

experience, but there are some ambiguities concerning this provision in the bill.¹

Although labor certification would not be required for selected immigrants under S. 358, points would be awarded to aliens who were in occupations that are or will be “in demand” and who had additional training, work experience, or both in such occupations. Under this provision of S. 358, DOL would be required to determine (before the fiscal year involved) that there would be (1) increased demand in the United States for individuals in the occupation in the fiscal year and (2) a future shortage of individuals in the United States to meet needs in the occupation in the fiscal year.

Immigrant Occupational Structure

Our first step in attempting to determine the likely occupational composition of labor market immigrants under current law and S. 358 during 1990-99 was to examine occupational data for past immigrants. These data were not usable for three reasons. First, the data on immigrant occupations are often missing, unreliable, or both. For example, “derivative beneficiaries” (aliens who are entitled to become immigrants under the same class as their spouse or parent, if accompanying or following to join their spouse or parent), and immediate relatives, do not always list an occupation. Second, most data were gathered from visa applications and pertain to occupations held by prospective immigrants in their countries of origin. Further, the measure of occupation is not valid because it can refer to past, current, or intended occupation. This weakness is not a mere technicality. There are many reasons—such as stringent licensing and certification requirements but also difficulties with the English language—that often lead immigrants to take jobs in the United States that do not fully use their education, training, and skills. The third reason is that high occupational turnover among immigrants would render any projection of future occupational composition problematic.

¹In the previous bill, S. 2104, the sixth preference was limited to qualified immigrants who, when they petitioned, could perform skilled labor (requiring at least 2 years of training or experience) or those who hold a baccalaureate degree and are members of the professions. Therefore, unskilled workers were eliminated. When S. 2104 was reintroduced as S. 358 on February 7, 1989, the sixth preference was changed to resemble the current sixth preference, allowing for immigration by the unskilled as well as the skilled. However, parallel changes in later sections of S. 358 that would have been required to implement this additional provision were not made. For example, the revisions to labor certification appearing in section 103(c) of S. 358 refer only to “skilled labor.” For the purposes of this report, we have assumed that all qualified aliens seeking to enter under the sixth preference must (1) have at least 2 years of training or experience or (2) possess baccalaureate degrees and be members of the professions.

The most consistent occupational data are for the current third and sixth preference classes. These findings are instructive, but they represent a small fraction—less than 10 percent—of the total immigration stream and are not likely to be representative of that larger stream, because of the different path to immigration. Moreover, the majority of the 54,000 immigrants in these classes are spouses and children of the third and sixth preference workers; actual workers number only about 24,300 annually. In fiscal year 1987, about 36 percent of these actual workers had professional specialty and technical occupations; 21 percent were in service occupations, 16 percent in executive, administrative, and managerial occupations, 8 percent in precision production, craft, and repair occupations, and 6 percent in nursing.

Note that when we count only actual workers and not the derivative beneficiaries—the spouses or children of third and sixth preference workers—the differences between current law and S. 358 are more pronounced than discussed earlier. We estimate that by 1994, there would be 98,550 actual workers per year under S. 358 compared to 24,300 under current law, resulting mainly from selected immigrants. By this measure, S. 358 would bring in more than four times as many labor market immigrants as current law.²

Occupations Under S. 358

The Third and Sixth Preferences

We noted earlier that S. 358 requires more education than current law for the third and sixth preferences and that one of the goals of the bill is to increase the number of immigrants admitted on the basis of their labor market characteristics. While there are some complexities, it seems reasonable to project increased proportions of professional workers or those with advanced degrees under the S. 358 version of third and sixth preferences.

²We have assumed that 45 percent of admissions under the third and sixth preferences under both current law and S. 358 represent actual workers. We included selected immigrants as actual workers under S. 358 but excluded aliens who would become immigrants under the “employment creation” class. We did not include the latter because they would be admitted for the purpose of creating employment for at least 10 U.S. workers rather than upon their own labor market skills. We did not attempt to estimate the number of U.S. workers for whom jobs would be created, because there is no basis for knowing how many employment-creation immigrants would be admitted each year.

Selected Immigrants

Selected immigrants would be chosen at random from a worldwide pool of applicants, but there would be qualifying point score requirements. Points would be awarded for such characteristics as age, education, occupational demand, occupational training, and work experience. Entitlement to compete for a selected immigrant visa would depend on an alien's attaining a score of not less than 50 points (of a maximum of 95) based on a point system to be established by regulation by the Department of State, in consultation with the secretary of Labor, secretary of Education, and the attorney general.³

Immigrants would be selected from among two groups. The first selection would be through a random drawing for 20 percent of the visa numbers from among those claiming 80 or more points. To obtain 80 points, a qualified alien would have to have an occupation that is or will be "in demand."⁴ Any qualified aliens who obtained 80 points and were not selected to become immigrants would be added to a pool of those obtaining 50 points or more, and a second random drawing would occur. To obtain 50 points, a qualified alien would have to have a baccalaureate degree or an occupation that is or will be in demand.

To the extent that DOL can identify occupations "in demand," S. 358 would make available a minimum of about 11,000 selected-immigrant visas annually to qualified aliens who achieved 80 points, representing labor-market-demand-based immigrants. Some proportions of the remaining 43,000 selected-immigrant visas that would be made available to qualified aliens who achieved 50 points would be based on occupational "points," as noted above.⁵ During the 9-year period 1991-99, this would total 114,000 80-point workers and 452,400 with 50 points or more.

We believe these 566,400 workers would represent an educated group and could have almost any occupation DOL determined to be "in demand." It is not possible to be more precise in the absence of any profile of the number and characteristics of the likely applicants.

³A later amendment to delete English-language ability as a criterion to be considered in the point system and to lower the minimum number of points needed to apply from 50 to 45 was adopted on June 19, 1989. The effect was to lower the maximum number of points from 95 to 75.

⁴The bill does not contain specific minimum requirements for education and occupation. We derived these requirements from the relative weights assigned the criteria and the total point requirements.

⁵After 3 years, the annual total would be 67,500, of which 13,500 would be made available to qualified immigrants who achieved 80 points and 54,000 would be made available to those who achieved 50 or more points.

Because its definition has been broadly conceived, we believe that the new selected-immigrant class is likely to generate a great deal of demand—with qualified applicants numbering in the millions—and that only a small percentage of that demand is likely to be satisfied each year, for two reasons. First, selected immigrants would be chosen from a pool of qualified applicants who represent occupations that are or will be “in demand,” and a qualified applicant could potentially represent any alien who has at least a secondary education and several years of training or experience in an occupation “in demand.” Second, the 4.6 million applications for special nonpreference visas (described in chapter 3) indicate there is strong worldwide demand for immigration to the United States that is not reflected in the current visa waiting list. Consequently, we believe that the new selected immigrant class is likely to generate comparable numbers of applications because there is strong demand for immigration and because the selected immigrant class is broadly defined but that the number of qualified applicants who could become selected immigrants each year would be relatively small because of the numerical limits. The 566,400 qualified applicants whom we projected would become selected immigrants during 1991-99 is a relatively small amount compared to the number of qualified aliens—who are likely to number in the millions—who could apply and qualify for admission under the selected immigrant class.

Employment Creation

A new employment-creation class would be created under S. 358 for persons seeking to enter the United States to engage in a new commercial enterprise that they have established, that they have invested at least \$1 million in, and that will benefit the U.S. economy and create full-time employment for at least 10 persons (other than the spouses, sons, or daughters of the investors). There are no known data that could provide any guidance for projecting demand under terms requiring an investment of \$1 million. In our projections, we have assumed arbitrarily that all visas made available under this class would be used by investors.⁶ Therefore, we have projected that 51,000 investors (including their spouses and children) will become immigrants during 1991-99. But as with the ability to predict social and economic conditions in sending countries, we cannot be very confident of this number.

⁶Visa numbers not used by the employment creation class would be made available to selected immigrants.

Summary

We found that S. 358 would provide visas for four times as many actual workers as the labor-market-related immigration provisions of current law. Although the provisions of the different component programs differ, there is a pattern of increased educational or occupational requirements under S. 358 that is consistent with the bill's goal of increasing the numbers of immigrants admitted on the basis of their educational and occupational skills rather than their family relationships. We believe that S. 358 would generate large numbers of qualified applicants—numbering in the millions—for the selected immigrant class, only a small percentage of whom could be issued immigrant visas each year because of the numerical limit.

How Current Law and S. 358 Meet U.S. Labor Market Demand

The labor market components of current law and S. 358 both attempt to match would-be immigrants with U.S. labor market needs, but they do so in very different ways. Current law generally requires a link between a particular immigrant and a particular job, and DOL rules on the potential effect of hiring an alien worker for that job under the labor certification process. S. 358 would change the labor certification process by allowing DOL to use either “labor market information” as a basis for certification or an individual determination, as we discussed earlier.

Consequently, the revised third and sixth preferences would represent something of a hybrid in that employers would still be required to petition for individual immigrants, but DOL could apply an individual or general certification standard. Although no labor certification would be required for selected immigrants, the latter would be awarded points on the basis of having an occupation (and additional training, work experience, or both in that occupation) that is or will be “in demand.”

The bill does not specify how DOL would define or use “labor market information” in making a labor certification determination nor how it would determine the occupations that are or will be “in demand.” DOL would determine nationwide occupations that are “in demand” but would not attempt to link selected immigrants to particular employers or communities through sponsorship requirements. For the modified third and sixth preferences, the requirement for a job offer and labor certification would continue.

One approach to identifying occupations “in demand” could be to rely upon projections of U.S. labor force needs using available data series from the Bureau of Labor Statistics or other studies. Both DOL and an independent organization have recently published such data that project

labor force needs to the year 2000.⁷ Johnston and Packer projected decreases in the number of unskilled jobs and anticipated that more than half of all new jobs will require some post-high school education and that 30 percent will require a college degree. The Johnston and Packer study also projected that employers will have difficulty finding enough skilled workers, yet the labor force supply will grow faster than total employment and, therefore, unemployment will also increase. The DOL study projected that the same dynamic between unskilled workers and skilled jobs will occur during this same period but that the effect will be more gradual than that projected in the Johnston and Packer study.

We believe that caution should be exercised in interpreting the DOL and Johnston and Packer projections—or any other projections—as forecasts or predictions, because such projections depend entirely upon the assumptions adopted. This is illustrated by the differences in the DOL and Johnston and Packer projections alone (which were published during the same year), whose assumptions led to different interpretations.⁸

A second approach is to target labor market immigration during a period of several years to labor market imbalances that reflect a structural deficiency of the U.S. economy or of the educational and training systems. For example, projected shortages of engineers and declining enrollments in nursing schools could be partially remedied through labor market immigration. We believe that the projected demand for professional, technical, managerial and administrative personnel—which on the average require more skills and postsecondary education than many U.S. labor force entrants currently possess—may be useful guidelines to help identify such projected shortages. But it should be recognized that the U.S. labor market may itself respond to these demands and such projected shortages may not become a reality.

A third approach to identifying occupations in demand would be to undertake extensive surveys that would consist of demand tests in

⁷See DOL, 1987, and Johnston and Packer, 1987.

⁸A DOL study cited two major reasons for the differences between the two projections: (1) inconsistent population projections and (2) disagreement over the future role of manufacturing. The DOL projections were based on a systematic revision of Bureau of the Census estimates of undocumented aliens and emigration, a reduction in the total fertility rate of the white population, and “middle range” mortality assumptions. Because of publication deadlines, Johnston and Packer’s population projections were based on earlier Census estimates. Instead of using the “middle” or most likely scenario, Johnston and Packer’s projection assumed moderate fertility, very high continued immigration, and lower mortality rates than the other set of projections found were likely.

numerous local labor markets. DOL has considered this approach for the requirements of this legislation.

We believe the potential problems we have identified that are associated with identifying occupations “in demand” point out several uncertainties that are inherent in any attempts to “fine-tune” the immigrant selection process. First, because of the complexities and dynamics of the U.S. labor market, all but the largest structural deficiencies in the economy or educational and training systems may be self-correcting. Second, even relatively minor changes in such variables as fertility rates, retirement patterns, and labor force participation rates could affect both population size and age distribution, which could complicate long-term projections with respect to the labor market. Third, as the U.S. economy becomes more international, economic events external to the United States may affect the U.S. labor market in ways that long-term planning or forecasting may be unable to anticipate.

Finally, even if a comprehensive data series on U.S. labor market demand were to be developed, there would always be some disagreement about the value of the data themselves or the value of projections using those data. Some would argue that our knowledge of labor markets is so limited, and market situations so changeable, that any current survey or projections of labor force demands or needs would invariably be wrong. As we noted earlier, others argue that increases in the market price for labor would rectify any demand for labor. Belief in either of these positions would necessarily invalidate the use of any data or projections of demand, however comprehensive. Our point here is that even if we had perfect data, the process that DOL adopts to measure occupations in demand under S. 358 would likely be controversial. The Canadian experience with a somewhat similar point system has involved virtually continuous changes in methodology.

Country of Origin of Independent Workers

We noted in chapter 1 that an objective of the bill is to stimulate immigration from source countries that have constituted a large proportion of the flow but that now make up a lesser proportion. Because the demand for immigration is unclear, our assessment is limited with respect to the degree to which S. 358 may be expected to increase immigration from countries “now virtually excluded.”

With regard to independent immigrants, it is true that S. 358 would establish a system separate from the family-based track. To the extent that patterns change, it is not clear whether the countries increasing

their demand will be the same countries as those “now virtually excluded.”

At least initially under S. 358, immigrants from some high-demand countries such as Mexico, the Philippines, and South Korea might be excluded from the selected-immigrant class. This would occur because they could use up their independent per country allocations in the third and sixth preference classes before reaching the selected immigrant class.⁹

Although immigration under the third and sixth preferences would probably initially resemble recent immigration, because of immigrants already in process, we cannot predict trends beyond then because there is no experience with the new demand that would result from the revised definitions. We do not believe that more-general predictions can be made about whether or not selected immigrants will increase representation from countries “now virtually excluded.” The point system could increase the representation from these and other nations that are currently low-demand countries, but other scenarios are possible.

Conclusions

One of the objectives of S. 358 is to increase the representation of persons admitted on the basis of the demand for their occupational and education skills rather than their family relationship to a U.S. citizen or permanent resident. By fiscal year 1994, S. 358 would increase the annual number of admissions based on labor market characteristics from 54,000 under current law to nearly 150,000, a figure that includes family members under the revised third and sixth preferences but not under the proposed point system. If one excludes family members brought in under the third and sixth preference classes, the increase under S. 358 would be even greater: a fourfold increase from about 24,300 immigrants annually under current law to an estimated 98,550 by 1994.

We conclude that labor market immigration under S. 358 is likely to be linked less directly to the U.S. economy than under current law, by revising labor certification and not requiring a U.S. employer to petition

⁹The independent-immigrant classes would not be subject to the visa distribution rules under section 202(e) of the Immigration and Nationality Act. Consequently, visas under the independent-immigrant classes would be made available during 1991-99 to qualified applicants in the order of the special-immigrant, third preference, sixth preference, investor, and selected-immigrant classes, according to their filing dates, as required by section 203(a).

for some immigrants. Allowing DOL to make labor certification determinations using “labor market information” and to identify entire classes of occupations that are or will be “in demand” would remove the element of a specific labor market “test” for most individual immigrants, as is now required. We believe that independent immigrants under S. 358 would include a higher percentage of professional workers or those with advanced degrees than under current law.

We also note that although one of the purposes of creating the new, selected immigrant class was to stimulate immigration from countries that have been major sources of immigrants in the past, we were unable to conclude that this objective would be accomplished with regard to independent immigrants. As we noted in chapter 3, many factors—such as economic conditions and the desire to immigrate to the United States—are difficult to predict for a single country, let alone groups of countries, and these factors are not easily addressed by domestic U.S. legislation.

Finally, we believe that the new selected immigrant class is likely to generate a large demand—numbering in the millions—by qualified applicants, only a small percentage of whom could be issued immigrant visas each year because of the numerical limit.

Conclusions

This chapter summarizes the likely effect of S. 358 as introduced on February 7, 1989, in light of its goals and current immigration trends.

Increased Importance of Labor Market Skills

One of the bill's goals is to increase the representation of persons admitted on the basis of the demand for their occupational and education skills rather than their family relationship to a U.S. citizen or permanent resident. By fiscal year 1994, S. 358 would increase the annual number of admissions based on labor market characteristics from 54,000 under the current third and sixth preference classes to nearly 150,000. If one excludes family members brought in under the third and sixth preference classes, the increase under S. 358 would be even greater: a fourfold increase from about 24,300 workers annually under current law to an estimated 98,550 by 1994. The required labor market and skills tests would ensure that a larger proportion of immigrants would be subject to these tests.

A second major goal of S. 358 is to split the current preference system into separate "family-based" and "independent" immigrant admission tracks. We conclude from our assessment that "family-based" and "independent" immigrants would be on separate admission tracks only in part. Separate programs are in fact established, separate eligibility criteria are specified, and specific numbers of visas are allocated for the new independent immigrants between these two groups. However, the spouses and children of selected immigrants would increase the number of all those seeking second preference class visas. The decreases in family-preference immigration imply that the waiting list could become much longer and that some persons currently in the family-preference classes might seek to enter the pool of selected immigrants if they were qualified.

If pressures on the waiting lists increase, as we predict, some immigrants might seek entry through the nonimmigrant system as students and temporary workers, who are allowed to bring in spouses and children. Some immigrants might seek to enter the United States illegally. These dynamics could imply an increased "gaming" of the system through multiple applications and an expanded effort by immigrants to seek the quickest route of entry—whatever it may be—depending on such variables as country of origin, family size, and nature of family relationships with persons in the United States. The incentive to reduce waiting times by movements across classes is particularly great for fifth preference applicants—1,469,231 persons as of January 1989—under S. 358.

The provision of S. 358 that would allocate 90,000 visa numbers for reduction of the fifth preference waiting list during 1991-93 would not appreciably reduce any country's waiting list. These visas could be used by qualified applicants from only 2 countries, Mexico and the Philippines, because they have the earliest filing dates and there are no per country limits on the use of these special visa numbers.

Because its definition has been broadly conceived, we believe that the new selected immigrant class is likely to generate a great deal of demand—with qualified applicants numbering in the millions—and that only a small percentage of that demand is likely to be satisfied each year, for two reasons. First, selected immigrants would be chosen from a pool of qualified applicants who represent occupations that are or will be “in demand,” and a qualified applicant could potentially represent any alien who has at least a secondary education and several years of training or experience in an occupation in “demand.” Second, the 4.6 million applications for special nonpreference visas (described in chapter 3) indicate there is strong worldwide demand for immigration to the United States that is not reflected in the current visa waiting list. Consequently, we believe that the new selected immigrant class is likely to generate comparable numbers of applications because there is strong demand for immigration and because the selected immigrant class is broadly defined but that the number of qualified applicants who could become selected immigrants each year would be relatively small because of the numerical limits.

Immigration From Countries “Now Virtually Excluded”

A third goal of the bill is to stimulate immigration from source countries that in the past have contributed a large proportion of the flow and that now contribute much less. Our assessment is limited with respect to the degree to which S. 358 may be expected to increase immigration from countries “now virtually excluded,” for the reasons stated below.

First, although we project that total immediate-relative immigration during 1990-99 would be slightly greater under S. 358 than under current law, we believe that the levels of immediate-relative immigration from the 8 “high-demand” countries we identified would probably be very similar under both current law and S. 358, for three reasons. First, S. 358 would continue the current policy of allowing unlimited immediate-relative immigration. Second, because we found no basis for the identifying countries of origin of selected immigrants, there was no basis for identifying the country of origin for the additional 259,200 immediate relatives whom we projected would become immigrants under S. 358

during 1996-99. Consequently, we were unable to estimate the extent, if any, that these additional immediate relatives may originate from the 8 high-demand countries we identified. Third, the difference between total projected immediate-relative immigration under S. 358 (3,539,897) versus current law (3,280,697) is relatively small. Therefore, we believe that the levels of immediate-relative immigration from the 8 high-demand countries we identified would be likely to be similar under current law and S. 358.

Second, with regard to family-preference immigration, we have noted that under all three of our projections, S. 358 would increase the proportion of immigrants from countries other than the 8 high-demand countries we studied, and it seems reasonable to assume that the demand for immigration from those other countries would fill those slots. We project that S. 358 would reduce the total number of family-preference immigrants, but the reductions would be proportionately greater for the 8 high-demand countries than the 167 other countries. However, under each of these projections, the 8 high-demand countries would continue to dominate family preference immigration.

Third, with respect to independent immigrants, assessment is even more difficult. At least initially under S. 358, immigrants from some high-demand countries such as Mexico, the Philippines, and South Korea might be excluded from the selected-immigrant class because all their independent per country allocations could be used in the third and sixth preference classes before reaching the selected-immigrant class. While immigration under the revised third and sixth preferences would probably initially resemble recent immigration because of immigrants already in process, we cannot predict trends beyond then because there is no experience with the new demand. We do not believe that more-general predictions can be made about whether selected immigrants will increase representation from countries "now virtually excluded." The point system could serve to increase the representation from these and other nations that are currently low-demand countries, but other scenarios are possible.

We conclude that because of the likely reductions in family-preference immigration from the 8 high-demand countries, S. 358 could make available about 56 percent of the available family preference visas to natives of the remaining 167 countries, compared with about 48 percent under current law. The distribution likely to result under S. 358, therefore, would change the trend for family-preference immigrants from that under current law.

More Emphasis on Closer Relatives Under Family-Based Immigration

The fourth goal we assessed was altering the distribution of family-based immigrants to favor closer rather than more-distant relatives of U.S. citizens and residents. S. 358 would decrease annual admissions for the fifth preference, would increase admissions for the second preference during the short term (but over time the number would be less than under current law), and would allow continued immediate-relative immigration without numerical limitations. Furthermore, the sharp reduction we predict in family-preference immigration under the fixed 440,000 limit of S. 358 would serve to concentrate family-based immigration among the closest relatives.

Projected Immigration During 1990-99 Under S. 358 as Amended

On July 25, 1989, an amended S. 358 passed the Senate. We estimate that this Senate-passed bill would have substantially different effects than those we discuss in the earlier chapters. This chapter provides selected projections of immigration during 1991-99 under the Senate-passed bill comparable to those in the previous chapters for the purpose of showing the effects of these amendments. A major difference in the amended S. 358 is an increased limit of 480,000 that would be used to calculate family preference immigration, coupled with a provision that would not allow family-preference immigration to decrease below 216,000 annually. We focus this chapter upon comparisons of the Senate-passed bill with current law and with S. 358 as originally introduced under a 440,000 limit.

Projections Under S. 358 as Amended

Total Immigration

We project that during 1990-99 an increase in total immigration under the Senate-passed bill would be greater than the increase we estimated for S. 358 as originally introduced. We project that total immigration would be 7,201,838 under S. 358 as amended, 6,216,246 under S. 358 as originally introduced (assuming no change in the 440,000 limit), and 6,072,727 under current law (see table 6.1). Total immigration would, therefore, be 1,129,111 more (about 18.6 percent) under S. 358 as amended than under current law.

Chapter 6
 Projected Immigration During 1990-99 Under
 S. 358 as Amended

Table 6.1: Projected 1990-99 Immigration Under Current Law and S. 358 as Introduced and Amended^a

Immigrant class	Current law	S. 358 as introduced (assuming a 440,000 limit)	Difference between current law and S. 358 as introduced		S. 358 as amended (assuming a 480,000 limit)	Difference between current law and S. 358 as amended	
			Number	Percent		Number	Percent
Immediate relative	3,280,697	3,539,897	259,200	7.9%	3,539,897	259,200	7.9%
Family preference							
1st	117,600	83,901	-33,699	-28.7	117,600	0	0
2nd ^b	1,124,400	838,004	-286,396	-25.5	1,315,199	190,799	17.0
4th	216,000	121,314	-94,686	-43.8	199,825	-16,175	-7.5
5th ^c	702,000	169,914	-532,086	-75.8	566,101	-135,899	-19.4
Subtotal	2,160,000	1,213,133	-946,867	-43.8	2,198,725	38,725	1.8
Total family-based	5,440,697	4,753,030	-687,667	-12.6%	5,738,622	297,925	5.5%
Labor market preference							
Medical personnel for rural areas ^d	e	e	e	e	44,550	44,550	e
3rd	270,000	316,800	46,000	17.0%	388,800	118,800	44.0
6th	270,000	316,800	46,000	17.0	388,800	118,800	44.0
Employment creation	e	51,000	51,000	e	60,750	60,750	e
Selected immigrants ^f	e	566,400	566,400	e	484,650	484,650	e
Total labor market preferences	540,000	1,251,000	711,000	131.7	1,367,550	827,550	153.3
All other classes	92,030	212,216 ^g	120,186	130.6	95,666	3,636	4.0
Total	6,072,727	6,216,246	143,519	2.4%	7,201,838^h	1,129,111	18.6%

^aThe amendment date was July 25, 1989.

^bIncludes estimated falldown of unused 1st preference visas.

^cIncludes estimated falldown of unused 4th preference visas.

^dConditional permanent resident status for trained medical personnel, spouses, and children. Medical services must be performed in a "health manpower shortage area" in an individual state as defined under the Public Health Service Act, where there is a shortage of U.S. trained physicians, and each physician has obtained privileges from a hospital located within that area for 10 years.

^eNot applicable.

^fSelected immigrants would be chosen at random from a pool of qualified applicants. Since there is no basis for estimating unused visa numbers in higher preferences, no estimates of falldown of unused numbers have been included in projecting this class.

^gIncludes 90,000 visa numbers that would be made available during 1991-93 to reduce the 5th preference waiting list. We did not include this class under the family preferences because it resulted from a special provision that would not be continued during 1994-99 and was not a factor in calculating the annual family-preference limitations.

^hA potentially very large group is not reflected in this total: certain spouses and children of beneficiaries of the Immigration Reform and Control Act of 1986 who, under S. 358 as amended on July 25, 1989, would be allowed to remain and work in the United States while their petitions for permanent resident status were pending. We have no data to support any conjecture as to the potential number of spouses and children who could be affected by this provision.

The 7,201,838 projection under S. 358 as amended could be considered an underestimate. The figure would be substantially higher if it included the number of presently undocumented aliens who would be given a special status under S. 358 as amended by providing them with two important rights of permanent residents—protection from deportation and the right to work in the United States. This special status would be provided to qualified spouses and children of legalized immigrants under the Immigration Reform and Control Act of 1986 while the spouses and children's petitions for permanent resident status were pending. To qualify for the special status, a spouse or child must meet certain requirements, including having resided in the United States on January 1, 1989, and having entered the United States before that date. We could not develop a satisfactory estimate of how many people are likely to be affected by this provision, because we have no means of determining how many spouses and children of beneficiaries under the 1986 act who did not qualify under that program are inside or outside the United States.

Family-Based Immigration
Immediate Relatives

We project that the same number of immediate-relative immigrants would enter under both versions of S. 358 during 1990-99. The 3,539,897 immediate relatives we projected represent about 260,000 more than would be expected under current law.

Although we projected that 259,200 aliens would become immediate-relative immigrants during 1996-99 as the result of petitioning by selected immigrants who became naturalized citizens, we are less confident of this projection under S. 358 as amended because of the increased availability of second preference visas. We projected that 259,200 immediate-relative immigrants would be petitioned for by selected immigrants under S. 358 as introduced because (1) the number of qualified applicants already on the current second preference waiting list would probably preclude the spouses and children of most selected immigrants from themselves becoming immigrants for several years and (2) the supply of second preference visas, as well as all other family-preference visas, would be drastically reduced and probably eliminated by 1998-99. Consequently, we concluded that selected immigrants—regardless of country of origin—would have to become naturalized citizens in order to bring their spouses and children to the United States as immigrants.

Under S. 358 as amended, the supply of second preference visas would be greatly increased compared to S. 358 as introduced, and this increase could affect our 259,200 projection. To the extent that the immediate relatives of selected immigrants originate from countries with relatively long second preference waiting lists, our 259,200 projection is likely to be reasonably accurate. To the extent that the immediate relatives of selected immigrants originate from countries with relatively short second preference waiting lists, the basis for our 259,200 projection would be more limited. As noted in chapter 4, however, we have no basis for determining the country of origin of selected immigrants or their immediate relatives. Consequently, we are unable to determine the extent to which our 259,200 projection would be affected by the increased availability of second preference visas under S. 358 as amended.

Family Preference

The sharp decrease we predict for family-preference immigration under S. 358 as originally introduced is not anticipated under the Senate-passed bill. The amended bill should actually increase family preference immigration slightly over the level under current law—2,198,725 versus 2,160,000, an increase of about 39,000. This projection contrasts with the 1,213,133 level (a decrease of about 950,000 compared to current law) that we project under S. 358 as introduced.

The original S. 358 would reduce immigration under all family-preference classes compared with current law. The fifth preference would be reduced by 75.8 percent and the fourth preference would be reduced by 43.8 percent. Under the Senate-passed bill, we estimate that fifth preference immigration would be 19.4 percent less than current law during 1990-99, and second preference immigration would be 17.0 percent greater. We project a decrease of 7.5 percent for fourth preference and no change for first preference compared with current law. The Senate-passed bill would result in a redistribution of immigrant visa availability by preference class. More visas would be made available to the second preference and fewer visas would be made available to the fifth preference, compared with current law.

Independent Immigrants

We project that under S. 358 as introduced, labor market immigration would increase substantially compared with current law: 1,251,000 versus 540,000, an increase of 131.7 percent. We project that under the Senate-passed bill, there would be 1,357,550 labor-market-based immigrants, 106,550 more than under the bill as introduced and 153.3 percent more than under current law. The Senate-passed bill provides higher allocations of all labor market preference classes than does the

original S. 358, except for selected immigrants. The Senate-passed bill includes a new class of medical personnel for rural areas that is not present in either current law or S. 358 as introduced.

All Remaining Classes

We project that immigration from all remaining classes under S. 358 as introduced would more than double compared with current law: 212,216 versus 92,030. Under the Senate-passed bill, we project immigration from all remaining classes about the same as under current law.

Immigration From High-Demand Countries

We have projected that the amount of family-preference immigration under S. 358 as introduced among the 8 high-demand countries would be reduced by 52.6 percent, and among the 167 remaining countries of the world by 34.4 percent, compared with current law (see table 6.2). Under the Senate-passed bill, we project smaller reductions among the 8 high-demand countries compared with current law (938,104 versus 1,120,000, or a 16.3-percent reduction) and an increase among the 167 remaining countries (1,260,621 versus 1,040,000, or an increase of about 21.2 percent). The changes in the projections under S. 358 as introduced and the Senate-passed bill result from increasing the 440,000 limit to 480,000 and requiring that at least 216,000 family-preference visas be made available each year are illustrated in figure 6.1.

Table 6.2: Projected 1990-99 Differences in Distribution of Family-Preference Class Visas

Country type	Current law	S. 358 as introduced (assuming a 440,000 limit)	Difference between current law and S. 358 as introduced		S. 358 as amended (assuming a 480,000 limit) ^a	Difference between current law and S. 358 as amended	
			Number	Percent		Number	Percent
8 high-demand countries ^b	1,120,000 ^c	530,818 ^d	-589,182	-52.6%	938,104 ^d	-181,896	-16.2%
167 remaining countries	1,040,000	682,315	-357,685	-34.4	1,260,621	220,621	21.2
Total	2,160,000	1,213,133	-946,867	-43.8%	2,198,725	38,725	1.8%

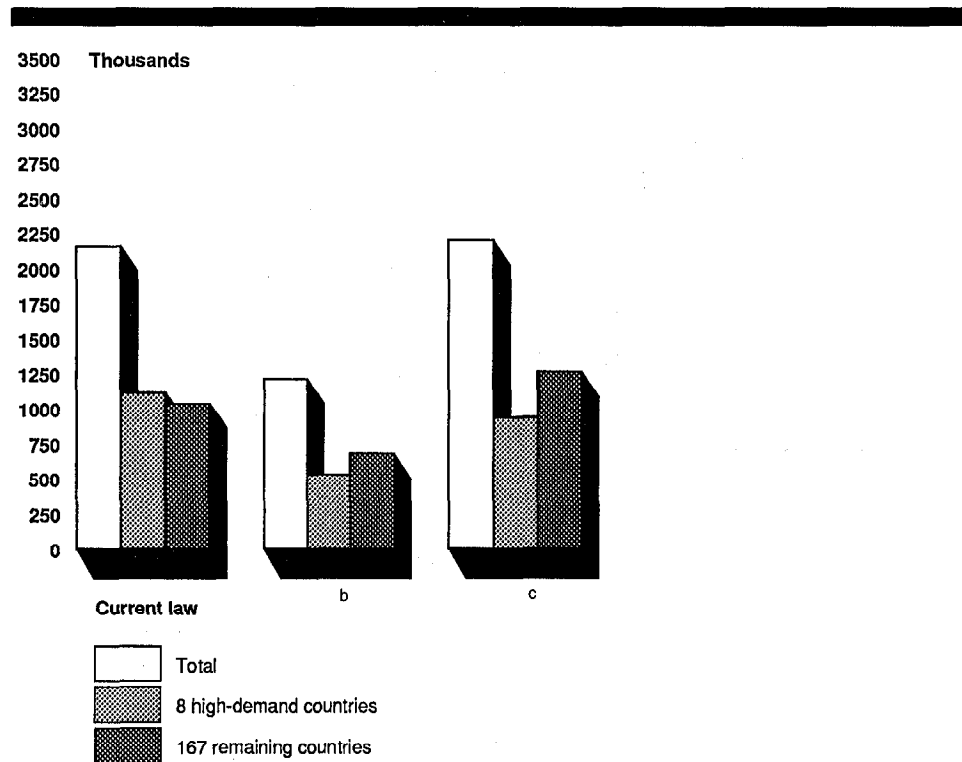
^aThe amendment date was July 25, 1989.

^bChina, the Dominican Republic, Great Britain, Hong Kong, India, Mexico, the Philippines, and South Korea. Under current law and S. 358 as introduced on February 7, 1989, Hong Kong would be included under Great Britain's per country family-preference limit as a dependency until July 1997, when Hong Kong becomes part of China and, consequently, is no longer subject to a dependency limitation. Under S. 358 as amended on July 25, 1989, Hong Kong would be treated as a foreign state beginning in 1990. However, Hong Kong's per country limit would be 3.5 percent of the 270,000 worldwide preference system limit in 1990. During 1991-99, Hong Kong's per country limit for family-preference visas would be 3.5 percent of the family-preference limit.

^cAssumes a 16,000 per country limit.

^dAssumes a variable per country limit.

Figure 6.1: Projected Family-Preference Class Visa Distribution Under Current Law, S. 358 as Introduced, and S. 358 as Amended^a



^aThe data are for 1990-99. The high-demand countries are defined as those with high levels of immediate-relative immigration and are generally likely to use all the family-preference visas made available to them up to the maximum per country limit under current law during 1990-99. We selected 8 countries for analysis: China, the Dominican Republic, Great Britain, India, Mexico, the Philippines, South Korea, and the dependency of Hong Kong. Under the Senate-passed S. 358, Hong Kong would become a separate foreign state for purposes of visa issuances.

^bS. 358, fixed 440,000 limit .

^cS. 358, fixed 440,000 limit and 216,000 minimum annual family-preference visa availability.

We believe that the interaction of the per country limit provision of the Senate-passed S. 358 with the higher 480,000 limit and a 216,000 minimum annual level of family-preference visa availability will consistently result in a larger number of visas being made available to the 167 remaining countries, compared with current law. We base this opinion upon our projections under S. 358 as introduced and under the Senate-passed bill.

The annual projections upon which we base the results we report in this chapter appear in appendix III.

Immigration Experts Whom We Consulted

Robert L. Bach
Department of Sociology
State University of New York
Binghamton, New York

Frank D. Bean
Program in Demographic Studies
The Urban Institute
Washington, D.C.

Vernon M. Briggs, Jr.
New York State School of Industrial and Labor Relations
Department of Economics
Cornell University
Ithaca, New York

John M. Goering
Office of Policy Development and Research
Department of Housing and Urban Development
Washington, D.C.

Elizabeth J. Harper
Bureau of Consular Affairs
U.S. Department of State
Washington, D.C.

Charles B. Keely
Center for Immigration Policy and Refugee Assistance
and Department of Demography
Georgetown University
Washington, D.C.

Ellen Percy Kraly
Department of Geography
Colgate University
Hamilton, New York

Demetrios G. Papademetriou
Bureau of International Labor Affairs
U.S. Department of Labor
Washington, D.C.

Appendix I
Immigration Experts Whom We Consulted

Alejandro Portes
Department of Sociology
The Johns Hopkins University
Baltimore, Maryland

Lisa Smith Roney
Office of Plans and Analysis
Immigration and Naturalization Service
Washington, D.C.

Michael S. Teitelbaum
Alfred P. Sloan Foundation
630 Fifth Avenue
New York, New York

Robert E. Warren
Statistical Analysis Branch
Immigration and Naturalization Service
Washington, D.C.

Karen A. Woodrow
Population Division
Bureau of the Census
Washington, D.C.

Details of Our Projections Under Current Law and S. 358

In this appendix, we report and explain some details that were not covered in the preceding chapters on how we made our annual projections of immediate-relative immigration, preference-system immigration, and immigration from the 8 "high-demand" countries we studied under current law and S. 358 as introduced on February 7, 1989. In the first part of this appendix, we explain how we projected total annual immediate-relative immigration. In the second part, we explain how we projected total annual preference-system immigration and the distribution of family-preference immigrants by class. In the third part, we explain how we projected annual immediate-relative and family-preference immigration for each of the 8 high-demand countries and combined our projections to represent these countries as a group. We conclude with a discussion of the limits of our analyses.

We began our analyses by assembling the distinguished panel of immigration experts, affiliated with academic, government, and other institutions, listed in appendix I. We focused on the likely effects of S. 358 in terms of changes in three areas: (1) numbers of immigrants, (2) the visa waiting list, and (3) labor-market-based immigration. We then asked the experts to predict trends in these three areas under current law and S. 358, using whatever data were available and useful to support their answers. Many of their analyses consisted of projections from data bases on immigrant admissions maintained by INS and of visa number use and waiting lists maintained by the Department of State. We reanalyzed these various projections and synthesized the results to develop our own estimates. We made our projections of future immigration by class under current law and S. 358 during 1990-99 and report here our independent answers to the questions on the likely trends under current law and S. 358.

Immediate-Relative Immigration

Under both current law and S. 358, there are no limitations on immediate-relative immigration. We based our 1990-99 projections on past trends. We chose a 6.2-percent annual average worldwide growth rate for immediate relatives during 1990-99, because it best represented the trend in long-term growth during 1970-87. These trends, which are shown in table II.1 and illustrated in figure II.1 (see pages 68 and 69),

are also consistent with other models.¹ We believe that growth in immediate-relative immigration is likely to be very erratic, but we are unable to reliably predict fluctuations in the rate. We found, however, that projections that assumed different combinations of annual growth rates resulted in similar overall trends.²

¹The data in columns 1 and 2 of table II.1 show that immediate-relative immigration grew erratically during 1970-87, and we found that the annual growth rate during that period was 6.2-percent when averaged. In column 3, we applied a 6.2-percent increase to 80,708 (fiscal year 1970 data) through 1987 to compare the average growth rate with actual immediate-relative immigration during that period. The data in columns 1 and 3 are illustrated in figure II.1. In a previous study using monthly INS data on immediate-relative immigration and a time-series model, we found there was a 6.0-percent annual compound growth rate during 1972-85 (see GAO, 1988a).

²Some members of our panel projected immigration during 1989 to 1998 under current law and S. 2104. We found that their projections of immediate-relative immigration, which assumed different combinations of annual growth rates ranging from 2.2 to 7.0 percent, reflected very similar trends up to 1995. During 1996 and thereafter (the period of likely petitioning by beneficiaries, under the Immigration Reform and Control Act of 1986 and selected immigrants under S. 358) there was greater variation because some of our experts did not include estimates of immigration for these two groups in their projections.

**Appendix II
Details of Our Projections Under Current
Law and S. 358**

Table II.1: Immediate-Relative Immigration^a

Year	Immediate relatives^b	Percent change over previous year	Calculated annual average^c
1970	80,708	^d	^e
1971	82,064	1.7	85,712
1972	87,888	7.1	91,026
1973	102,544	16.7	96,670
1974	106,488	3.8	102,664
1975	91,829	-13.8	109,029
1976	104,744 ^f	14.1	115,789
1977	106,733	1.9	122,968
1978	128,643	20.5	130,592
1979	136,939	6.4	138,689
1980	151,743	10.8	147,288
1981	149,774	-1.3	156,420
1982	163,467	9.1	166,118
1983	173,815	6.3	176,418
1984	178,843	2.9	187,356
1985	210,213	17.5	198,972
1986	218,658	4.0	211,308
1987	215,131	-1.6	224,409

^aDepartment of State visa issuances coupled with INS adjustment figures. These totals do not coincide with INS totals because individuals may receive their visas in one fiscal year and use them to enter in the following fiscal year. For reporting purposes, INS uses annual admissions data only.

^bSpouses of U.S. citizens, children (unmarried and under 21) of U.S. citizens, and parents of U.S. citizens 21 or older.

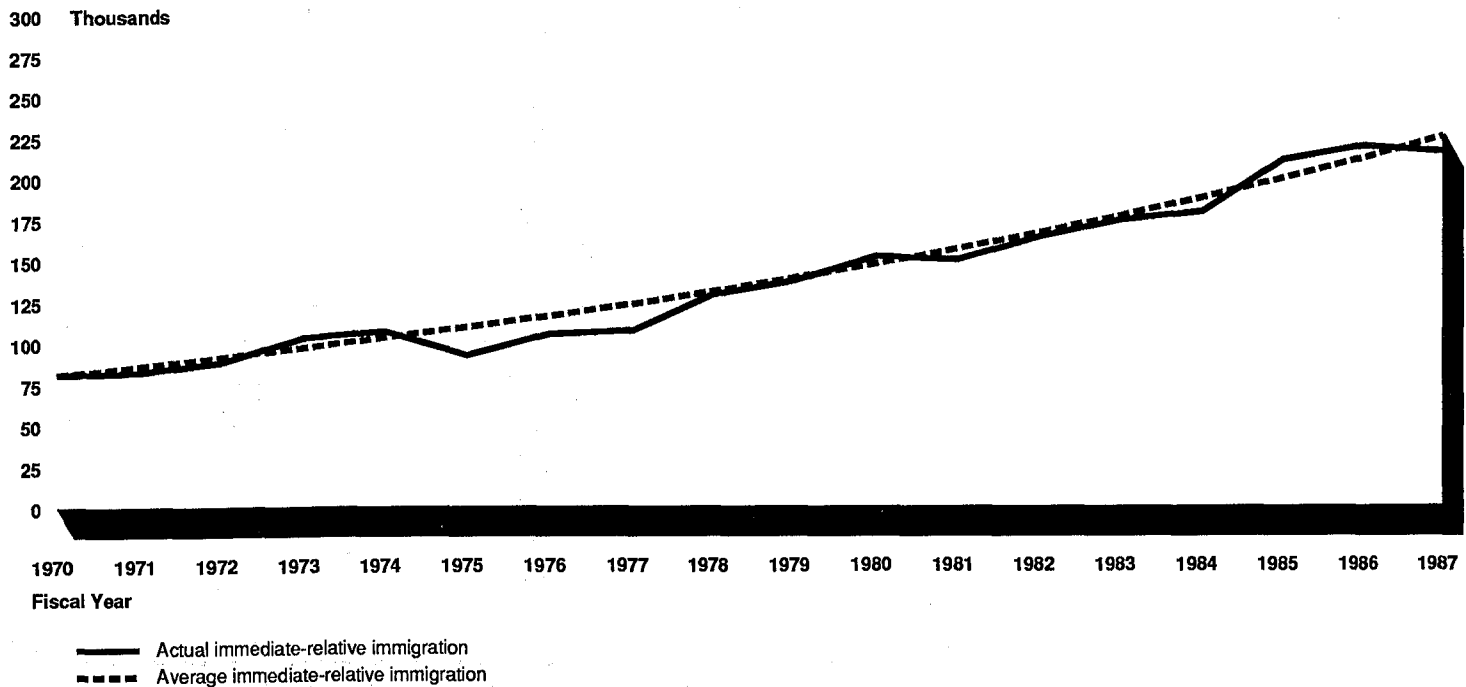
^cWe increased 80,708 by 6.2 percent annually beginning in fiscal year 1971 in calculating the 1970-87 average annual growth.

^dImmediate relatives were not identified worldwide until fiscal year 1969. We did not use fiscal year 1969 data, because they could reflect unique start-up or other factors that may have occurred that year.

^eNot applicable.

^f104,744 is not the total for 15 months; it was adjusted to be the equivalent to the 12-month period the other annual totals reflect and, therefore, represents 80 percent of the sum of fiscal year 1976 data and 1976 transition quarter data.

Figure II.1: Actual and Average Immediate-Relative Immigration



Annual immediate-relative immigration decreased during 1987 and 1988 compared to 1986, but we believe the 6.2-percent rate will resume by approximately 1990, for two reasons. First, these lower numbers may be associated with the temporary diversion of some INS personnel to the administration of the legalization programs of the Immigration Reform and Control Act of 1986. By 1990, most of the major work associated with the legalization programs, such as processing applications for amnesty at many temporary local offices and approving adjustments from temporary to permanent resident status, is likely to be completed.³ Second, decreases in annual immediate-relative immigration have occurred in the past, but the overall growth pattern has resumed. Our projections of immediate-relative immigration (which do not include petitioning by the 1986 act's beneficiaries or selected immigrants) are shown in table II.2. These projections include some immigrants who are

³INS officials told us there has been some diversion of INS personnel to handle the workload associated with the 1986 act. Department of State officials told us that there were decreases in both the number of immediate-relative adjustments to permanent resident status and naturalization during 1987-88, but there have been no decreases in the number of immediate-relative petitions being filed at Department of State posts overseas. INS is responsible for adjustments and naturalizations.

**Appendix II
Details of Our Projections Under Current
Law and S. 358**

close relatives of U.S. citizens but do not meet the definition of an immediate relative, because they would be counted for purposes of calculating the levels of annual family-preference immigration.

Table II.2: Projected Immediate-Relative and Similar Immigration^a

Immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
Immediate relative ^b	228,469	242,634	257,677	273,653	290,620	308,638	327,774	348,096	369,678	392,598	3,039,837
Fiance or fiancée adjustment ^c	5,741	5,741	5,741	5,741	5,741	5,741	5,741	5,741	5,741	5,741	57,410
Child admitted on a prior immediate-relative visa issued to an accompanying parent ^d	25	25	25	25	25	25	25	25	25	25	250
Child born to permanent resident during a temporary visit abroad ^d	3,320	3,320	3,320	3,320	3,320	3,320	3,320	3,320	3,320	3,320	33,200
Total	237,555	251,720	266,763	282,739	299,706	317,724	336,860	357,182	378,764	401,684	3,130,697

^aVisas issued by the Department of State plus INS adjustments of status. We estimate total immediate-relative immigration will be approximately 223,713 in fiscal year 1989.

^bSpouses of citizens, children (unmarried and under 21) of citizens, and parents of citizens 21 or older. We estimate that this figure will be 215,131 in fiscal year 1989 and that it will increase by an average of 6.2 percent annually beginning in fiscal year 1990.

^cNonimmigrant aliens coming to the United States to enter valid marriages with U.S. citizens within 90 days after entry who adjust their status to that of permanent resident. These projections are based on average figures for this class during the past 10 years.

^dBased on average figures for this class during the past 10 years.

Preference-System Immigration

Current law authorizes 270,000 preference-system immigrants annually. Within this total, four classes of family-preference immigrants number 216,000, and two occupational preference classes number 54,000. Under S. 358, the preference system would be separated into “family-based” and “independent” (mostly labor-market-based) admissions, and the latter would be increased substantially.⁴ Moreover, under S. 358, the level of family-preference immigrants would be related to the level of immediate-relative immigration; under current law, there is no such connection. In the following sections, we describe how we made our projections of family- and labor-market-based immigration.

⁴Family-preference immigrants are termed “family connection immigrants” under S. 358. For the sake of continuity of presentation, we refer to these persons as family-preference immigrants in this report. We have termed family-preference immigrants and immediate-relative immigrants “family-based” immigrants in this report.

Family-Preference Immigration Under Current Law

We projected family-preference immigration under current law during 1990-99 by assuming that the 216,000 limit for the four family-preference classes would continue. Members of our immigration panel made similar assumptions in making their projections.

We projected the distribution of family-preference immigrants by immigrant class in accordance with recent trends, assuming some “falldown” numbers for some preferences rather than initial visa availability.⁵ These falldown numbers reflect historically recent insufficient demand—compared with initial visa availability—among the first and fourth preference classes. We projected that there would be modest increases in first preference immigration and that the second preference would continue to benefit from and use the entire falldown of unused first preference visa numbers, on the basis of past trends.

Similarly, on the basis of past trends, we assumed that fourth preference immigration would remain stable at slightly less than 22,000 annually and that about 5,000 unused falldown numbers would be made available to and used by the fifth preference. Our projection of family-preference immigration under current law is shown in table II.3, which also contains the rest of our annual projections during 1990-99 under current law.⁶

⁵By “initial visa availability” we mean the amount of numbers authorized by the preference percentage under section 203(a) of the Immigration and Nationality Act—that is, 20 percent to first preference, 26 percent to second preference, 10 percent to third preference, 10 percent to fourth preference, 24 percent to fifth preference, and 10 percent to sixth preference, according to their filing dates. The experts used initial visa availability to project immigration under S. 2104. In accompanying documentation, in our group meetings, and in subsequent conversations, the experts said it would be reasonable to assume that “falldown” numbers—numbers initially made available to a higher preference, but actually used by a lower preference—would be available to some lower preferences under S. 2104.

⁶We have assumed that 270,000 numbers will be used annually under our projections for the preference system (216,000 among the four family preferences and 54,000 among the two occupational preferences) although actual visa use has been slightly lower than 270,000 annually for the past several years. The reason for these apparent shortfalls in visa use is that some visas issued during a given fiscal year are used during the following fiscal year and some applicants who receive visas do not use them. The Department of State told us that all visas are made available to qualified applicants and, therefore, the 270,000 figure is accurate over time.

**Appendix II
Details of Our Projections Under Current
Law and S. 358**

Table II.3: Projected Immigration Under Current Law^a

Immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
Preference system											
Family preference											
1st (20%)	11,600	11,600	11,700	11,700	11,700	11,800	11,800	11,900	11,900	11,900	117,600
2nd (26%)	112,600	112,600	112,500	112,500	112,500	112,400	112,400	112,300	112,300	112,300	1,124,400
4th (10%)	21,600	21,600	21,600	21,600	21,600	21,600	21,600	21,600	21,600	21,600	216,000
5th (24%)	70,200	70,200	70,200	70,200	70,200	70,200	70,200	70,200	70,200	70,200	702,000
Subtotal	216,000	216,000	216,000	216,000	216,000	216,000	216,000	216,000	216,000	216,000	2,160,000
Labor market preference											
3rd (10%)	27,000	27,000	27,000	27,000	27,000	27,000	27,000	27,000	27,000	27,000	270,000
6th (10%)	27,000	27,000	27,000	27,000	27,000	27,000	27,000	27,000	27,000	27,000	270,000
Subtotal	54,000	54,000	54,000	54,000	54,000	54,000	54,000	54,000	54,000	54,000	540,000
Nonpreference^b											
Subtotal (100%)^c	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000	2,700,000
Numerically limited											
IRCA nonpreference ^d	15,000	d	d	d	d	d	d	d	d	d	15,000
Pilot diversity program ^e	10,000	10,000	e	e	e	e	e	e	e	e	20,000
Other ^f	0	0	0	0	0	0	0	0	0	0	0
Subtotal	295,000	280,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000	2,735,000
Immediate relative ^g	237,555	251,720	266,763	282,739	299,706	317,724	336,860	357,182	378,764	401,684	3,130,697
IRCA immediate relative ^h	0	0	0	0	0	0	25,000	50,000	45,000	30,000	150,000
Subtotal	237,555	251,720	266,763	282,739	299,706	317,724	361,860	407,182	423,764	431,684	3,280,697
Exempt from numerical limitations											
Special immigrants	3,646	3,646	3,646	3,646	3,646	3,646	3,646	3,646	3,646	3,646	36,460
All other ⁱ	2,057	2,057	2,057	2,057	2,057	2,057	2,057	2,057	2,057	2,057	20,570
Subtotal	243,258	257,423	272,466	288,442	305,409	323,427	367,563	412,885	429,467	437,387	3,337,727
Grand total	538,258	537,423	542,466	558,442	575,409	593,427	637,563	682,885	699,467	707,387	6,072,727
Per country limitⁱ											
Foreign state	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	200,000
Dependent area	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	50,000

^aExcludes refugees, asylees, and their dependents.

^bAlthough nonpreference visas have been unavailable since September 1978, a small number of nonpreference immigrants were admitted in fiscal years 1985 and 1987. These cases were filed before 1978 and denied by INS, but they were appealed successfully through the judicial system. We believe it is unlikely that nonpreference immigration will be significant after 1990.

^cWe have grouped preference-system immigrants according to family and labor market preferences. The percentages listed next to each preference reflect initial visa availability under current law, and we listed them in this fashion to compare them with initial visa availability under S. 358. Our projections, however, reflect the past falldown of unused numbers to lower preferences that we believe will continue; therefore, our projections are not necessarily the same as the initial visa availability.

**Appendix II
Details of Our Projections Under Current
Law and S. 358**

^dThe Immigration Reform and Control Act of 1986 (Public Law 99-603) made available 10,000 nonpreference visas during fiscal years 1987-88 to address demand by individuals from 36 countries "adversely affected" by amendments to the Immigration and Nationality Act in 1965. The Immigration Amendments of 1988 (Public Law 100-658) provide 30,000 nonpreference visas during fiscal years 1989-90 under the same administrative rules. These visas are different from the nonpreference visas established under the preference system, are issued in addition to the 270,000 worldwide limitation, and are subject to per country limits. We assume 15,000 of these nonpreference visas will be issued and used in 1990.

^eThe Immigration Amendments of 1988 established a 2-year pilot program to make 20,000 visas available during fiscal years 1990-91 to qualified immigrants who are natives of "underrepresented" countries, defined as countries whose citizens received fewer than 5,000 visas during fiscal year 1988.

^fSuspension of deportation. Although these immigrants numbered 2,394 during fiscal year 1987, in previous years they usually numbered less than 400 annually and do not constitute a major group. Admissions under this class are charged against both the 270,000 annual limitation and the 20,000 per country ceiling. We have not projected this class under current law, in order to maximize our projections of preference-system immigrants, and we do not think this omission will significantly affect our analyses.

^gImmediate relatives are spouses of citizens, children (unmarried and under 21) of citizens, and parents of citizens 21 and older. We have also included fiance and fiancée adjustments, children admitted on the basis of a prior immediate-relative visa issued to an accompanying parent, and children born to permanent residents during a temporary visit abroad, because they would be counted for purposes of adjusting the family-preference limitations under S. 358.

^hImmediate relatives whom we project will be petitioned for by beneficiaries under the Immigration Reform and Control Act of 1986 (Public Law 99-603).

ⁱAmerican Indians born in Canada and adjustments by other exempt immigrants, including registry immigrants. We projected annual immigration for these classes during fiscal years 1990-99 to be their approximate average immigration during fiscal years 1981-87. The registry provision allows aliens who have continuously resided in the United States in an unlawful status since January 1, 1972, to adjust to permanent resident status. The increase in this class to 39,999 during fiscal year 1988 resulted from a provision of the 1986 act, which extended the date to January 1, 1972. Previously, aliens had to have been in the United States continuously since June 30, 1948, to qualify. We believe the 39,999 figure was an irregularity and, consequently, did not use it in developing our projections. We did not attempt to project the number of "replenishment agricultural workers" who may enter during 1990-93 under the 1986 act if the secretaries of Labor and Agriculture determine that a labor shortage exists.

^jPer country limits apply only to numerically limited immigrants.

**Labor-Market-Based
Immigration Under
Current Law**

We assumed that immigration under the third and sixth occupational preferences would be 27,000 each, or 54,000, annually during 1990-99, for three reasons. First, there is no provision for using falldown numbers for these classes. Second, the number of admissions under each of these classes has been approximately 27,000 annually in recent years, and we found no evidence that would suggest these numbers would decrease. Third, there are waiting lists for admission under each of these preferences.

The experts said that the historic falldown patterns could change under current law and would be likely to change under the new bill as the result of (1) decreases in family-preference immigration that would result from increases in immediate-relative immigration, (2) some qualified immigrants' switching to enter under different preferences as a

means of reducing their waiting periods, and (3) changes in demand, particularly under the new labor market classes. The experts were unable, however, to predict how these patterns were likely to change.

Family-Preference Immigration Under S. 358

Our projections of family-preference immigration under S. 358 during 1991-99 assume a continuation of trends under current law to the extent that would be allowed by the revised definitions and numerical limits for the family-preference classes. We made this assumption for two reasons: (1) we wanted to provide a consistent basis for comparing likely visa use under current law and S. 358 and (2) we believed it would be unrealistic to compare family preference immigration under current law with S. 358 according to differences in initial visa availability.⁷

Although we are unable to predict the future distribution of immigration by family-preference class with certainty, we believe that the waiting period for second and fifth preference visa numbers would increase substantially under S. 358, as we noted in chapter 3. The restriction of the second preference class under S. 358 to unmarried sons and daughters younger than 26 would have eliminated 25 percent of the immigrants under this class during fiscal year 1987 and could be expected to reduce future increases in demand by approximately that amount. This reduction would, however, be offset by the absence of derivative status for the spouses and children of selected immigrants.⁸ Similarly, if the fifth preference were restricted to persons "never married," about 90 percent of the persons who became immigrants under this class during fiscal year 1987 could not have done so under S. 358. Therefore, future fifth preference demand could be reduced by about 90 percent. The grandfather clause for the 1,469,231 qualified applicants already on the current fifth preference waiting list would, however, increase rather than decrease the waiting time for new applicants.

The annual level of family-preference immigration under S. 358 depends on the limit used to calculate family-preference immigration and upon the volume of immediate-relative immigration. Changes in either the

⁷For example, in 1991, 54,000 first preference visas would be initially available under current law, compared with 30,367 under S. 358. We think that it would be misleading to compare this initial visa availability without accounting for falldown numbers, because actual first preference demand has been less than 12,000 annually in recent years.

⁸Some of our immigration experts said the range of additional second preference petitions by selected immigrants could be approximately 30,000 to 100,000 annually, and we believe the most likely number would be 60,000 to 70,000.

Appendix II
Details of Our Projections Under Current
Law and S. 358

440,000 limit used to calculate family-preference immigration or the volume of immediate-relative immigration result in corresponding changes in the annual volume of family-preference immigration.⁹

Our projections of family-preference immigration under S. 358 reflect the distributions that would result under three different limits. Our first projection, which assumed no change in the 440,000 limit, is shown in table II.4, which also contains the rest of our annual projections for 1990-99 under S. 358.

⁹We refer to the 440,000 limit as the number from which immediate-relative immigration is subtracted to calculate the level of family-preference immigration. Some relatively small classes of numerically unlimited immigrants would also be included in the number of immediate relatives used to calculate the annual level of family-preference immigration. These classes are listed in table II.2.

**Appendix II
Details of Our Projections Under Current
Law and S. 358**

Table II.4: Projected Immigration Under S. 358^a

Immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
Immediate relative											
Immediate relative ^b	237,555	251,720	266,763	282,739	299,706	317,724	336,860	357,182	378,764	401,684	3,130,697
IRCA beneficiary ^c	0	0	0	0	0	0	25,000	50,000	45,000	30,000	150,000
Selected ^d	^e	0	0	0	0	0	64,800	64,800	64,800	64,800	259,200
Subtotal	237,555	251,720	266,763	282,739	299,706	317,724	426,660	471,982	488,564	496,484	3,539,897
Family preference											
1st preference (15%)	11,600	11,600	11,700	11,700	11,700	11,800	11,800	2,001	0	0	83,901
2nd preference (65%)	112,600	150,355	138,924	126,889	114,109	100,436	86,020	8,671	0	0	838,004
3rd preference (10%)	21,600	20,245	18,828	17,324	15,726	14,029	12,228	1,334	0	0	121,314
4th preference (10%)	70,200	20,245	18,828	17,324	15,726	14,029	12,228	1,334	0	0	169,914
Subtotal (100%)^f	216,000	202,445	188,280	173,237	157,261	140,294	122,276	13,340	0	0	1,213,133
Nonpreference ^g	0	0	0	0	0	0	0	0	0	0	0
Total family-based	453,555	454,165	455,043	455,976	456,967	458,018	548,936	485,322	488,564	496,484	4,753,030
Numerically limited											
4th preference waiting list reduction ^h	^h	30,000	30,000	30,000	^h	^h	^h	^h	^h	^h	90,000
IRCA nonpreference ⁱ	15,000										15,000
Pilot diversity program ^l	10,000	10,000									20,000
Other ⁱ											0
All other exempt immigrants ^l	2,057	2,057	2,057	2,057	2,057	2,057	2,057	2,057	2,057	2,057	20,570
Subtotal	27,057	42,057	32,057	32,057	2,057	2,057	2,057	2,057	2,057	2,057	145,570
Independent immigrants											
1st preference (5%) ^j	3,646	6,000	6,000	6,000	7,500	7,500	7,500	7,500	7,500	7,500	66,646
2nd preference (23%)	27,000	27,600	27,600	27,600	34,500	34,500	34,500	34,500	34,500	34,500	316,800
3rd preference (23%)	27,000	27,600	27,600	27,600	34,500	34,500	34,500	34,500	34,500	34,500	316,800
4th preference (4%) ^k	^e	5,000	5,000	5,000	6,000	6,000	6,000	6,000	6,000	6,000	51,000
5th preference (45%) ^l	^e	53,800	53,800	53,800	67,500	67,500	67,500	67,500	67,500	67,500	566,400
Subtotal (100%) ^m	57,646	120,000	120,000	120,000	150,000	150,000	150,000	150,000	150,000	150,000	1,317,646
Grand total	538,258	616,222	607,100	608,033	609,024	610,075	700,993	637,379	640,621	648,541	6,216,646
Per country limitⁿ											
Foreign state	20,000	22,571	21,580	20,527	21,508	20,321	19,059	11,434	10,500	10,500	178,000
Dependent area	5,000	6,449	6,166	5,865	6,145	5,806	5,446	3,267	3,000	3,000	50,144
Family preferences^o											
Foreign state (7%)	16,000	14,171	13,180	12,127	11,008	9,821	8,559	934	0	0	85,800
Dependent area (2%)	4,000	4,049	3,766	3,465	3,145	2,806	2,446	267	0	0	23,944
Independent immigrants^p											
Foreign state (7%)	4,000	8,400	8,400	8,400	10,500	10,500	10,500	10,500	10,500	10,500	92,200
Dependent area (2%)	1,000	2,400	2,400	2,400	3,000	3,000	3,000	3,000	3,000	3,000	26,200

^aAssumes no change in the 440,000 limit. Excludes refugees, asylees, and their dependents.

Appendix II
Details of Our Projections Under Current
Law and S. 358

^bImmediate relatives are spouses of citizens, children (unmarried and under 21) of citizens, and parents of citizens 21 and older. We have also included fiance and fiancée adjustments, children admitted on the basis of a prior immediate-relative visa issued to an accompanying parent, and children born to permanent residents during a temporary visit abroad.

^cImmediate relatives whom we project will be petitioned for by beneficiaries under the Immigration Reform and Control Act of 1986 (Public Law 99-603).

^dWe assumed that each of the 53,800 selected immigrants would become naturalized and 64,800 of their spouses and children would become immediate-relative immigrants each year; this is the approximate ratio of actual workers to beneficiaries under the 3rd and 6th preferences under current law.

^eNot applicable.

^fThe family-preference limitation under S. 358 for any given fiscal year is calculated by subtracting from 440,000 the amount of immediate-relative immigration and similar immigration that occurred during the previous fiscal year. For example, the limit during fiscal year 1994 was calculated as follows: 440,000 minus 282,739 equals 157,261. The 4th and 5th family preferences under current law, with some changes, are redesignated the 3rd and 4th preferences under S. 358, and we have reflected that change in this table. The percentage listed next to each preference is the initial visa availability under S. 358; they can be compared with the initial visa availability under current law. Our projections under each family-preference class, however, translate our projections under current law and the falldown of unused numbers to the extent they can be accommodated by available visa numbers.

^gNonpreference visas would no longer be made available under S. 358.

^hThese visa numbers would be made available only during 1991-93 to reduce the 4th preference waiting list (termed the 5th preference under current law) and are not subject to per country limits.

ⁱTaken from table II.3.

^jRefers to "special immigrants." During fiscal year 1990, they are the same as those in table II.3 and exempt from numerical limits. Under S. 358, some—ministers of religion and employees or former employees of the U.S. government—would be numerically limited.

^kS. 358 specifies this number shall be the greater of 4 percent of total independent immigrants (4,800) or 5,000, and we have assumed the latter.

^lRefers to "selected immigrants," a new class for which there is no equivalent under current law. Under S. 358, visa numbers allocated for independent immigrants that are not used by higher preferences would fall directly to the independent 5th preference (special immigrants) and could not be used by other preferences. Since there is no basis for estimating unused visa numbers in higher preferences, no estimates of the falldown of unused numbers have been used in projecting this class, and the 45-percent value we have listed represents this distribution. Under S. 358, selected immigrants would receive, in addition to those we have projected, unused visas from higher independent preferences. No percentage is specified in S. 358 for selected immigrants, in contrast to the other preference classes.

^mThe 3rd and 6th occupational preferences under current law, with some changes, are redesignated the 2nd and 3rd independent preferences, respectively, under S. 358. The independent 4th preference refers to "employment creation" visas that would be made available to investors and is a new class for which there is no equivalent under current law. Visa numbers that were unused by selected immigrants would be made available for use by family-preference immigrants during the following fiscal year. We have assumed that independent immigrants will use all the visa numbers available to them.

ⁿDuring 1990, per country limits are fixed at 20,000 under current law. During 1991-99, per country limits are a percentage of total family-preference and independent-immigrant limits and can fluctuate because of possible reductions in the family-preference limit and changes in either the 440,000 limit used to calculate family-preference immigration or the independent-immigrant per-country limits.

^oWe have assumed a 16,000 per country limit for family-preference immigrants (and 4,000 for a dependency) during 1990 under current law. The per country limit is a percentage of the annual family-preference limit (7 percent for a foreign state and 2 percent for a dependency) during 1991-99 under S. 358.

^pWe have assumed a 4,000 per country limit for the labor-market preferences (and 1,000 for a dependency) during 1990 under current law. The per country limit is 7 percent of the annual independent-immigrant limit for a foreign state, 2 percent for a dependency, during 1991-99 under S. 358.

Appendix II
Details of Our Projections Under Current
Law and S. 358

The family-preference limit for a given year is calculated by subtracting the amount of immediate-relative immigration that occurred during the previous fiscal year from 440,000. For example, the 140,294 family-preference limit we projected for fiscal year 1995 in table II.4 was calculated by subtracting 299,706 (total projected immediate-relative immigration during fiscal year 1994) from 440,000.

Our second projection, which increased the 440,000 limit by 5 percent annually in fiscal years 1994 and 1997, is shown in table II.5. Our third projection, shown in table II.6, increased the 440,000 limit by 5 percent annually beginning in fiscal year 1994. We note that this latter projection, made at the request of the subcommittee, would require approval by the Congress by joint resolution, because the increase would be greater than 5 percent during a 3-year period.

Table II.5: Projected Family-Based Immigration Under S. 358, Assuming a 5-Percent Increase in the 440,000 Limit in 1994 and 1997

Immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
Immediate relative	237,555	251,720	266,763	282,739	299,706	317,724	426,660	471,982	488,564	496,484	3,539,897
Family preference											
1st preference (15%)	11,600	11,600	11,700	11,700	11,700	11,800	11,800	8,766	1,968	0	92,634
2nd preference (65%)	112,600	150,355	138,924	126,889	131,709	118,036	103,620	37,986	8,526	0	928,645
3rd preference (10%)	21,600	20,245	18,828	17,324	17,926	16,229	14,428	5,844	1,312	0	133,736
4th preference (10%)	70,200	20,245	18,828	17,324	17,926	16,229	14,428	5,844	1,312	0	182,336
Subtotal (100%)^a	216,000	202,445	188,280	173,237	179,261	162,294	144,276	58,440	13,118	0	1,337,351
Grand total	453,555	454,165	455,043	455,976	478,967	480,018	570,936	530,422	501,682	496,484	4,877,248
Per country limit ^b											
Foreign state (7%)	16,000	14,171	13,180	12,127	12,548	11,360	10,099	4,091	918	0	94,494
Dependent area (2%)	4,000	4,049	3,766	3,465	3,585	3,246	2,886	1,169	262	0	26,428

^aPercentages for each preference class refer to the initial visa availability from among subtotal family preferences. Our projections under each family-preference class, however, translate our projections under current law and the falldown of unused numbers to the extent they can be accommodated by available visa numbers.

^bFor 1990, we have assumed that the annual per country limit is 16,000, in accordance with our estimates of average visa use for high-demand countries under current law. For 1991-99, the annual per country limit is a percentage of total annual family-preference immigration and can fluctuate because of possible reductions in the family-preference limit and changes in the 440,000 limit. There are no limits on immediate-relative immigration under current law or S. 358.

Appendix II
Details of Our Projections Under Current
Law and S. 358

Table II.6: Projected Family-Based Immigration Under S. 358, Assuming a 5-Percent Annual Increase in the 440,000 Limit Beginning in Fiscal Year 1994

Immigrant classes	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
Immediate relative	237,555	251,720	266,763	282,739	299,706	317,724	426,660	471,982	488,564	496,484	3,539,897
Family preference											
1st preference (15%)	11,600	11,600	11,700	11,700	11,700	11,800	11,800	11,900	11,900	11,900	117,600
2nd preference (65%)	112,600	150,355	138,924	126,889	131,709	136,516	141,505	74,631	59,766	68,962	1,141,857
3rd preference (10%)	21,600	20,245	18,828	17,324	17,926	18,539	19,163	10,816	8,958	10,108	163,507
4th preference (10%)	70,200	20,245	18,828	17,324	17,926	18,539	19,163	10,816	8,958	10,108	212,107
Subtotal (100%)^a	216,000	202,445	188,280	173,237	179,261	185,394	191,631	108,163	89,582	101,078	1,635,071
Grand total	453,555	454,165	455,043	455,976	478,967	503,118	618,291	580,145	578,146	597,562	5,174,968
Per country limit ^b											
Foreign state (7%)	16,000	14,171	13,180	12,127	12,548	12,978	13,414	7,571	6,271	7,075	115,335
Dependent area (2%)	4,000	4,049	3,766	3,465	3,585	3,708	3,833	2,163	1,792	2,022	32,383

^aPercentages for each preference class refer to the initial visa availability from among subtotal family preferences. Our projections under each family-preference class, however, translate our projections under current law and the falldown of unused numbers to the extent they can be accommodated by available visa numbers.

^bFor 1990, we have assumed that the annual per country limit is 16,000, in accordance with our estimates of average visa use for high-demand countries under current law. For 1991-99, the annual per country limit is a percentage of total annual family-preference immigration and can fluctuate because of possible reductions in the family-preference limit and changes in the 440,000 limit. There are no limits on immediate-relative immigration under current law or S. 358.

Labor-Market-Based Immigration Under S. 358

Immigration under labor-market or occupational preferences under S. 358 would occur through several classes included within a new category of "independent immigrants." We projected that immigration under these classes would occur according to initial visa availability during 1991-99 for two reasons. First, the definitions for what are now the third and sixth occupational preferences would be changed under S. 358. There would also be two new classes—employment creation (for investors) and "selected immigrants"—for which there are no parallels in current or previous law.

Second, as a consequence of the changes in definitions and the new classes, there is no basis for predicting the possible falldown of visas because there is no experience with the new demand. We note that under S. 358, unused visas within the independent immigrant category would fall directly to the selected-immigrant class. For example, unused third preference visas could be used only by selected immigrants, and not by an intermediate class. Visas that were not used by selected immigrants would be made available to family-preference immigrants during

the next fiscal year. We have assumed that independent immigrants would use all visas made available to them.

Immigration From High-Demand Countries

Immigration From High-Demand Countries Under Current Law

Under current law, immigration is concentrated among certain countries. For example, in fiscal year 1987, 55 percent of the immediate-relative immigrants admitted to the United States were from 8 countries. These same countries accounted for nearly 50 percent of family-preference immigration in that year. For our projections, we defined a "high-demand" country as one that (1) was one of the 7 countries (plus 1 dependency) with the highest levels of immediate-relative immigration during fiscal year 1987 and (2) is generally likely to use all the family-preference visas made available to that country up to the maximum per country limit during 1990-99.

We identified 7 such countries (plus the dependency) and assumed their family-preference visa use would average approximately 16,000 annually per country when grouped for purposes of analysis. These countries are China, the Dominican Republic, Great Britain, India, Mexico, the Philippines, and South Korea and the dependency of Hong Kong.¹⁰ We assumed these countries would each generally use an average of 16,000 family-preference visas annually under current law because this distribution is generally required for high-demand countries under section

¹⁰Although Great Britain is not likely to use the maximum number of family-preference visas, we included it as a high-demand country because it is one of the 7 countries with the highest levels of immediate-relative immigration and it is the governing area to which family-preference visas from Hong Kong, a high-demand dependency, are charged. The per country limit for a dependency increased to 5,000 in fiscal year 1988, and Hong Kong's waiting list indicates that its family-preference immigration will increase Great Britain's visa use. We believe that potential overestimates for Great Britain would be counteracted by potential underestimates of family-preference visa use by the remaining high-demand countries. Because of the sizes of their waiting lists, Jamaica and Taiwan might also join this group in the near future. Although family-preference immigration from Jamaica is currently relatively high, Jamaica is not one of the 7 countries with the highest levels of immediate-relative immigration. Vietnam, with 121,884 qualified applicants on the January 1989 waiting list, could also become a high-demand country if regular diplomatic relations with the United States were resumed.

202(e) of the Immigration and Nationality Act.¹¹ Because we lack comprehensive information about the demand for immigration from other countries, we treated all remaining countries as a residual category representing some combination of immigration from the remaining 167 countries of the world.

Our findings represent these 8 countries as a group, not as individual countries, but we present country projections to illustrate how we calculated the totals. As we show later in this appendix, aggregating these country-level projections is a reasonable method of minimizing the potential variation in our overall projections.

The group of 8 high-demand countries we identified accounted for about 55 percent of immediate-relative immigration during fiscal year 1987.¹² We projected that immediate-relative immigration for most of these countries will increase by an average of 6.2 percent annually during 1990-99 for four reasons, although the average increase for most of these countries in recent years has been well above 6.2 percent.¹³ First, the 6.2-percent figure reflects long-term, average, worldwide growth. Second, it is highly unlikely that future annual immediate-relative immigration from these countries would average less than 6.2 percent,

¹¹When 20,000 visas are made available to a country during a given fiscal year, section 202(e) requires that visas be made available during the next fiscal year in the order of percentage allocations to each preference class, as noted in chapter 3. This guarantees that 20 percent of the visas will be made available to the first preference, 26 percent to the second preference, 10 percent to the third preference, 10 percent to the fourth preference, 24 percent to the fifth preference, and 10 percent to the sixth preference. For the high-demand countries we studied, the visa distribution rules in recent years have generally alternated between sections 202(e) and 203(a)—availability in the order of demand by preference—because of varying demand in some preference classes. The consequence is that during some years, family-preference immigration among these countries exceeds 16,000 annually. However, because the distribution of 16,000 is so frequently required by section 202(e), we believe it provides a realistic basis for assuming a 16,000 annual average for most of these countries under current law.

¹²According to Department of State data for fiscal year 1987, these amounts were Mexico, 46,326; the Philippines, 28,651; South Korea, 15,862; the Dominican Republic, 9,346; India, 7,839; China 6,624; Great Britain, 6,490; and Hong Kong, 1,405.

¹³The average growth rates during 1970-87 were China, 9.1 percent; the Dominican Republic, 12.0 percent; Great Britain, 2.2 percent; Hong Kong, 11.1 percent; India, 17.8 percent; South Korea, 8.8 percent; Mexico, 6.3 percent; and the Philippines, 8.7 percent, or 9.5 percent overall. We projected immediate-relative immigration during 1990-99 for these countries by increasing their fiscal year 1987 levels by 6.2 percent annually (beginning in fiscal year 1990), except for Great Britain, for which we used a 2.2-percent growth rate. We note that most of the average growth rates that greatly exceed 6.2 percent are based on numbers that are relatively small, while the larger base numbers (Mexico, South Korea, and the Philippines) reflect average growth rates that are closer to 6.2 percent.

**Appendix II
Details of Our Projections Under Current
Law and S. 358**

Table II.7: Projected Family-Based Immigration for High-Demand Countries Under Current Law^a

Country and immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
China											
Immediate relative ^b	7,035	7,471	7,934	8,426	8,949	9,504	10,093	11,287	13,798	14,653	99,150
Family preference	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	160,000
Total	23,035	23,471	23,934	24,426	24,949	25,504	26,093	27,287	29,798	30,653	259,150
Dominican Republic											
Immediate relative	9,925	10,540	11,194	11,888	12,625	13,408	14,239	15,122	16,059	17,055	132,055
Family preference	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	160,000
Total	25,925	26,540	27,194	27,888	28,625	29,408	30,239	31,122	32,059	33,055	292,055
United Kingdom											
Great Britain											
Immediate relative	6,571	6,716	6,863	7,014	7,169	7,326	7,488	7,652	7,821	7,993	72,612
Family preference	12,000	12,000	12,000	12,000	12,000	12,000	12,000	13,000	16,000	16,000	129,000
Hong Kong											
Immediate relative	1,492	1,585	1,683	1,787	1,898	2,016	2,141	1,706	0	0	14,306
Family preference ^c	4,000	4,000	4,000	4,000	4,000	4,000	4,000	3,000	0	0	31,000
Subtotal											
Immediate relative	8,063	8,300	8,546	8,801	9,066	9,342	9,628	9,358	7,821	7,993	86,918
Family preference	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	160,000
Total	24,063	24,300	24,546	24,801	25,066	25,342	25,628	25,358	23,821	23,993	246,918
India											
Immediate relative	8,325	8,841	9,389	9,971	10,590	11,246	11,943	12,684	13,470	14,306	110,766
Family preference	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	160,000
Total	24,325	24,841	25,389	25,971	26,590	27,246	27,943	28,684	29,470	30,306	270,766
Mexico											
Immediate relative	49,198	52,248	55,488	58,928	62,581	66,461	70,582	74,958	79,606	84,541	654,592
Family preference	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	160,000
Total	65,198	68,248	71,488	74,928	78,581	82,461	86,582	90,958	95,606	100,541	814,592
Philippines											
Immediate relative	30,427	32,313	34,317	36,445	38,704	41,104	43,652	46,359	49,233	52,285	404,839
Family preference	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	160,000
Total	46,427	48,313	50,317	52,445	54,704	57,104	59,652	62,359	65,233	68,285	564,839
South Korea											
Immediate relative	16,845	17,889	18,999	20,176	21,427	22,756	24,167	25,665	27,256	28,946	224,127
Family preference	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	160,000
Total	32,845	33,889	34,999	36,176	37,427	38,756	40,167	41,665	43,256	44,946	384,127
Subtotal											
Immediate relative	129,818	137,604	145,867	154,636	163,943	173,820	184,304	195,433	207,243	219,779	1,712,447

(continued)

**Appendix II
Details of Our Projections Under Current
Law and S. 358**

Country and immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
Family preference	112,000	112,000	112,000	112,000	112,000	112,000	112,000	112,000	112,000	112,000	1,120,000
Total	241,818	249,604	257,867	266,636	275,943	285,820	296,304	307,433	319,243	331,779	2,832,447
All other countries											
Immediate relative	107,737	114,116	120,896	128,103	135,763	143,904	152,556	161,749	171,521	181,905	1,418,250
Family preference	104,000	104,000	104,000	104,000	104,000	104,000	104,000	104,000	104,000	104,000	1,040,000
Total	211,737	218,116	224,896	232,103	239,763	247,904	256,556	265,749	275,521	285,905	2,458,250
Grand total											
Immediate relative	237,555	251,720	266,763	282,739	299,706	317,724	336,860	357,182	378,764	401,684	3,130,697
Family preference	216,000	216,000	216,000	216,000	216,000	216,000	216,000	216,000	216,000	216,000	2,160,000
Total	453,555	467,720	482,763	498,739	515,706	533,724	552,860	573,182	594,764	617,684	5,290,697
Per country limit ^d											
Foreign state	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	160,000
Dependent area	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	40,000

^aThese projections do not include immediate-relative immigration expected to result during 1996-99 from petitioning by beneficiaries of the Immigration Reform and Control Act of 1986. Some immigrant classes that would be counted against the per country limits, such as suspension of deportation and nonpreference class under the 1986 act, have also not been included because they are relatively small and would unnecessarily complicate our projections. We intend these data to constitute a projection for the 8 countries as a group and not as individual countries, because the latter are likely to exhibit very uneven patterns of growth, and we have reported the country-level data only to illustrate the process of calculation. We think the amounts of growth we have projected for each country will, when aggregated, represent the average annual growth that is likely to occur among these countries as a group. We have assumed a 6.2-percent annual growth rate for each country with the exception of Great Britain, where we assumed a 2.2-percent annual growth rate. The numbers in some rows and columns may not add exactly to the totals shown because of rounding.

^bBecause Hong Kong becomes part of China in July 1997, we have added 568 (25 percent of Hong Kong's projected 2,274 immediate-relative immigration in 1997) to our projections for China in 1997, and all of it thereafter (2,415 in 1998 and 2,564 in 1999).

^cFamily-preference immigration from Hong Kong is not subject to a dependency limitation after July 1997.

^dThe annual per country limit applies only to family-preference immigration; there are no limits on immediate-relative immigration. It is possible for a country to use more than 16,000 family-preference visas annually, but we think this is unlikely to occur consistently because a 16,000 family preference distribution is required when 20,000 visas are made available to a country during the previous fiscal year. During 1990-99, we have assumed that the annual per country limit is 16,000, in accordance with our estimates of average visa use for high-demand countries under current law. There are no limits on immediate-relative immigration under current law.

although their individual yearly fluctuations are likely to be considerable.¹⁴ Third, using a 6.2-percent growth rate tempers the exaggeration

¹⁴A review of immediate-relative immigration for each of these countries in recent years indicated wide variation in the changes in totals among these countries in the same year and wide variation in the changes in totals from year to year in the same country. We also note that numerous special factors (such as political or economic developments within these countries) can influence immediate-relative immigration. We think that immediate-relative immigration from any of these countries will be erratic and very difficult to predict accurately for any given year and that a 6.2 percent average growth rate is reasonable.

that could result by assuming that per country immigration would systematically increase each year at relatively high rates that exceed the worldwide average. Moreover, we have no basis for assuming that the maximum values we could have used would necessarily be the most likely values. Fourth, as we show later in this appendix, underestimating per country levels of immediate-relative immigration would not significantly affect the degree to which we can compare immigration from high-demand countries under current law and S. 358. Our annual projections of family-preference immigration for high-demand countries during 1990-99 under current law are shown in table II.7.

Table II.7 should be interpreted as follows. The 1990 figures for immediate-relative immigration in each country represent a 6.2-percent increase over the fiscal year 1987 levels (except Great Britain, for which we assumed a 2.2-percent increase).¹⁵ For example, China's 6,624 fiscal year 1987 level has been increased by 411 (6.2 percent) to 7,035 for 1990 and by 6.2 percent annually thereafter. Immediate-relative immigration from each country is then added, collectively equaling 129,818, as shown in the column for 1990. This figure is subtracted from the total 237,555 immediate-relative immigrants we projected that year (taken from table II.3), which yields our estimate of 107,737 for all other countries for 1990.

Note that our projections of immediate-relative immigration in table II.7 do not include immediate-relative immigration expected to result from petitioning by beneficiaries of the 1986 act, which we projected would occur during 1996-99. We did not include projections of immediate relatives by country under the 1986 act for two reasons. First, as we show in this appendix, such projections are relatively insignificant for comparing family-preference immigration under current law and S. 358 for these 8 high-demand countries. Second, we believe such projections would be difficult to reliably quantify on an annual basis.¹⁶

We have assumed family-preference immigration will be 16,000 annually for each high-demand country under current law during 1990-99.

¹⁵The 6.2-percent increase is consistent with our worldwide projection of immediate-relative immigration, which assumes that a 6.2-percent growth rate will resume in 1990.

¹⁶If past rates of naturalization and petitioning continue, the 150,000 immediate relative immigrants we projected to result during 1996-99 would originate from several of the "high-demand" countries we identified, as follows: the Dominican Republic, 0.7 percent; Mexico, 48.9 percent; the Philippines, 2.7 percent; and South Korea, 1.7 percent. For further details, see Warren, 1988a.

Immigration From High-
Demand Countries Under
S. 358

Using our projections for the high-demand countries under current law during 1990-99 as a point of reference, we calculated the amounts by which their family-preference immigration would be reduced under each of our three projections of S. 358 as a consequence of projected increases in immediate-relative immigration.

Family-preference immigration under S. 358 would be reduced in two different ways compared with current law, under which there are no provisions for reduction as a consequence of increased immediate-relative immigration. First, an initial per country reduction would occur for all countries because of the decreasing annual family-preference limitation, which results from increases in immediate-relative immigrations. That is, the per country limit of 7 percent would be applied to decreasing annual projected amounts of family-preference immigration during 1991-99, in contrast with a fixed 16,000 limit under current law. (See family-preference immigration rows in tables II.3 and II.4.) Second, an additional per country reduction would occur (in varying amounts) if a particular country's level of immediate-relative immigration exceeded certain limits. The latter reduction is derived by subtracting increases in immediate-relative immigration from a particular country's per-country limit, using criteria that must be applied separately to each country.¹⁷ We calculated and applied these additional reductions to the 8 high-demand countries, and the results are shown in tables II.8-II.10.

¹⁷This additional reduction would occur if during fiscal year 1991 or thereafter, the number of immediate relatives exceeds the greater of (1) the per country limit during that fiscal year or (2) the number of such immigrants in fiscal years 1989 or 1990. The reduction, which would be the amount of that increase, would be applied during the next fiscal year. However, the reduction could not exceed 50 percent of the per country limit during the year in which the reduction was applied.

**Appendix II
Details of Our Projections Under Current
Law and S. 358**

Table II.8: Projected Family-Based Immigration for High-Demand Countries Under S. 358, Assuming No Change in the 440,000 Limit^a

Country and immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
China											
Immediate relative ^b	7,035	7,471	7,934	8,426	8,949	9,504	10,093	11,287	13,798	14,653	99,150
Family preference	16,000	14,171	13,180	12,127	11,008	9,821	8,859	467	0	0	85,633
Total	23,035	21,642	21,114	20,553	19,957	19,325	18,952	11,754	13,798	14,653	184,783
Dominican Republic											
Immediate relative	9,925	10,540	11,194	11,888	12,625	13,408	14,239	15,122	16,059	17,055	132,055
Family preference	16,000	14,171	13,180	12,127	11,008	8,204	5,076	467	0	0	80,233
Total	25,925	24,711	24,374	24,015	23,633	21,612	19,315	15,589	16,059	17,055	212,288
United Kingdom											
Great Britain											
Immediate relative	6,571	6,716	6,663	7,014	7,169	7,326	7,488	7,652	7,821	7,993	72,612
Family preference	12,000	10,122	9,414	8,662	7,863	7,015	5,494	267	0	0	60,837
Hong Kong											
Immediate relative	1,492	1,585	1,683	1,787	1,898	2,016	2,141	1,706	0	0	14,306
Family preference ^c	4,000	4,049	3,766	3,465	3,145	2,806	2,446	200	0	0	23,877
Subtotal											
Immediate relative	8,063	8,300	8,546	8,801	9,066	9,342	9,628	9,358	7,821	7,993	86,918
Family preference	16,000	14,171	13,180	12,127	11,008	9,821	7,940	467	0	0	84,714
Total	24,063	22,471	21,726	20,928	20,074	19,163	17,568	9,825	7,821	7,993	171,632
India											
Immediate relative	8,325	8,841	9,389	9,971	10,590	11,246	11,943	12,684	13,470	14,306	110,766
Family preference	16,000	14,171	13,180	12,127	11,008	9,821	7,134	467	0	0	83,908
Total	24,325	23,012	22,569	22,098	21,598	21,067	19,077	13,151	13,470	14,306	194,674
Mexico											
Immediate relative	49,198	52,248	55,488	58,928	62,581	66,461	70,582	74,958	79,606	84,541	654,592
Family preference	16,000	14,171	10,130	6,064	5,504	4,911	4,280	467	0	0	61,525
Total	65,198	66,419	65,617	64,991	68,085	71,372	74,862	75,425	79,606	84,541	716,117
Philippines											
Immediate relative	30,427	32,313	34,317	36,445	38,704	41,104	43,652	46,359	49,233	52,285	404,839
Family preference	16,000	14,171	11,294	8,237	5,504	4,911	4,280	467	0	0	64,863
Total	46,427	46,484	45,610	44,682	44,208	46,014	47,932	46,826	49,233	52,285	469,702

(continued)

**Appendix II
Details of Our Projections Under Current
Law and S. 358**

Country and immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
South Korea											
Immediate relative	16,845	17,889	18,999	20,176	21,427	22,756	24,167	25,665	27,256	28,946	224,127
Family preference	16,000	14,171	12,136	9,973	7,677	5,239	4,280	467	0	0	69,942
Total	32,845	32,060	31,134	30,150	29,104	27,994	28,446	26,132	27,256	28,946	294,069
Subtotal											
Immediate relative	129,818	137,604	145,867	154,636	163,943	173,820	184,304	195,433	207,243	219,779	1,712,447
Family preference	112,000	99,197	86,279	72,782	62,717	52,727	41,848	3,269	0	0	530,818
Total	241,818	236,801	232,146	227,418	226,659	226,547	226,152	198,702	207,243	219,779	2,243,265
All other countries											
Immediate relative	107,737	114,116	120,896	128,103	135,763	143,904	152,556	161,749	171,521	181,905	1,418,250
Family preference	104,000	103,248	102,001	100,455	94,544	87,567	80,429	10,071	0	0	682,315
Total	211,737	217,364	222,897	228,558	230,308	231,471	232,984	171,820	171,521	181,905	2,100,565
Grand total											
Immediate relative	237,555	251,720	266,763	282,739	299,706	317,724	336,860	357,182	378,764	401,684	3,130,697
Family preference	216,000	202,445	188,280	173,237	157,261	140,294	122,276	13,340	0	0	1,213,133
Total	453,555	454,165	455,043	455,976	456,967	458,018	459,136	370,522	378,764	401,684	4,343,830
Per country limit^d											
Foreign state (7%)	16,000	14,171	13,180	12,127	11,008	9,821	8,559	934	0	0	85,800
Dependent area (2%)	4,000	4,049	3,766	3,465	3,145	2,806	2,446	267	0	0	23,944

^aThese projections do not include immediate-relative immigration expected to result during 1996-99 from petitioning by beneficiaries of the Immigration Reform and Control Act of 1986 and selected immigrants or the 90,000 visas that would be used to reduce the 5th preference waiting list during 1991-93. Some immigrant classes that would be counted against the per country limits, such as suspension of deportation and nonpreference class under the 1986 act, have also not been included because they are relatively small and would unnecessarily complicate our projections. We intend these data to constitute a projection for the 8 countries as a group and not as individual countries, because the latter are likely to exhibit very uneven patterns of growth, and we have reported the country-level data only to illustrate the process of calculation. We think the amounts of growth we have projected for each country will, when aggregated, represent the average annual growth that is likely to occur among these countries as a group. We have assumed a 6.2-percent annual growth rate for each country with the exception of Great Britain, where we assumed a 2.2-percent annual growth rate. The numbers in some rows and columns may not add exactly to the totals shown because of rounding.

^bBecause Hong Kong becomes part of China in July 1997, we have added 568 (25 percent of Hong Kong's projected 2,274 immediate-relative immigration in 1997) to our projections for China in 1997, and all of it thereafter (2,415 in 1998 and 2,564 in 1999).

^cFamily-preference immigration from Hong Kong is not subject to a dependency limitation after July 1997.

^dThe 7-percent annual per country limit (or 2 percent for a dependency) based on total annual family-preference limitation would apply only to family-preference immigration under S. 358 during fiscal years 1991-99. The fixed annual numerical limitations of 16,000 and 4,000 for a foreign state and dependency, respectively, would apply under current law during 1990 only. There are no limits on immediate-relative immigration under current law or S. 358.

**Appendix II
Details of Our Projections Under Current
Law and S. 358**

Table II.9: Projected Family-Based Immigration for High-Demand Countries Under S. 358, Assuming a 5-Percent Increase in the 440,000 Limit in 1994 and 1997^a

Country and immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
China											
Immediate relative ^b	7,035	7,471	7,934	8,426	8,949	9,504	10,093	11,287	13,798	14,653	99,150
Family preference	16,000	14,171	13,180	12,127	12,548	11,360	10,099	4,091	459	0	94,035
Total	23,035	21,642	21,114	20,553	21,497	20,864	20,192	15,378	14,257	14,653	193,185
Dominican Republic											
Immediate relative	9,925	10,540	11,194	11,888	12,625	13,408	14,239	15,122	16,059	17,055	132,055
Family preference	16,000	14,171	13,180	12,127	12,548	11,283	8,051	2,046	459	0	89,865
Total	25,925	24,711	24,374	24,015	25,173	24,691	22,290	17,168	16,518	17,055	221,920
United Kingdom											
Great Britain											
Immediate relative	6,571	6,716	6,863	7,014	7,169	7,326	7,488	7,652	7,821	7,993	72,612
Family preference	12,000	10,122	9,414	8,662	8,963	8,114	7,213	2,225	459	0	67,172
Hong Kong											
Immediate relative	1,492	1,585	1,683	1,787	1,898	2,016	2,141	1,706	0	0	14,306
Family preference ^c	4,000	4,049	3,766	3,465	3,585	3,246	2,886	877	0	0	25,874
Subtotal											
Immediate relative	8,063	8,300	8,546	8,801	9,066	9,342	9,628	9,358	7,821	7,993	86,918
Family preference	16,000	14,171	13,180	12,127	12,548	11,360	10,099	3,102	459	0	93,046
Total	24,063	22,471	21,726	20,928	21,614	20,702	19,727	12,460	8,280	7,993	179,964
India											
Immediate relative	8,325	8,841	9,389	9,971	10,590	11,246	11,943	12,684	13,470	14,306	110,766
Family preference	16,000	14,171	13,180	12,127	12,548	11,360	10,099	2,247	459	0	92,191
Total	24,325	23,012	22,569	22,098	23,138	22,606	22,042	14,931	13,929	14,306	202,957
Mexico											
Immediate relative	49,198	52,248	55,488	58,928	62,581	66,461	70,582	74,958	79,606	84,541	654,592
Family preference	16,000	14,171	10,130	6,064	6,274	5,680	5,050	2,046	459	0	65,872
Total	65,198	66,419	65,617	64,991	68,855	72,141	75,632	77,004	80,065	84,541	720,464
Philippines											
Immediate relative	30,427	32,313	34,317	36,445	38,704	41,104	43,652	46,359	49,233	52,285	404,839
Family preference	16,000	14,171	11,294	8,237	6,530	5,680	5,050	2,046	459	0	69,466
Total	46,427	46,484	45,610	44,682	45,235	46,784	48,702	48,404	49,692	52,285	474,305

(continued)

**Appendix II
Details of Our Projections Under Current
Law and S. 358**

Country and immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
South Korea											
Immediate relative	16,845	17,889	18,999	20,176	21,427	22,756	24,167	25,665	27,256	28,946	224,127
Family preference	16,000	14,171	12,136	9,973	9,217	6,778	5,050	2,046	459	0	75,828
Total	32,845	32,060	31,134	30,150	30,644	29,533	29,216	27,711	27,715	28,946	299,955
Subtotal											
Immediate relative	129,818	137,604	145,867	154,636	163,943	173,820	184,304	195,433	207,243	219,779	1,712,447
Family preference	112,000	99,197	86,279	72,782	72,213	63,501	53,497	17,623	3,213	0	580,304
Total	241,818	236,801	232,146	227,418	236,156	237,321	237,801	213,055	210,456	219,779	2,292,751
All other countries											
Immediate relative	107,737	114,116	120,896	128,103	135,763	143,904	152,556	161,749	171,521	181,905	1,418,250
Family preference	104,000	103,248	102,001	100,455	107,048	98,793	90,780	40,818	9,9050	757,047	
Total	211,737	217,364	222,897	228,558	242,811	242,697	243,335	202,567	181,426	181,905	2,175,297
Grand total											
Immediate relative	237,555	251,720	266,763	282,739	299,706	317,724	336,860	357,182	378,764	401,684	3,130,697
Family preference	216,000	202,445	188,280	173,237	179,261	162,294	144,276	58,440	13,118	0	1,337,351
Total	453,555	454,165	455,043	455,976	478,967	480,018	481,136	415,622	391,882	401,684	4,468,048
Per country limit^d											
Foreign state (7%)	16,000	14,171	13,180	12,127	12,548	11,360	10,099	4,091	918	0	94,494
Dependent area (2%)	4,000	4,049	3,766	3,465	3,585	3,246	2,886	1,169	262	0	26,428

^aThese projections do not include immediate-relative immigration expected to result during 1996-99 from petitioning by beneficiaries of the Immigration Reform and Control Act of 1986 and selected immigrants or the 90,000 visas that would be used to reduce the 5th preference waiting list during 1991-93. Some immigrant classes that would be counted against the per country limits, such as suspension of deportation and nonpreference class under the 1986 act, have also not been included because they are relatively small and would unnecessarily complicate our projections. We intend these data to constitute a projection for the 8 countries as a group and not as individual countries, because the latter are likely to exhibit very uneven patterns of growth, and we have reported the country-level data only to illustrate the process of calculation. We think the amounts of growth we have projected for each country will, when aggregated, represent the average annual growth that is likely to occur among these countries as a group. We have assumed a 6.2-percent annual growth rate for each country with the exception of Great Britain, where we assumed a 2.2-percent annual growth rate. The numbers in some rows and columns may not add exactly to the totals shown because of rounding.

^bBecause Hong Kong becomes part of China in July 1997, we have added 568 (25 percent of Hong Kong's projected 2,274 immediate-relative immigration in 1997) to our projections for China in 1997, and all of it thereafter (2,415 in 1998 and 2,564 in 1999).

^cFamily-preference immigration from Hong Kong is not subject to a dependency limitation after July 1997.

^dThe 7-percent annual per country limit (or 2 percent for a dependency) based on total annual family-preference limitation would apply only to family-preference immigration under S. 358 during fiscal years 1991-99. The fixed annual numerical limitations of 16,000 and 4,000 for a foreign state and dependency, respectively, would apply under current law during 1990 only. There are no limits on immediate-relative immigration under current law or S. 358.

**Appendix II
Details of Our Projections Under Current
Law and S. 358**

Table II.10: Projected Family-Based Immigration for High-Demand Countries Under S. 358, Assuming a 5-Percent Annual Increase in the 440,000 Limit Beginning in 1994^a

Country and immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
China											
Immediate relative ^b	7,035	7,471	7,934	8,426	8,949	9,504	10,093	11,287	13,798	14,653	99,150
Family preference	16,000	14,171	13,180	12,127	12,548	12,978	13,414	7,571	3,136	3,523	108,648
Total	23,035	21,642	21,114	20,553	21,497	22,482	23,507	18,858	16,934	18,176	207,798
Dominican Republic											
Immediate relative	9,925	10,540	11,194	11,888	12,625	13,408	14,239	15,122	16,059	17,055	132,055
Family preference	16,000	14,171	13,180	12,127	12,548	12,901	12,984	6,746	3,136	3,523	107,316
Total	25,925	24,711	24,374	24,015	25,173	26,309	27,223	21,868	19,195	20,578	239,371
United Kingdom											
Great Britain											
Immediate relative	6,571	6,716	6,863	7,014	7,169	7,326	7,488	7,652	7,821	7,993	72,612
Family preference	12,000	10,122	9,414	8,662	8,963	9,270	9,581	5,949	3,136	3,523	80,620
Hong Kong											
Immediate relative	1,492	1,585	1,683	1,787	1,898	2,016	2,141	1,706	0	0	14,306
Family preference ^c	4,000	4,049	3,766	3,465	3,585	3,708	3,833	1,622	0	0	28,028
Subtotal											
Immediate relative	8,063	8,300	8,546	8,801	9,066	9,342	9,628	9,358	7,821	7,993	86,918
Family preference	16,000	14,171	13,180	12,127	12,548	12,978	13,414	7,571	3,136	3,523	108,648
Total	24,063	22,471	21,726	20,928	21,614	22,320	23,042	16,929	10,957	11,516	195,566
India											
Immediate relative	8,325	8,841	9,389	9,971	10,590	11,246	11,943	12,684	13,470	14,306	110,766
Family preference	16,000	14,171	13,180	12,127	12,548	12,978	13,414	7,571	3,136	3,523	108,648
Total	24,325	23,012	22,569	22,098	23,138	24,224	25,357	20,255	16,606	17,829	219,414
Mexico											
Immediate relative	49,198	52,248	55,488	58,928	62,581	66,461	70,582	74,958	79,606	84,541	654,592
Family preference	16,000	14,171	10,130	6,064	6,274	6,489	6,707	3,786	3,136	3,523	76,278
Total	65,198	66,419	65,617	64,991	68,855	72,950	77,289	78,744	82,741	88,064	730,870
Philippines											
Immediate relative	30,427	32,313	34,317	36,445	38,704	41,104	43,652	46,359	49,233	52,285	404,839
Family preference	16,000	14,171	11,294	8,237	6,530	6,489	6,707	3,786	3,136	3,523	79,872
Total	46,427	46,484	45,610	44,682	45,235	47,593	50,359	50,144	52,368	55,808	484,710
South Korea											
Immediate relative	16,845	17,889	18,999	20,176	21,427	22,756	24,167	25,665	27,256	28,946	224,127
Family preference	16,000	14,171	12,136	9,973	9,217	8,396	7,503	3,786	3,136	3,523	87,839
Total	32,845	32,060	31,134	30,150	30,644	31,151	31,670	29,451	30,392	32,469	311,966

(continued)

**Appendix II
Details of Our Projections Under Current
Law and S. 358**

Country and immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
Subtotal											
Immediate relative	129,818	137,604	145,867	154,636	163,943	173,820	184,304	195,433	207,243	219,779	1,712,447
Family preference	112,000	99,197	86,279	72,782	72,213	73,209	74,143	40,816	21,951	24,660	677,248
Total	241,818	236,801	232,146	227,418	236,156	247,029	258,447	236,248	229,194	244,439	2,389,695
All other countries											
Immediate relative	107,737	114,116	120,896	128,103	135,763	143,904	152,556	161,749	171,521	181,905	1,418,250
Family preference	104,000	103,248	102,001	100,455	107,048	112,185	117,488	67,348	67,632	76,419	957,823
Total	211,737	217,364	222,897	228,558	242,811	256,089	270,044	229,097	239,152	258,323	2,376,073
Grand total											
Immediate relative	237,555	251,720	266,763	282,739	299,706	317,724	336,860	357,182	378,764	401,684	3,130,697
Family preference	216,000	202,445	188,280	173,237	179,261	185,394	191,631	108,163	89,582	101,078	1,635,071
Total	453,555	454,165	455,043	455,976	478,967	503,118	528,491	465,345	468,346	502,762	4,765,768
Per country limit^d											
Foreign state (7%)	16,000	14,171	13,180	12,127	12,548	12,978	13,414	7,571	6,271	7,045	115,305
Dependent area (2%)	4,000	4,049	3,766	3,465	3,585	3,708	3,833	2,163	1,792	2,022	32,383

^aThese projections do not include immediate-relative immigration expected to result during 1996-99 from petitioning by beneficiaries of the Immigration Reform and Control Act of 1986 and selected immigrants or the 90,000 visas that would be used to reduce the 5th preference waiting list during 1991-93. Some immigrant classes that would be counted against the per country limits, such as suspension of deportation and nonpreference class under the 1986 act, have also not been included because they are relatively small and would unnecessarily complicate our projections. We intend these data to constitute a projection for the 8 countries as a group and not as individual countries, because the latter are likely to exhibit very uneven patterns of growth, and we have reported the country-level data only to illustrate the process of calculation. We think the amounts of growth we have projected for each country will, when aggregated, represent the average annual growth that is likely to occur among these countries as a group. We have assumed a 6.2-percent annual growth rate for each country with the exception of Great Britain, where we assumed a 2.2-percent annual growth rate. The numbers in some rows and columns may not add exactly to the totals shown because of rounding.

^bBecause Hong Kong becomes part of China in July 1997 we have added 568 (25 percent of Hong Kong's projected 2,274 immediate-relative immigration in 1997) to our projections for China in 1997 and all of it thereafter (2,415 in 1998 and 2,564 in 1999).

^cFamily-preference immigration from Hong Kong is not subject to a dependency limitation after July 1997.

^dThe 7-percent annual per country limit (or 2 percent for a dependency) based on total annual family-preference limitation would apply only to family-preference immigration under S. 358 during fiscal years 1991-99. The fixed annual numerical limitations of 16,000 and 4,000 for a foreign state and dependency, respectively, would apply under current law during 1990 only. There are no limits on immediate-relative immigration under current law or S. 358.

Tables II.8-II.10 should be interpreted as follows. First, we projected that immediate-relative immigration for each of the 8 high-demand countries would be the same as under current law during 1990-99 (we used the data from table II.7). Note that our projections of immediate-relative immigration do not include aliens whom we projected would become immediate-relative immigrants during 1996-99 as the result of

petitioning by immigrants under the 1986 act who would become naturalized U.S. citizens or selected immigrants who would become naturalized U.S. citizens. We did not include these two groups because such projections are relatively unimportant in comparing family-preference immigration under current law and S. 358 for these 8 countries. Also, regarding the latter, there is no basis for determining the likely countries of origin of selected immigrants.

Although we projected family-preference immigration would be 16,000 annually for each high-demand country during 1990 under current law, the levels are different in each succeeding year because of the reductions in each country's per country limit under S. 358.¹⁸ The per country limits that appear at the bottom of each table (7 percent and 2 percent for a dependent area) represent percentages of total family-preference immigration during each year. For example, in table II.8, the 12,127 per country limit during 1993 is 7 percent of 173,237, the volume of total family-preference immigration during 1993.

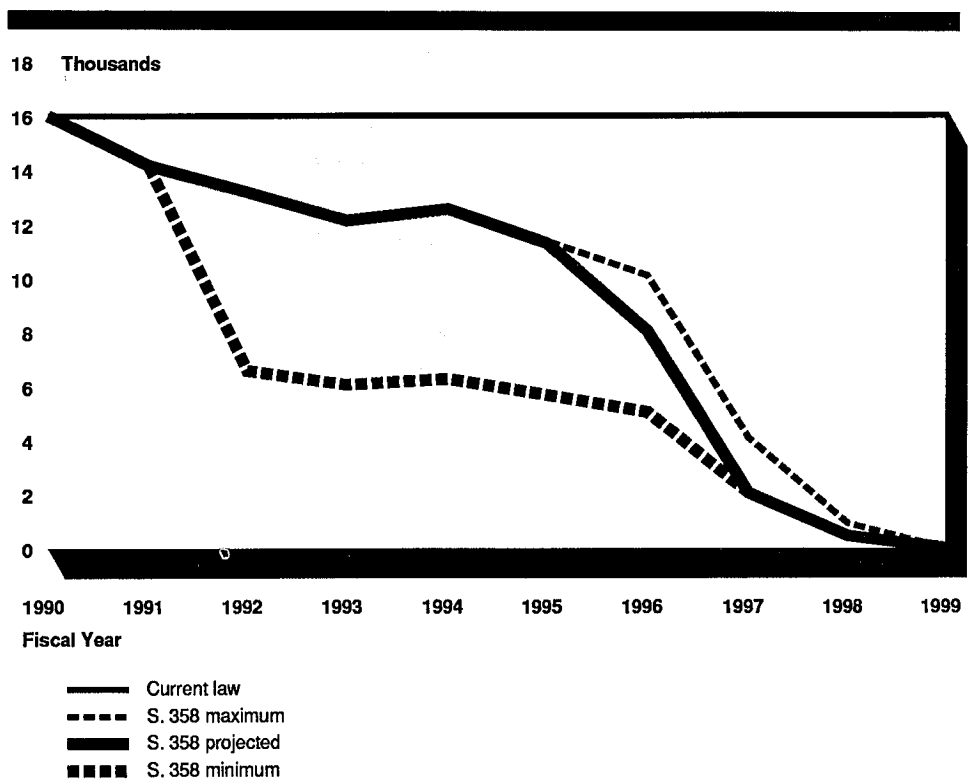
For an individual country, the effects of the provision of S. 358 that can reduce family-preference immigration below the 7-percent per country limit can best be understood by examining projections for 2 high-demand countries, the Dominican Republic and the Philippines. The examples we chose to illustrate these effects assume a 5-percent increase in the 440,000 limit during 1994 and 1997 (taken from table II.9) and represent the maximum increase that would be allowed without congressional approval.

We projected the level of immediate-relative immigration in the Dominican Republic to be lower than that of the per country limits under S. 358 during the first half of the 1990-99 period. The 16,000 annual family-preference immigrants that we projected during 1990-99 (a total of 160,000) under current law are represented by the line extending across the top of figure II.2. As shown in the figure's legend, the dotted line directly below this line represents the projected maximum total per country immigration of 94,494 under S. 358 during 1990-99 (the sum of the per country limits during that period). The dotted line at the bottom

¹⁸We did not include the 90,000 visas that would be used for the reduction of the fifth preference waiting list during 1991-93 because they would result from a unique provision of law and they would not be counted against the per country limits. Because of strong demand for family preference visas among the 8 high-demand countries, it is likely that section 202(e) would be in effect during virtually all years for virtually all the 8 high-demand countries during 1991-99. Consequently, the country-level family-preference visa use that we projected for the 8 high-demand countries under S. 358 is likely to be subject to less variation than our country-level projections under current law. However, we note that our findings represent these countries as a group, not as individual countries.

of figure II.2 represents the projected minimum total per country immigration of 62,333 (the sum of the per country limits during 1990-91 and 50 percent of the per country limits each year during 1992-99).¹⁹ The descending solid line represents our projection of 89,865 total family-preference immigration for the Dominican Republic during 1990-99 under S. 358, assuming a 5-percent increase in the 440,000 limit in 1994 and 1997.

Figure II.2: Projected Family-Preference Immigration From the Dominican Republic^a



^aThis example of a projection of S. 358 assumes a 5-percent increase in the 440,000 limit in 1994 and 1997, the maximum that would be allowed under S. 358 as introduced without congressional approval.

Note that our projected immediate-relative immigration from the Dominican Republic does not exceed the greater of 9,925 (the amount during fiscal year 1990) or the per country limit until 1994, when immediate-

¹⁹The first year a 50-percent reduction could occur would be 1992; in no case would a country's per country limit be reduced by more than 50 percent.

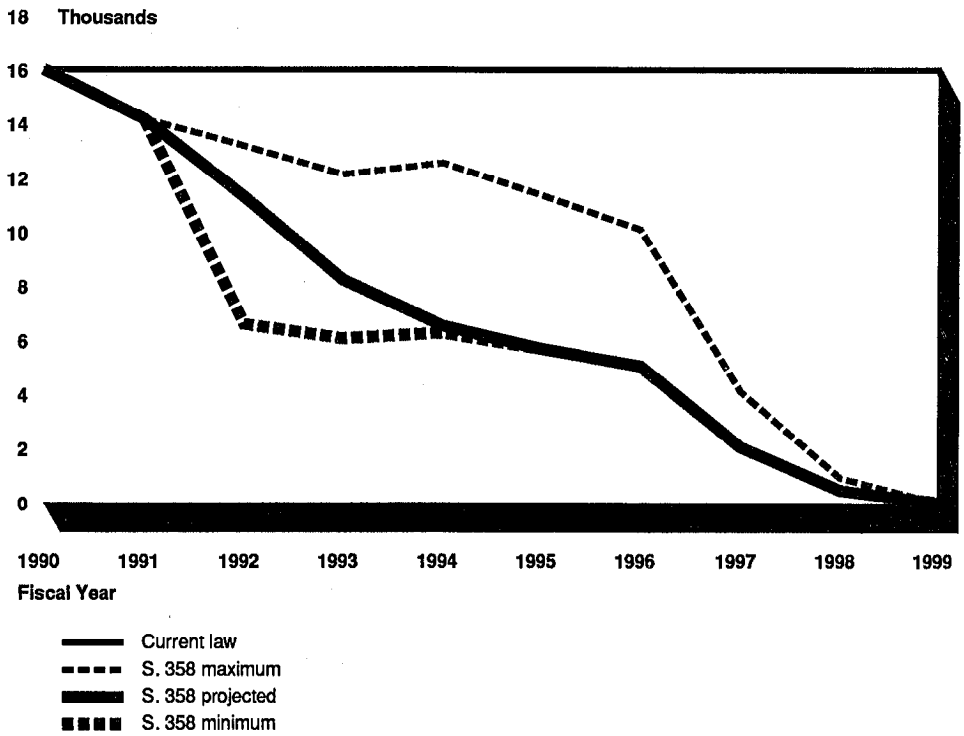
relative immigration is 12,548. The amount of the difference is then subtracted from the next year's per country limit, and the 50-percent minimum family-preference per country limit is not reached until 1997.²⁰ We note that under S. 358, immediate-relative immigration from the Dominican Republic would be allowed to increase up to the per country limit before any reductions in family-preference immigration would occur. We have projected that similar patterns of reduction would occur for China, Great Britain, and India.

In the case of the Philippines, our projections of immediate-relative immigration during 1990-99 are considerably higher than the per country limits during each of these years, as shown in table II.9. The significance of these higher levels of immediate-relative immigration is that family-preference immigration from the Philippines would be reduced immediately, beginning in 1992, reaching the maximum 50-percent reduction in 1995, as shown in figure II.3.²¹ Our projection of 69,466 total family-preference immigrants from the Philippines during 1990-99 is, consequently, closer to the projected total minimum level of 62,333 than was our total projection of 89,865 for the Dominican Republic. We have projected that similar patterns of reduction would occur for Mexico and South Korea.

²⁰Calculating the reduction in the per country limit for family-preference immigrants from the Dominican Republic in 1995 is done as follows. The difference between immediate-relative immigration in 1994 (12,625) and the per country limit in 1994 is 12,625 minus 12,548, or 77. This difference is then subtracted from the 1995 per country limit (11,360 minus 77 equals 11,283). Therefore, family-preference immigration from the Dominican Republic during 1995 would be limited to 11,283.

²¹Calculating the reduction in the per country limit for family-preference immigrants from the Philippines in 1996 is done as follows. The difference between immediate-relative immigration in 1995 and 1990 is 41,104 minus 30,427, or 10,667. The 1996 per country limit of 10,099 cannot be reduced by more than 50 percent, or 5,050. Therefore, the family-preference per country limit for the Philippines in fiscal year 1996 is 5,050.

Figure II.3: Projected Family-Preference Immigration From the Philippines^a



^aThis example of a projection of S. 358 assumes a 5-percent increase in the 440,000 limit in 1994 and 1997, the maximum that would be allowed under S. 358 as introduced without congressional approval.

Limits of Our Analyses

Our comparison of immediate-relative and family-preference immigration under current law and S. 358 has involved three procedures: (1) projecting immediate-relative and preference-system immigration under current law, (2) making comparable projections under S. 358, and (3) quantifying and interpreting the differences. We performed a similar assessment of immediate-relative and family-preference immigration for 8 high-demand countries. The limits of our analyses are discussed below.

Reductions in Family-Preference Immigration Under S. 358

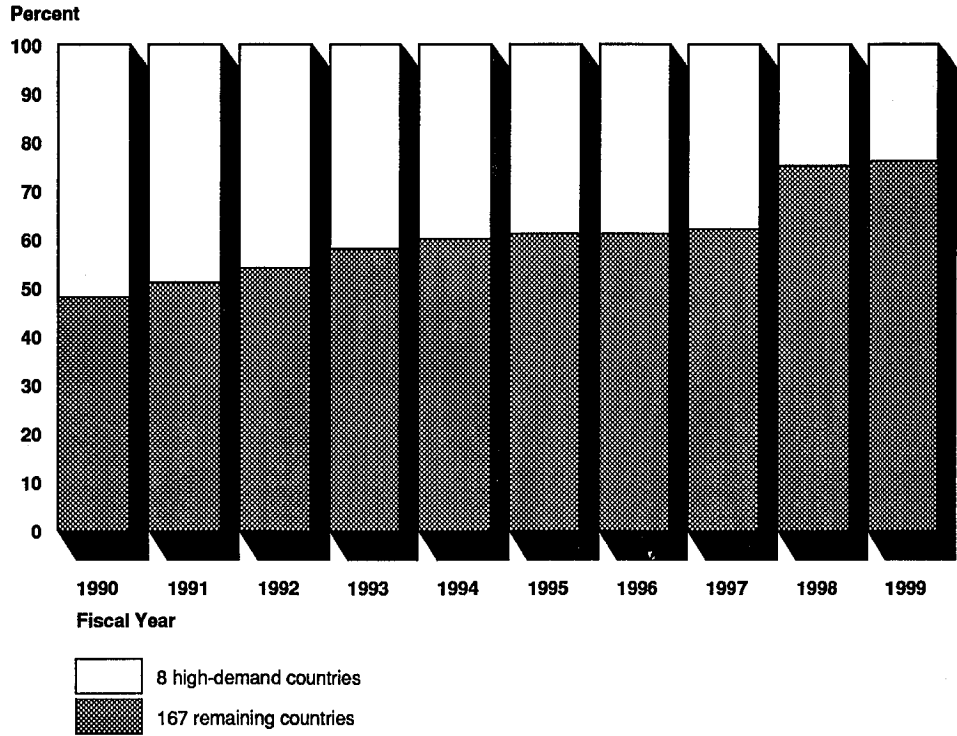
Our general findings—that family-preference immigration is likely to be greatly reduced under S. 358, if not eliminated, and that the 8 high-demand countries would receive a lower proportion of family-preference visas—hold true under several different scenarios. Projections we made under the original bill, S. 2104, were very similar.

The differences in family-preference visa distribution between the 8 high-demand countries (44 percent) and the 167 remaining countries (56 percent) that we reported in table II.8 (assuming no change in the 440,000 limit) could be greater than we have projected, for two reasons. First, we used 6.2 percent rather than higher values in making our projections of immediate-relative immigration from the 8 high-demand countries and, therefore, the distributions above reflect average effects.²²

Second, the 44-percent versus 56-percent distribution is an average for 1990-99, and the projected differences for most individual years are greater. The average 44 versus 56-percent distribution is reached in 1993, the third year that S. 358 as introduced would be in effect. The initial difference of 52 versus 48 percent in 1990 systematically increases each year. We found that during the last year in which family-preference immigration would occur in each of our projections under S. 358, the percentage of family-preference visas that would be made available to the 8 high-demand countries as a group was approximately 24 to 25 percent (1997 in table II.8, 1998 in table II.9, and 1999 in table II.10). An example of this trend is shown in figure II.4, which illustrates the projected annual percentage distribution that would result if the 440,000 annual limit were increased by 5 percent annually beginning in 1994. We note that such an increase would require congressional approval by joint resolution. The corresponding annual numerical distributions are shown in figure II.5 (on page 98).

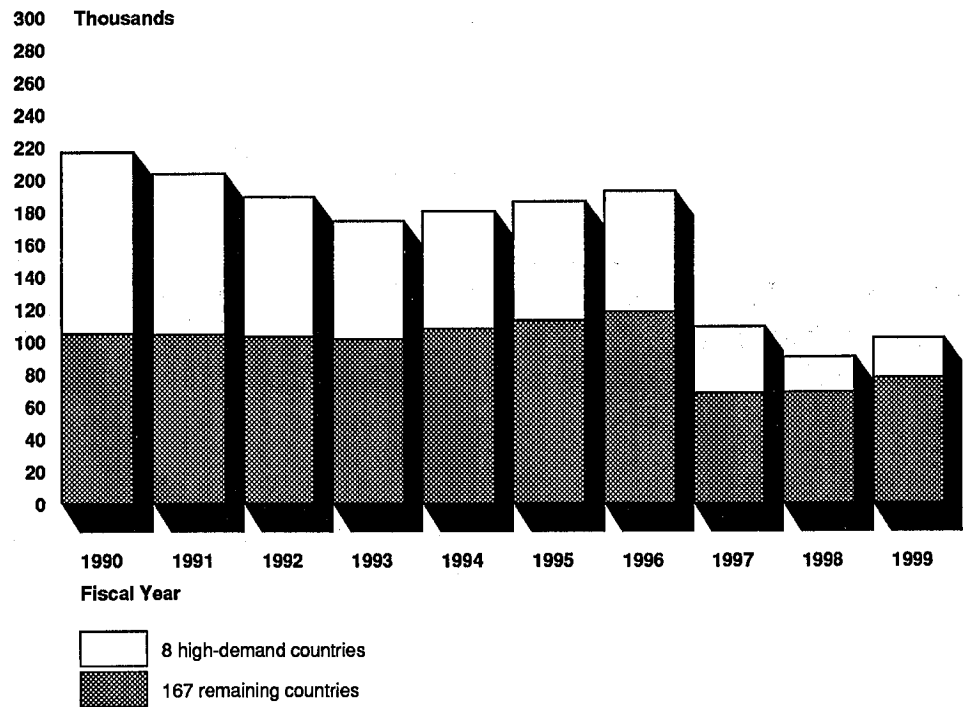
²²In our preliminary findings, we reported an approximate distribution of 40 versus 60 percent for 1990-99 (see GAO, 1989a). After analyzing additional assumptions about projected immediate-relative immigration from the 8 high-demand countries, we revised these preliminary findings slightly to reflect an average estimate of the distribution for 1990-99.

Figure II.4: Projected Annual Percentage
 Distribution of Family-Preference Class
 Visas^a



^aThis example of a projection assumes a 5-percent annual increase in the 440,000 limit beginning in 1994 under S. 358 as introduced. Such an increase would require congressional approval by joint resolution.

Figure II.5: Projected Annual Numerical Distribution of Family-Preference Class Visas^a



^aThis example of a projection assumes a 5-percent annual increase in the 440,000 limit beginning in 1994 under S. 358 as introduced. Such an increase would require congressional approval by joint resolution.

Effects of Underestimating Immediate-Relative Immigration

Underestimating worldwide or per country levels of immediate-relative immigration would not significantly affect the degree to which we can compare immigration from the 8 high-demand countries under current law and S. 358, for two reasons. First, because there are per country limits on family-preference immigration, we were able to quantify the range of these possible differences. If immediate-relative immigration for each of the 8 high-demand countries were higher than we have projected and if each per country limit were, consequently, reduced by 50 percent during 1992-99 (the maximum possible reduction), the 44-percent average distribution we reported for 1990-99 as a whole would be lowered to approximately 33 to 31 percent. Therefore, our projections of immigration from the 8 high-demand countries under S. 358 cannot be underestimated by more than 10 to 12 percent, when viewed against our overall projections of immediate-relative immigration.

Second, by 1996-99, when we project that additional immediate-relative immigration would result from petitioning by beneficiaries of the 1986

act and selected immigrants who became naturalized U.S. citizens, the per country limits in virtually all 8 countries have already been reduced by the 50-percent maximum (with the exception of 5 countries in table II.10). Therefore, the additional immediate-relative immigration we projected for 1996-99 would be insignificant in terms of its likely effect upon the annual volume of family-preference immigration from the 8 high-demand countries.

Effects of Variations in Family-Preference Immigration

Our assumption that each high-demand country we identified would use an average of 16,000 family-preference visas annually under current law during 1990-99 is analogous to our assumption that immediate-relative immigration will increase at a 6.2-percent annual rate. That is, we believe that there will be variation in the changes in totals among these countries in the same year and variation in the changes in totals from year to year in the same country but that an annual average of 16,000 per country is likely because the visa distribution rules required under section 202(e) are likely to apply to most countries during most years.

We believe that variations from the 16,000 average will be the least among Mexico, the Philippines, and South Korea, because section 202(e) is likely to remain in effect during most of 1990-99 as a result of excess demand in nearly all preference-classes. We believe these variations will be the greatest in China, the Dominican Republic, and India, because their waiting lists show there is high demand in the family-preference classes—particularly second and fifth—and relatively little demand in the sixth preference. Insufficient demand in the sixth preference is likely to result in alternation between the visa distribution rules required under sections 202(e) and 203(a), since 20,000 visas could not be allocated among the preference-class percentages each year.

We believe the effects of annual variation in totals among these high-demand countries in the same year and variation in the changes in totals from year to year in the same country will cancel each other out, as explained below. Family-preference visa use by Great Britain (including all dependencies except Hong Kong) during 1988 was about 2,000; family-preference immigration of about 5,500 by Hong Kong that year

increased the total to about 7,500, or 8,500 less than the 16,000 we projected each year under current law during 1990-99.²³ Under these conditions, Great Britain would be projected to use about 7,000 family-preference visas annually (assuming some modest increases in demand), or about 90,000 less than the total 160,000 we projected during 1990-99 shown in table II.7.

We believe this potential overestimate of family-preference visa use by Great Britain would be countered mainly by potential underestimates of family-preference immigration from China, the Dominican Republic, and India. Since it is likely that visa distribution rules would alternate each year between sections 202(e) and 203(a) during 1990-99, up to 4,000 family-preference admissions every other year could result for China, the Dominican Republic, and India, in addition to those we projected.²⁴ These additional admissions could be 20,000 for each of these 3 countries (4,000 times 5 years), or 60,000 overall during 1990-99. We believe that the few years in which section 202(e) may not apply to Mexico, the Philippines, and South Korea would result in family-preference immigration levels greater than 16,000 annually, which would be sufficient to counter the remaining 30,000 of the 90,000 potential overestimate of family-preference immigration from Great Britain.

Under S. 358 as introduced, the lower per country limits would reduce the potential overestimate of family-preference immigration from Great Britain that we described under current law. Because these reductions are fairly large, we do not believe that our potential overestimate of family-preference immigration from Great Britain significantly affects our overall findings for the 8 high-demand countries as a group.

Finally, we note that our projections of family-preference immigration are intended to represent these high-demand countries as a group, not any country separately.

²³Because its waiting list indicates there is relatively little sixth preference demand, it is likely that the visa distribution rules for Hong Kong would alternate yearly between sections 202(e) and 203(a) during 1990-97.

²⁴For example, during 1988, more than 19,000 total family-preference admissions from the Dominican Republic resulted because of high demand in those preferences and because section 202(e) was not in effect. Section 202(e) was in effect for the Dominican Republic in 1989, but it is likely not to apply during fiscal year 1990 because of insufficient demand in the sixth preference.

Projected Immigration Under S. 358 as Amended

Table III.1: Projected Immigration Under S. 358 as Amended^a

Immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
Immediate relative											
Immediate relative ^b	237,555	251,720	266,763	282,739	299,706	317,724	336,860	357,182	378,764	401,684	3,130,697
IRCA beneficiary ^c	0	0	0	0	0	0	25,000	50,000	45,000	30,000	150,000
Selected ^d	na	0	0	0	0	0	64,800	64,800	64,800	64,800	259,200
Subtotal	237,555	251,720	266,763	282,739	299,706	317,724	426,660	471,982	488,564	496,484	3,539,897
Family preference											
1st preference (9%)	11,600	11,600	11,700	11,700	11,700	11,800	11,800	11,900	11,900	11,900	117,600
2nd preference (57%)	112,600	148,414	138,965	130,860	130,760	130,760	130,760	130,660	130,660	130,660	1,315,199
3rd preference (9%)	21,600	21,600	20,545	19,440	19,440	19,440	19,440	19,440	19,440	19,440	199,825
4th preference (25%)	70,200	60,831	57,070	54,000	54,000	54,000	54,000	54,000	54,000	54,000	566,101
Subtotal (100%)^e	216,000	242,445	228,280	216,000	216,000	216,000	216,000	216,000	216,000	216,000	2,198,725
Nonpreference ^f	0	0	0	0	0	0	0	0	0	0	0
Total family-based	453,555	494,165	495,043	498,739	515,706	533,724	642,660	687,982	704,564	712,484	5,738,622
Numerically limited											
IRCA nonpreference ^f	15,000	f	f	f	f	f	f	f	f	f	15,000
Pilot diversity program ^f	10,000	10,000	f	f	f	f	f	f	f	f	20,000
Other ^f	f	f	f	f	f	f	f	f	f	f	0
All other exempt immigrants ^f	2,057	2,057	2,057	2,057	2,057	2,057	2,057	2,057	2,057	2,057	20,570
Subtotal	27,057	12,057	2,057	2,057	2,057	2,057	2,057	2,057	2,057	2,057	55,570
Independent immigrant											
1st preference (2.7%)	3,646	4,050	4,050	4,050	4,050	4,050	4,050	4,050	4,050	4,050	40,096
2nd preference (3.3%)	na	4,950	4,950	4,950	4,950	4,950	4,950	4,950	4,950	4,950	44,550
3rd preference (26.8%)	27,000	40,200	40,200	40,200	40,200	40,200	40,200	40,200	40,200	40,200	388,800
4th preference (26.8%)	27,000	40,200	40,200	40,200	40,200	40,200	40,200	40,200	40,200	40,200	388,800
5th preference (4.5%)	na	6,750	6,750	6,750	6,750	6,750	6,750	6,750	6,750	6,750	60,750
6th preference (35.9%)	na	53,850	53,850	53,850	53,850	53,850	53,850	53,850	53,850	53,850	484,650
Subtotal (100%)^g	57,646	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	1,407,646
Grand total	538,258	656,222	647,100	650,796	667,763	685,781	794,717	840,039	856,621	864,541	7,201,838
Per country limit^h											
Foreign state	20,000	27,471	26,480	25,620	25,620	25,620	25,620	25,620	25,620	25,620	253,291
Dependent area	5,000	7,849	7,566	7,320	7,320	7,320	7,320	7,320	7,320	7,320	71,655
Family preferencesⁱ											
Foreign state (7%)	16,000	16,971	15,980	15,120	15,120	15,120	15,120	15,120	15,120	15,120	154,791
Dependent area (2%)	4,000	4,849	4,566	4,320	4,320	4,320	4,320	4,320	4,320	4,320	43,655
Independent immigrants^j											
Foreign state (7%)	4,000	10,500	10,500	10,500	10,500	10,500	10,500	10,500	10,500	10,500	98,500
Dependent area (2%)	1,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	28,000

(continued)

Appendix III
Projected Immigration Under S. 358
as Amended

^aAmended July 25, 1989. Excludes refugees, asylees, and their dependents. We have assumed that a 480,000 limit would be used to calculate family-preference immigration and that the level of family-preference immigration would not be less than 216,000 annually, in accordance with the amended bill.

^bImmediate relatives are spouses of citizens, children (unmarried and under 21) of citizens, and parents of citizens 21 and older. We have also included fiance and fiancée adjustments, children admitted on the basis of a prior immediate relative visa issued to an accompanying parent, and children born to permanent residents during a temporary visit abroad, because they would be counted for purposes of calculating the level of family-preference immigration.

^cImmediate relatives whom we project will be petitioned for by beneficiaries under the Immigration and Reform Control Act of 1986 (Public Law 99-603).

^dWe assumed that each of the 53,850 selected immigrants would become naturalized and petition for 64,800 dependents, which is the approximate ratio of actual workers to beneficiaries under the 3rd and 6th preferences under current law, and we assumed 64,800 for each year during 1996-99.

^eThe family-preference limit for any given fiscal year is calculated by subtracting from 480,000 the amount of immediate-relative immigration that occurred during the previous fiscal year, but under S. 358 as amended on July 25, 1989, cannot be reduced to less than 216,000. For example, the limit during fiscal year 1992 was calculated as follows: 480,000 minus 251,720 equals 228,280. During 1993-99, the calculated family-preference limitation would be less than 216,000, so 216,000 would apply. The 4th and 5th preferences under current law would be renamed the 3rd and 4th preferences under S. 358, and we have reflected that change in this table. The percentages listed next to each preference are the initial visa availability under S. 358, and we listed them in this fashion to compare them with the initial visa availability under current law. Our projections under each family-preference class, however, translate our projections under current law and the falldown of unused numbers to the extent they can be accommodated by available visa numbers.

^fTaken from table II.3.

^gUnder S. 358, the independent 1st preference refers to "special immigrants." During fiscal year 1990, "special immigrants" are the same as those in table II.3 and exempt from numerical limitations. During 1991-99 under S. 358, some of these special immigrants—such as certain ministers of religion and employees or former employees of the U.S. government—would be numerically limited. The 2nd preference would be "medical personnel for rural areas." The 3rd and 6th occupational preferences would be redesignated the 3rd and 4th independent preferences. The 5th independent preference would be "employment creation" visas, which would be made available to investors, and the 6th preference would be "selected immigrants." Under S. 358, visa numbers allocated for independent immigrants that are not used by higher preferences would fall directly to the independent 6th preference (selected immigrants) and could not be used by other preferences. Since there is no basis for estimating unused visa numbers in higher preferences, no estimates of falldown of unused numbers have been used in projecting the numbers of selected immigrants, and the 35.9-percent value we have listed represents this distribution. Under S. 358, selected immigrants would receive, in addition to those we have projected, unused visas from higher independent preferences. No percentage is specified in S. 358 for selected immigrants, in contrast to other preference classes.

^hDuring 1990, per country limits are fixed at 20,000 under current law. During 1991-99, per country limits are a percentage of total family-preference and independent-immigrant limits and can fluctuate because of possible reductions in the annual family-preference limit and changes in either the 440,000 limit used to calculate family-preference immigration or the independent immigrant limit.

ⁱWe have assumed a 16,000 per country limit for family-preference immigrants (and 4,000 for a dependency) during 1990 under current law. The per country limit is a percentage of the annual family-preference limit (7 percent for a foreign state and 2 percent for a dependency) during 1990-99 under S. 358.

^jWe have assumed a 4,000 per country limit for the labor-market preferences (and 1,000 for a dependency) during 1990 under current law. The per country limit is a percentage of the annual independent immigrant limit (7 percent for a foreign state and 2 percent for a dependency) during 1991-99 under S. 358.

**Appendix III
Projected Immigration Under S. 358
as Amended**

Table III.2: Projected Family-Based Immigration for High-Demand Countries Under S. 358^a

Country and immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
China											
Immediate relative	7,035	7,471	7,934	8,426	8,949	9,504	10,093	10,719	11,383	12,089	93,603
Family preference	16,000	16,971	15,980	15,120	15,120	15,120	15,120	15,120	15,120	15,120	154,791
Total	23,035	24,442	23,914	23,546	24,069	24,624	25,213	25,839	26,503	27,209	248,394
Dominican Republic											
Immediate relative	9,925	10,540	11,194	11,888	12,625	13,408	14,239	15,122	16,059	17,055	132,055
Family preference	16,000	16,971	15,980	15,120	15,120	15,120	15,120	15,120	15,118	14,181	153,850
Total	25,925	27,511	27,174	27,008	27,745	28,528	29,359	30,242	31,177	31,236	285,905
Great Britain											
Immediate relative	6,571	6,716	6,863	7,014	7,169	7,326	7,488	7,652	7,821	7,993	72,612
Family preference	8,440	8,485	7,990	7,560	7,560	7,560	7,560	7,560	7,560	7,560	77,835
Total	15,011	15,201	14,853	14,574	14,729	14,886	15,048	15,212	15,381	15,553	150,447
Hong Kong^b											
Immediate relative	1,492	1,585	1,683	1,787	1,898	2,016	2,141	2,274	2,415	2,564	19,855
Family preference	7,560	8,486	7,990	7,560	7,560	7,560	7,560	7,560	7,560	7,560	76,956
Total	9,052	10,071	9,673	9,347	9,458	9,576	9,701	9,834	9,975	10,124	96,811
India											
Immediate relative	8,325	8,841	9,389	9,971	10,590	11,246	11,943	12,684	13,470	14,306	110,766
Family preference	16,000	16,971	15,980	15,120	15,120	15,120	15,120	15,120	15,120	15,120	154,791
Total	24,325	25,812	25,369	25,091	25,710	26,366	27,063	27,804	28,590	29,426	265,557
Mexico											
Immediate relative	49,198	52,248	55,488	58,928	62,581	66,461	70,582	74,958	79,606	84,541	654,592
Family preference	16,000	16,971	12,070	8,830	7,560	7,560	7,560	7,560	7,560	7,560	99,231
Total	65,198	69,219	67,558	67,758	70,141	74,021	78,142	82,518	87,166	92,101	753,823
Philippines											
Immediate relative	30,427	32,313	34,317	36,445	38,704	41,104	43,652	46,359	49,233	52,285	404,839
Family preference	16,000	16,971	14,094	11,230	9,102	7,560	7,560	7,560	7,560	7,560	105,197
Total	46,427	49,284	48,411	47,675	47,806	48,664	51,212	53,919	56,793	59,845	510,036
South Korea											
Immediate relative	16,845	17,889	18,999	20,176	21,427	22,756	24,167	25,665	27,256	28,946	224,127
Family preference	16,000	16,971	15,062	12,966	11,789	10,538	9,209	7,798	7,560	7,560	115,453
Total	32,845	34,860	34,061	33,142	33,216	33,294	33,376	33,463	34,816	36,506	339,580
Subtotal											
Immediate relative	129,818	137,604	145,867	154,636	163,943	173,820	184,304	195,433	207,243	219,779	1,712,447
Family preference	112,000	118,797	105,146	93,506	88,931	86,138	84,809	83,398	83,158	82,221	938,104
Total	241,818	256,401	251,013	248,142	252,874	259,958	269,113	278,831	290,401	302,000	2,650,551

(continued)

**Appendix III
Projected Immigration Under S. 358
as Amended**

Country and immigrant class	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	1990-99
All other countries											
Immediate relative	107,737	114,116	120,896	128,103	135,763	143,904	152,556	161,749	171,521	181,905	1,418,250
Family preference	104,000	123,648	123,134	122,494	127,069	129,862	131,191	132,602	132,842	133,779	1,260,621
Total	211,737	237,764	244,030	250,597	262,832	273,766	283,747	294,351	304,363	315,684	2,678,871
Grand total											
Immediate relative	237,555	251,720	266,763	282,739	299,706	317,724	336,860	357,182	378,764	401,684	3,130,697
Family preference	216,000	242,445	228,280	216,000	216,000	216,000	216,000	216,000	216,000	216,000	2,198,725
Total	453,555	494,165	495,043	498,739	515,706	533,724	552,860	573,182	594,764	617,684	5,329,422
Per country limit^c											
Foreign state (7%)	16,000	16,971	15,980	15,120	15,120	15,120	15,120	15,120	15,120	15,120	154,791
Dependent area (2%)	4,000	4,849	4,566	4,320	4,320	4,320	4,320	4,320	4,320	4,320	43,655

^aS. 358 as amended July 25, 1989. These projections do not include immediate-relative immigration expected to result during 1996-99 from petitioning by beneficiaries of the Immigration Reform and Control Act of 1986 and "selected immigrants." Some immigrant classes that would be counted against the per country limits, such as suspension of deportation and nonpreference class under the 1986 act, have also not been included because they are relatively small and would unnecessarily complicate our projections. We intend these data to constitute a projection for the 8 countries as a group and not as individual countries, because the latter are likely to exhibit very uneven patterns of growth, and we have reported the country-level data only to illustrate the process of calculation. We think the amounts of growth we have projected for each country will, when aggregated, represent the average annual growth that is likely to occur among these countries as a group. We have assumed a 6.2-percent annual growth rate for each country with the exception of Great Britain, where we assumed a 2.2-percent annual growth rate. As in our projections under current law and S. 358 as originally introduced, we projected that Great Britain and Hong Kong would account together for the maximum number of visa issuances allowed for a single foreign state and that any potential overestimate of family-preference visa use would be counterbalanced by potential underestimates for the remaining high-demand countries. The numbers shown in some rows and columns may not add exactly to the totals shown because of rounding.

^bUnder S. 358 as amended, Hong Kong would become a foreign state in 1990. However, its per country limit would be 3.5 percent of the 270,000 worldwide limit (9,450) during 1990. In accordance with the distribution required by section 202(e) of the Immigration and Nationality Act, we have assumed that family-preference visas would account for 80 percent of Hong Kong's per country limit during 1990, or 7,560. During 1991-99, Hong Kong's family-preference limit would be 3.5 percent of the family-preference limit.

^cThe fixed annual per country limit of 16,000 for a foreign state (and 4,000 for a dependency) would apply under current law during 1990 only. During fiscal years 1991-99, the annual per country limit would be a percentage of total annual family-preference immigration. These annual limitations would be 7 percent per country (2 percent for a dependency). There are no limits on immediate-relative immigration under current law or S. 358 as amended.

Major Contributors to This Report

Program Evaluation and Methodology Division

Robert L. York, Assistant Director
Eric M. Larson, Project Manager
Penny Pickett, Reports Analyst
Angela S. Bourciquot, Information Processing Assistant

Bibliography

Arnold, Fred, et al. "The Potential for Future Immigration to the United States: A Policy Analysis for Korea and the Philippines." East-West Population Institute working paper 48, East-West Center, Honolulu, Hawaii, July 1987.

Bean, Frank D. Unpublished materials submitted to the Program Evaluation and Methodology Division, U.S. General Accounting Office, Washington, D.C., 1988.

Briggs, Jr., Vernon M. Immigration Policy and the American Labor Force. Baltimore: The Johns Hopkins University Press, 1984.

Briggs, Jr., Vernon M. Unpublished materials submitted to the Program Evaluation and Methodology Division, U.S. General Accounting Office, Washington, D.C., 1988.

Cafferty, Pastora San Juan, et al. The Dilemma of American Immigration: Beyond the Golden Door. New Brunswick, N.J.: Transaction Books, 1983.

DiMarzio, Nicholas, and Demetrios G. Papademetriou. "U.S. Immigration Reform: Challenges and Choices for the Future." Migration and Refugee Services, United States Catholic Conference, Washington, D.C., May 1988.

DOL (U.S. Department of Labor). "Projections 2000." Monthly Labor Review, 110:9 (September 1987).

GAO (U.S. General Accounting Office). Immigration: The Future Flow of Legal Immigration to the United States, GAO/PEMD-88-7. Washington, D.C.: January 1988a.

GAO (U.S. General Accounting Office). "Discussion of Proposed Changes to the U.S. Legal Immigration System." Transcript of the meeting of the Immigration Impact Panel, Washington, D.C., September 20, 1988b.

GAO (U.S. General Accounting Office). "Discussion of the Likely Impacts of Proposed Changes to the U.S. Legal Immigration System." Transcript of the meeting of the Immigration Impact Panel, Washington, D.C., November 1-2, 1988c.

GAO (U.S. General Accounting Office). Immigration: Data Not Sufficient for Proposed Legislation, GAO/PEMD-89-8. Washington, D.C.: December 1988d.

GAO (U.S. General Accounting Office). "Immigration: S. 358 Would Change the Distribution of Immigrant Classes," GAO/T-PEMD-89-1. Statement of Eleanor Chelimsky before the Senate Subcommittee on Immigration and Refugee Affairs, Washington, D.C., March 1989a.

GAO (U.S. General Accounting Office). Immigration: Projected Immigration Under S. 448 and Recent Trends in Legal Immigration, GAO/PEMD-89-12. Washington, D.C.: April 1989b.

Gefland, Donald E., and Lillian M. Lynch. "Maryland Legalization Applicants: Program Utilization Analysis." School of Social Work and Community Planning, University of Maryland, Baltimore, September 1988.

Goering, John M. "Past and Present Trends in Legal Immigration to the United States." Pp. 85-100 in Lydio F. Tomasi (ed.). In Defense of the Alien, vol. 11. Proceedings of the 1988 Annual National Legal Conference on Immigration and Refugee Policy. Staten Island, New York: The Center for Migration Studies of New York, Inc., 1989.

Harper, Elizabeth J. Unpublished materials submitted to the Program Evaluation and Methodology Division, U.S. General Accounting Office, Washington, D.C., 1988.

Helton, Arthur C. "The Alien Legalization Program in New York: A Review." Georgetown Immigration Law Journal, 2:3 (1988), 447-60.

INS (Immigration and Naturalization Service). 1987 Statistical Yearbook. Washington, D.C.: U.S. Government Printing Office, 1988.

Jasso, Guillermina. "Whom Shall We Welcome? Elite Judgements of the Criteria for the Selection of Immigrants." American Sociological Review, 53:6 (1988), 919-32.

Jasso, Guillermina, and Mark R. Rosenzweig. "Using National Recording Systems for the Measurement and Analysis of Immigration to the United States." International Migration Review, 21:4 (1987), 1212-44.

Jasso, Guillermina, and Mark R. Rosenzweig. "Sponsors, Sponsorship Rates, and the Immigration Multiplier." The International Migration Review, forthcoming a.

Jasso, Guillermina, and Mark R. Rosenzweig. "Sponsorship, Family Reunification, and the Immigration Multiplier." The New Chosen People: Immigrants in the United States. New York: Russell Sage Foundation, forthcoming b.

Johnston, William B., and Arnold H. Packer. Workforce 2000: Work and Workers for the Twenty-first Century. Indianapolis, Indiana: Hudson Institute, 1987.

Keely, Charles B. Unpublished materials submitted to the Program Evaluation and Methodology Division, U.S. General Accounting Office, Washington, D.C., 1988.

Kissam, Edward, and Jo Ann Intili. "Legalized Farmworkers and Their Families: Program and Policy Implications." California Human Development Corporation, Santa Rosa, California, January 1989.

Kraly, Ellen Percy. Unpublished materials submitted to the Program Evaluation and Methodology Division, U.S. General Accounting Office, Washington, D.C., 1988.

Leiden, Warren R. "H.R. 5115 and S. 2104: Legislation to Reform Legal Immigration." Pp. 69-84 in Lydio F. Tomasi (ed.). In Defense of the Alien, vol. 11. Proceedings of the 1988 Annual National Legal Conference on Immigration and Refugee Policy. Staten Island, New York: The Center for Migration Studies of New York, Inc., 1989.

National Research Council. Foreign and Foreign-Born Engineers in the United States: Infusing Talent, Raising Issues. Washington, D.C.: National Academy Press, 1988.

Papademetriou, Demetrios G. Unpublished materials submitted to the Program Evaluation and Methodology Division, U.S. General Accounting Office, Washington, D.C., 1988.

Papademetriou, Demetrios G., and Doris Meissner. "The Canadian Immigrant-Selection System: A Technical Report." [U.S. Department of Labor and Carnegie Endowment for International Peace], October 1988.

Peterson, Linda S. "Determinants of Overstay Rates for U.S. Nonimmigrants, by Country of Citizenship." Center for International Research, U.S. Bureau of the Census, Washington, D.C., 1989.

Reimers, David M. "An Unintended Reform: The 1965 Immigration Act and Third World Immigration to the United States." Journal of American History, 2 (1983), 9-28.

Roney, Lisa S. Unpublished materials submitted to the Program Evaluation and Methodology Division, U.S. General Accounting Office, Washington, D.C., 1988.

Select Commission on Immigration and Refugee Policy. U.S. Immigration Policy and the National Interest: Staff Report. Supplement to the final report and recommendations of the Select Commission on Immigration and Refugee Policy. Washington, D.C.: U.S. Government Printing Office, April 30, 1981.

Stapleton, Seton. Unpublished materials submitted to the Program Evaluation and Methodology Division, U.S. General Accounting Office, Washington, D.C., 1988.

Tomasi, S. M., and Charles B. Keely. Whom Have We Welcomed? The Adequacy and Quality of United States Immigration Data for Policy Analysis and Evaluation. Staten Island, New York: The Center for Migration Studies of New York, Inc., 1975.

TransCentury Development Associates. "Assessing the Impact of Different Categories of Legal Immigrants on U.S. Labor Markets." Technical proposal submitted to the U.S. Department of Labor, Washington, D.C., January 1989.

U.S. Congress, Senate Committee on the Judiciary. Legal Immigration Reform Hearings. Senate Hearing 100-990, Serial No. J-100-41, 100th Cong., 1st sess. Washington, D.C.: U.S. Government Printing Office, December 11, 1987a.

U.S. Congress, Subcommittee on Immigration and Refugee Affairs, Senate Committee on the Judiciary. Legal Immigration to the United States: A Demographic Analysis of Fifth Preference Visa Admissions. Washington, D.C.: U.S. Government Printing Office, 1987b.

Warren, Robert E. "Projected Immigration to the United States as a Result of the Legalization Program." Presented at Population Association of America, New Orleans, Louisiana, April 20-23, 1988a.

Warren, Robert E. Unpublished materials submitted to the Program Evaluation and Methodology Division, U.S. General Accounting Office, Washington, D.C., 1988b.

Warren, Robert E., and Ellen Percy Kraly. "The Elusive Exodus: Emigration From the United States." Population Trends and Public Policy, no. 8. Washington, D.C.: Population Reference Bureau, Inc., March 1985.

Woodrow, Karen A. Unpublished materials submitted to the Program Evaluation and Methodology Division, U.S. General Accounting Office, Washington, D.C., 1988.

Related GAO Products

Immigration: The Future Flow of Legal Immigration to the United States
(GAO/PEMD-88-7, Jan. 8, 1988).

Immigration: Data Not Sufficient for Proposed Legislation (GAO/
PEMD-89-8, Dec. 28, 1988).

Immigration: S. 358 Would Change the Distribution of Immigrant Classes
(GAO/PEMD-T-89-1, March 3, 1989).

Immigration: Projected Immigration Under S. 448 and Recent Trends in
Legal Immigration (GAO/PEMD-89-12, April 4, 1989).

Ordering Information

The first copy of each GAO report is free. Additional copies are \$2 each. Orders should be sent to the following address, accompanied by a check or money order made out to the Superintendent of Documents, when necessary. Orders for 100 or more copies to be mailed to a single address are discounted 25 percent.

**U.S. General Accounting Office
P.O. Box 6015
Gaithersburg, MD 20877**

Orders may also be placed by calling (202) 275-6241.

**United States
General Accounting Office
Washington, D.C. 20548**

**Official Business
Penalty for Private Use \$300**

**First-Class Mail
Postage & Fees Paid
GAO
Permit No. G100**
