

# Overview of US Immigration Policy

US immigration law is complex, with many different categories for different kinds of people.

## How does a non-citizen legally enter the US?

There are **two distinct paths** into the country:

- **Permanent** (immigrant): As a lawful permanent resident (LPR), one receives a permanent resident card (a “green card”), is eligible to work, and may later apply for US citizenship.
- **Temporary**: diplomats, tourists, temporary agricultural workers, students, intracompany business personnel. They are not eligible to get citizenship, may not work or work only for a particular place, and are required to leave the country when their visas expire.

You are not allowed into the country if:

- You are convicted of a felony.
- You have a history of drug abuse.
- You have a infectious disease (syphilis, HIV, tuberculosis).
- You may become a public charge.

These characteristics are also grounds for deportation once you have come in.

# Some Statistics

- The US admits approximately 900,000 legal immigrants (permanent residents) every year (900,000 is .3% of the US population).
- The State Department issues 5 million visas authorizing temporary admission to the US.
- The criteria for admission for permanent residence is much more stringent than for temporary visitors.

## The goals of current immigration policy

- To reunite families by admitting immigrants who already have family members living in the US
- To admit workers in occupations with a strong demand for labor
- To provide a refuge for people who face the risk of political, racial, or religious persecution in their home countries
- To provide admission to people from a diverse set of countries

## Category #1: Immediate Relatives of US Citizens (43% of total LPRs)

- Spouses and unmarried children (under 21 years) of US citizens
- Parents of US citizens aged 21 and older

## Category #2: Family-Sponsored Immigration (23%)

In order of preference:

- 1) Unmarried sons and daughters (aged 21 and older) of US citizens
- 2) Spouses and unmarried children of lawful permanent residents
- 3) Married sons and daughters of US citizens
- 4) Brothers and sisters of US citizens aged 21 and over



## Category #3: Employment-Based Immigrants (16%)

Up to 155,000 visas in 5 preference categories:

- 1) “Priority workers” with extraordinary ability in the arts, athletics, business, education or science;
- 2) Professionals with advanced degrees;
- 3) Skilled and unskilled workers in occupations deemed to be experiencing shortages;
- 4) “Special immigrants” such as ministers of religion;
- 5) People willing to invest at least \$1 million in a business that create at least 10 new jobs in the US.

## Category #4: Refugees and Asylum Seekers (8%)

- Refugees and asylum seekers are persons who are outside the country and are unable or unwilling to return to that country because of a well-founded fear that they will be persecuted because of race, religion, nationality, membership in a particular social group, or political opinion. In 2007, President Bush authorized the admission of 70,000 refugees annually into the country (.02%).

## Category #5: Diversity Immigrants (5%)

- Up to 50,000 green cards are given away through a lottery system to promote immigration from those countries that are not currently the principal sources of immigration to the US. Applicants must have a high school diploma or equivalent or at least two years of training or experience in an occupation and are selected through a lottery.