

## USA

Permanent immigration to the USA fell 16.9% in the US Fiscal Year 2007 (October 1 2006 through 30 September 2007), with 1 052 000 people receiving lawful permanent residency status. The previous year had seen the highest inflows since 1991. The decline was largely due to a drop in humanitarian migrants, (whose number, after a record year in 2006, fell 37.1% to 136 000) and those migrating for family reunification (which also declined 14.2% from record levels to 690 000). Most family migrants were immediate family members of citizens. Admissions under the employment-based preferences category, on the other hand, were largely steady at 162 000 (2007) and 167 000 (2008). More than half of the employment-based visas went to family members of the principal applicant. In Fiscal Year 2008, the number of people receiving permanent residency status rose by 5%, largely because the number of humanitarian migrants returned to its 2006 level.

In 2007, 48 200 refugees were admitted from Burma, Iran, Somalia and Burundi. In 2008, the number of refugees admitted rose to 60 200, primarily from Burma, Iraq, Bhutan and Iran. Both these numbers are below the quota levels, which were 70 000 in 2006 and 2007, and 80 000 in 2008. The ceiling remained at 80 000 for 2009 and 2010.

The US Department of Labour certifies employer applications for permanent foreign workers. In order to combat fraud, certification was changed in 2007 to make applications nominal, set a 6-month validity, and require employers rather than workers to pay application costs. An extensive backlog of previous applications for certification was also eliminated in 2007.

Temporary H-1B visas for employment are the usual pathway from a temporary visa category to permanent residence. The number of H-1B visa holders rose to 462 000 in 2007, before falling to 410 000 in 2008. Prior to the economic downturn, demand was often much higher than availability: when 65 000 H-1B visas were made available in 2007, 150 000 applications were received on the first day alone. In 2009, it took five weeks for the cap to be reached.

Temporary migration schemes for lower-skilled workers increased. The seasonal agricultural worker programme (H-2A) is not subject to a cap, and the number of admissions under the programme increase from less than 50 000 in 2006 to 87 000 in 2007 and 173 000 in 2008. Temporary workers for other sectors (H-2B) face a cap of 66 000, but an exemption for returning workers saw admissions rise from 134 000 in 2006 to 155 000 in 2007. The exemption expired in 2008 and admissions fell to 110 000.

The substantial undocumented population in the US – estimated by both government and research bodies at between 11 and 12 million in 2006 – saw a sharp slowdown in growth in 2007-2008. Increased border and workplace enforcement, along with reduced employment opportunities during the downturn, contributed to reduce inflows. Border interceptions fell 30% between 2006 and 2008, and continued to fall into 2009.

The severe employment crisis in the United States in 2008 was a setback for the foreign-born in the labour market, who had enjoyed lower unemployment than the native-born throughout 2007. While the first quarter unemployment rate among the native-born rose sharply from 4.9% in 2007 to 5.3% in 2008 and 8.6% in 2009, for the foreign-born the rise was more marked, from 4.7% to 5.7% and 9.7%.

The United States President has stated that comprehensive immigration reform will be proposed in Congress in 2010. The draft reform is expected to cover largely the same domains as those proposed in 2007: some form of regularisation for undocumented immigrants; changes to the temporary worker programmes; and family reunification backlog resolution.

For further information:

[www.dhs.gov/ximgtn/](http://www.dhs.gov/ximgtn/)

[www.foreignlaborcert.doleta.gov/](http://www.foreignlaborcert.doleta.gov/)

[www.dol.gov/compliance/laws/comp-ina.htm](http://www.dol.gov/compliance/laws/comp-ina.htm)