

This is an excerpt from *Inside the Numbers: How Immigration Shapes Asian American and Pacific Islander Communities*, a report published by Asian Americans Advancing Justice—AAJC and Asian Americans Advancing Justice—Los Angeles in June 2019. The report is available for download: <https://advancingjustice-aaajc.org/inside-the-numbers-report-2019>

ISSUE BRIEF: UNDOCUMENTED IMMIGRANTS

The Center for Migration Studies estimates that there were nearly 10.7 million undocumented immigrants in the United States as of 2017. Of these, 1.7 million are Asian immigrants. Approximately 16%, or one out of every six undocumented immigrants in the U.S., are from Asia. Further, this means that one out of every seven Asian immigrants are undocumented.¹²⁴

Asian-Origin Countries with the Largest Share of Undocumented Population

2017 | Ranked by Undocumented Population

FIGURE 20

Country	Undocumented Population	% of Asian Undocumented Population	% of Total Undocumented Population
India	629,183	37.0%	5.9%
China	304,211	17.9%	2.9%
Philippines	175,743	10.3%	1.6%
South Korea	166,257	9.8%	1.6%
Vietnam	82,270	4.8%	0.8%
Pakistan	49,653	2.9%	0.5%

In 2017, India and China accounted for the largest share of the Asian undocumented population.

FIGURE 20: Center for Migration Studies, State-Level Unauthorized Population and Eligible-to-Naturalize Estimates (2017).

Mode of Entry

There are two main modes of entry for undocumented immigrants to enter the U.S:

- Enter or entry without inspection (EWI): Individuals who enter the U.S. without being inspected at an authorized port of entry or paroled into the U.S.¹²⁵
- Visa overstay: Undocumented residents who entered the U.S. with valid temporary visas and subsequently establish residence without authorization.

People enter the U.S. without being inspected by crossing the northern or southern border on foot or hiding in a vehicle or boat. While people EWI on both land borders, more people cross from the southern border into the U.S. Nearly all who EWI are from just six countries—Mexico, El Salvador, Guatemala, Honduras, Nicaragua, and Dominican Republic. However, Asian nationals also travel to other countries in the Americas and cross the border into the U.S. without inspection. For example, in fiscal year 2017, 2,227 Indians were apprehended trying to cross the border. Many people who attempt to cross from the southern border are seeking asylum. Due to an agreement with Canada, asylum seekers who arrive in Canada must apply for asylum there and may not apply for asylum at the U.S.-Canada border. Thus, more asylum seekers may be trying to come to the U.S. from our southern border.¹²⁶

Most Asian immigrants become undocumented as a result of visa overstays. While the initial entry, whether by temporary work, student, tourist, or some other form of visa, was authorized, these individuals become undocumented when their visas lapse or expire. According to the Center for Migration Studies, the number of people who overstay their visas accounted for about two-thirds of those who joined the undocumented population in 2014.¹²⁷

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In fiscal year 2017, among Asian countries, China had 35,571 visa overstays, followed by India with 28,174, the Philippines with 13,318, Saudi Arabia with 6,109, Vietnam with 5,995, and Thailand with 3,562.¹²⁸

Undocumented Population on the Decline

According to AAPI Data, the Asian undocumented population grew faster than the undocumented population from any other region of the world between 2000 and 2015, more than tripling within 15 years, growing from an estimated 500,000 in 2000 to an estimate of over 1.7 million in 2015.¹²⁹

Among Asian countries, only India has had continuing growth in its undocumented population, with a 72% increase from 2010 to 2017. This may be due, at least in part, to the significant backlogs in both the employment-based and family-based visas.

Overall, however, the undocumented population has been shrinking since it reached an all-time high of 12.2 million in 2007, primarily due to a significant decrease in the undocumented population from Mexico. According to a 2019 report by the Center for Migration Studies, from 2010 to 2017, the undocumented population from many countries with significant rates of visa overstays declined, including a 29% decrease in the undocumented population from the Philippines and a 19% decrease in the undocumented population from South Korea. Among Asian countries, only India has had continuing growth in its undocumented population, with a 72% increase from 2010 to 2017. This may be due, at least in part, to the significant backlogs in both the employment-based and family-based visas.¹³⁰

Policy Recommendations

Our immigration system should respect the inherent worth of all people and guard against the unequal, second-class treatment of any members of our communities. Undocumented immigrants are an integral part of our society—they are our family members, neighbors, and friends seeking to build the American dream. Congress should pass a legalization bill to offer undocumented immigrants in the U.S. a path to citizenship that would include an application process with background checks. Additionally, updates to our immigration system, such as the Reuniting Families Act, would resolve the status of many Asian undocumented immigrants stuck in visa backlogs or facing barriers to adjusting status. Finally, there should be expanded opportunities for low-wage workers to immigrate to the U.S. permanently to work in jobs for which there are labor market needs.

NOTES

¹²⁴ Center for Migration Studies, State-Level Unauthorized Population and Eligible-to-Naturalize Estimates; Karthick Ramakrishnan and Sono Shah, "One out of Every Seven Asian Immigrants Is Undocumented," *AAPI Data* (September 8, 2017).

¹²⁵ Robert Warren and Donald Kerwin, "The 2,000 Mile Wall in Search of a Purpose: Since 2007 Visa Overstays Have Outnumbered Undocumented Border Crossers by a Half Million," *Journal on Migration and Human Security* (2017).

¹²⁶ Warren and Kerwin, "2,000 Mile Wall"; Syracuse University, Transactional Records Clearinghouse (TRAC) "Border Patrol Arrests"; Hitender Rao, "Immigrants from India Increasing at US-Mexico Border," *Voice of America News* (August 17, 2018); "Agreement between the Government of Canada and the Government of the United States of America for Co-operation in the Examination of Refugee Status Claims from Nationals of Third Countries" (December 29, 2004).

¹²⁷ Warren and Kerwin, "The 2,000 Mile Wall."

¹²⁸ Department of Homeland Security, *Fiscal Year 2017 Entry/Exit Overstay Report*.

¹²⁹ Ramakrishnan and Shah, "One Out of Every Seven Asian Immigrants Is Undocumented."

¹³⁰ Jeffrey S. Passel and D'Vera Cohn, "U.S. Unauthorized Immigrant Total Dips to Lowest Level in a Decade," *Pew Research Center* (November 27, 2018); Robert Warren, "Undocumented Population Continued to Fall from 2016 to 2017, and Visa Overstays Significantly Exceeded Illegal Crossings for the Seventh Consecutive Year," *Center for Migration Studies* (January 16, 2019).