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The US-Mexico Border and Mexican Migration to the United States: A 21st Century Review

Jacqueline Mazza

This article juxtaposes key recent trends in international immigration to the United States with President Trump's focus on the US-Mexico border and Mexican migration to the United States as the principal source of recent undocumented migration to the United States. The article analyzes recent trends in Mexican, Latin American, and other foreign national migration to the United States, demonstrating the reduced role of border crossings as the source of undocumented migration, the reduced role of Mexican migrants as those making border crossings, and the increased role of non-border entrance into the United States as greater challenge to undocumented migration and jobs for US citizens. Drawing on recent data and studies, the article argues that the reduction of undocumented immigration, should that be the policy goal, would be more cost-effectively achieved through an emphasis on non-border policies: catching visa overstayers, enforcement of employer sanctions, improvements in the H-1B and H-2B visa program, and targeted support for US citizens to fill labor market demand. The article argues that the focus on border security and Mexico is outdated and counterfactual for the migration and jobs challenges mostly likely to face the Trump administration in the next four years.

Introduction

The United States-Mexico border is unique in nearly every respect. In 1848, the entire border region was part of Mexico, and consequently, Mexican culture, food, and the Spanish language are ever-present. Today, the 2,000-mile border is mostly private property, with more than 1,200 miles comprising the

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Rio Grande river, creating a natural border that winds through Western Texas, separating Mexico on one shore and the United States on the other. This border is also the world's busiest in terms of people and daily commerce: one million people and \$1.5 billion worth of goods cross every day.¹ In contrast, the world's second greatest migration corridor is between Russia and the Ukraine, but it has only one-quarter the migration flow of the United States-Mexico border.² The Russia-Ukraine border is hardly comparable in size,³ daily commerce, or history; it was not even an international border until 1991. As the world's busiest border, the US-Mexico border is also home to the world's single busiest land port, the crossing between San Diego, California and San Isidro-Tijuana, where 50,000 vehicles and 25,000 pedestrians pass each day.⁴ In short, culturally, historically, economically, and politically, the US-Mexico border constitutes its own border type, with little parallel in the world.

The United States has had a history of relatively more open and better regulated immigration. Since 2003, however, successive Presidents and Congresses have tried but failed to enact legislation that would regulate and keep

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pace with growing demands for low-skilled workers and accommodate populations fleeing civil wars and violence. “Securing the US-Mexico border” became a shorthand for the illusion that what could not be solved politically was fixable through physical barriers. But it is Donald Trump, first as candidate and then as President, who has led the claim that US immigration ills are principally, if not exclusively, attributable to Mexico and unauthorized Mexican workers.

This article seeks to analyze Mexican migration to the United States in the wider context of US immigration trends, and examines border crossings as a source of today's unauthorized migration. The article analyzes the range of evidence on Mexican migration to the United States to determine how accurately the focus on the southern border realistically represents the dynamics of immigration to the United States in the 21st century.

The Allure of Border Security

Long before Donald Trump announced that he could build a “beautiful” and impenetrable concrete wall that would keep out all Mexicans (and presumably anyone else) seeking to enter the United States without the proper visa, greater border security along the US-Mexico border had become the only area of immigration policy with bipartisan support in the US Congress.

Ronald Reagan was the last to lead an immigration reform package that responded, in part, to then-swelling ranks of foreign workers without legal status employed in US industries and agriculture. The 1986 immigration reform bill “legalized” 2.9 million immigrants,⁵ made it illegal for the first time to hire an unauthorized or undocumented⁶ worker, and ramped up border security along the US-Mexico border. Despite universal consensus that the immigration

system continually remained broken, later attempts by Presidents G.W. Bush and Obama failed to get Congressional approval. No significant immigration policy reform has been able to pass the US Congress in the ensuing thirty years, putting pressure on negotiations with the Trump administration, particularly over temporary or permanent resolution for the so-called dreamers.

Since 1986, securing the US-Mexico border through more border security, dramatic deportations of foreign workers, and a project to build 670 feet of wall and fencing that was started in 2006, has substituted for more comprehensive approaches to immigration reform. Only Donald Trump, however, has taken the further step to characterize the “problem” of immigration in the United States as one that can be addressed solely by more border security, deportations, and a concrete wall paid for by Mexico.

Mexican Migration to the United States: Historic Perspectives

Throughout the 2016 presidential campaign, Donald Trump singled out Mexico and Mexican workers with or without authorization as the source of a host of US immigration ills. While his most remembered quote attributed rape, drugs, and crime to Mexican immigrants, his claim that he would make Mexico pay for a concrete wall implied that it was principally Mexicans who were crossing the border. Thus, in Trump’s view, it appears logical that the wall is Mexico’s responsibility as the sole sender of undocumented rapists, criminals, and “some, [who] I assume, are good people.”⁷

Table 1 provides the national origins of immigrants in the United States who have legal residency. Less than fifty years ago, legal immigrants born in Mexico were only 6 to 8 percent of the immigrant population, while the majority were overwhelmingly European and Canadian. Only in 2000 were Mexicans the largest nationality of legal immigrants, but at only 29 percent. Ironically, this has been the historic high (in percentage terms) of the stock of immigrants born in Mexico, as it fell slightly to 27 percent in 2015. More significantly, as a percentage of foreign-born US residents, Mexicans were just as numerous as South and East Asians, who are principally Indian and Chinese.

The analysis by percentage, however, belies a larger transformation of the US population into an increasingly more diverse immigrant nation, and a nation where

The analysis by percentage, however, belies a larger transformation of the US population into an increasingly more diverse immigrant nation, and a nation where grandparents and great-grandparents come less exclusively from Northern Europe.

grandparents and great-grandparents come less exclusively from Northern Europe. While the percentage of Mexican-born immigrants has stabilized and even come down slightly from 2000, it is on an increasingly larger base.

All indications of the many forms of Mexican migration indicate stabilizing or slightly decreasing trends. The Mexican economy has been growing more consistently since 2000, and its once high population growth rate has

**Table 1. National Origins of Immigrant Population in the United States, 1960–2015
Percentage of Foreign-Born Population Residing in the US by Year/Region**

Year	Europe/Canada	South and East Asia	Other Latin America	Mexico
1960	84	4	4	6
1970	68	7	11	8
1980	42	15	16	16
1990	26	22	21	22
2000	19	23	22	29
2010	15	25	24	29
2011	15	25	24	29
2012	14	26	24	28
2013	14	26	24	28
2014	14	26	24	28
2015	14	27	24	27

Note: “Other Latin America” includes Central America, South America and the Caribbean.
Source: Pew Research Center tabulations of 1960–2000 decennial censuses and 2010, 2013–2015 American Community Surveys (IPUMS).

come down. Although little-publicized in the United States, the Mexican Statistical Institute now records that more Mexicans are returning home, so that by 2012, net migration rates of Mexicans had fallen to zero.⁸ Simply put, from 2012 forward, marginally more Mexicans have been leaving the United States each year than crossing borders to come to the United States

Migration and the US Southern Border

To demonstrate the urgency of building a concrete border wall of 30, 60, or 90 feet (in candidate Trump’s estimates), Trump asserted that there was an “unprecedented surge” of foreigners who were bypassing already extensive US border security to enter the United States.⁹ What follows is a broader examination of the most recent evidence regarding unauthorized migration across the US southern border, including the record of apprehensions of border crossers. The analysis focuses particularly on the changing size and scope of Mexican nationals as a subset of the unauthorized immigrant population in the United States and of border crossings, examining whether President Trump’s singular focus on Mexicans reflects the most recent trends in migration with or without authorization across the US-Mexico border.

Unauthorized Immigration Trends

Graph 1 demonstrates that rather than surging, the unauthorized immigration population in the United States hit a height of 12.2 million ten years ago (in

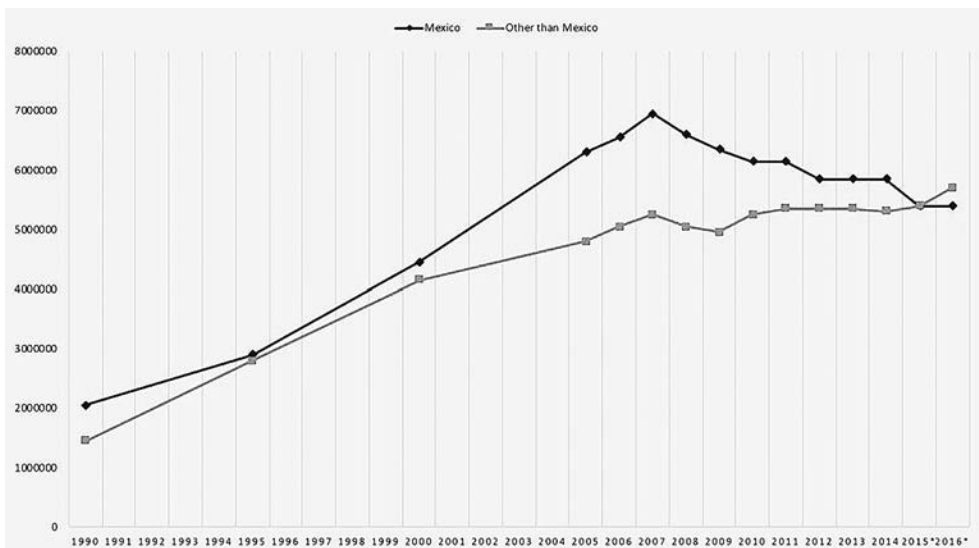
2007) and has been slowly declining since that time, albeit not dramatically. The estimated immigrant population without authorization in the United States in 2016¹⁰ is 11.3 million.

Most importantly, rather than surging, the flow of migrants from Mexico is clearly moderating. The Pew Research Center documents that the proportion of the migrant population without authorization that is Mexican is undergoing small declines, while migrants from other regions, principally Central America and Asia, are rising.¹¹ The number of Mexicans without work authorization totaled 6.4 million in 2009, and in 2015 this figure came down to 5.6 million. While over the past decade Mexicans have constituted a clear majority (over 50 percent) of total immigrants without work or residency authorization in the United States,

Most importantly, rather than surging, the flow of undocumented migrants from Mexico is either stabilizing or declining.

2015 represents the first year they began hovering around the 50 percent mark. Indeed, evidence indicates that the net flow of cross-border and seasonal migration of Mexicans is moderating, likely due to the combination of demographic changes in Mexico and greater border security.¹² Data from the Pew Research Center indicates that Mexicans returning home exceeded the numbers coming to the United States beginning in 2005, and this has held since that time with the top reason being family reunification. From 2009 to 2014, for example, 140,000 more Mexicans left the United States than entered.¹³ Today the net migration rate of Mexicans to the United States is now zero or negative; that is, every year more Mexicans are leaving than coming to the United States. This

Graph 1. Immigrant Population without Authorization: 1990–2015/6



Source: Pew Research Center.

change is attributable to a range of factors, most importantly declining birth rates and reduced poverty in Mexico.

An additional, albeit smaller factor contributing to the changing patterns in migration may be a rise in the number of naturalized citizens. As studied by Robert Warren of the Center for Migration Studies, in every US state with a decline in migrants without authorization, there was an increase in the number of naturalized citizens, although he argues that these trends may be simply coinciding for different reasons.¹⁴ The naturalization process requires many years of gestation and logically had to have been initiated well before the most recent declines in the composition of the migrant population. Warren’s research also looked at whether states with harsher anti-immigration laws were showing larger proportionate declines in migration, that is, that the declines could be explained by unauthorized migrants moving to states without such additional anti-immigrant laws. Warren finds no evidence of disproportionate declines in states with harsher anti-immigrant laws (e.g. Georgia, Arizona, and Alabama). The reduction in the number of Mexican migrants without authorization, in fact, was highest in California, a state considered to have more hospitable treatment of foreign-born workers.¹⁵

By analyzing a range of migration flows, the evidence is clear that rather than surges of Mexicans crossing the US border, inflows are stabilizing or declining and outflows are increasing, relatively. President Trump’s characterization of America’s immigration problem as solely Mexican in origin may have more political than analytic utility. The stock of Mexicans as a percentage of the total immigrant population without authorization is still high. Half of unauthorized migrants are still estimated to be Mexican, even if the Mexican proportion is declining somewhat.

Although it seems to catch fewer headlines, growth in unauthorized immigration is higher among Central American, Chinese, and Indian populations. By 2013, the Migration Policy Institute indicates that India and China had overtaken Mexico as the source of new migration without authorization, specifically those who had arrived within the last year.¹⁶ The stock of 1.6 million unauthorized Central Americans and 828,000 unauthorized Chinese and Indians living in the United States, however, understandably pales in comparison to the raw volumes of over five million Mexican undocumented workers who have arrived in previous decades.¹⁷

The figures for Central America are also comparatively smaller because significant numbers of Central Americans were provided temporary protective status more than a decade ago to work in the United States after devastating hurricanes and floods in their home countries. Previously, temporary protective status for Central Americans had been routinely renewed by successive Democratic and Republican presidents on humanitarian grounds. In November 2017, the Trump administration announced that it would suspend the temporary protective status for Nicaraguans, and temporary protective status for Hondurans and Salvadorans was announced to be under review.

A final trend useful to analyze recent inflows of migrants without authorization is to examine the length of time that they have been in the United States. Interestingly, the data indicates that an increasing share—66 percent—have

been in the United States for more than a decade.¹⁸ Only 14 percent of adults without authorization have been in the United States for less than five years, and among this group Mexicans consist of only 7 percent.

Apprehensions at the US-Mexico Border

Additional evidence of border flows is found in US Border Patrol statistics which quantify monthly the numbers and nationality of those apprehended trying to sneak over the border. The number of apprehensions has long been used as a barometer for larger trends; if apprehensions are going up, it is considered a good indication of increased flows over the border—not only for work, but also for drug smuggling and human trafficking, as well. Thus, while not a summary measure of all those trying to cross the border, it is known as a reliable gauge of the proportion of flows, and an increasing percentage over time particularly with the dramatic increases in the number of border patrol officers over the last decade.

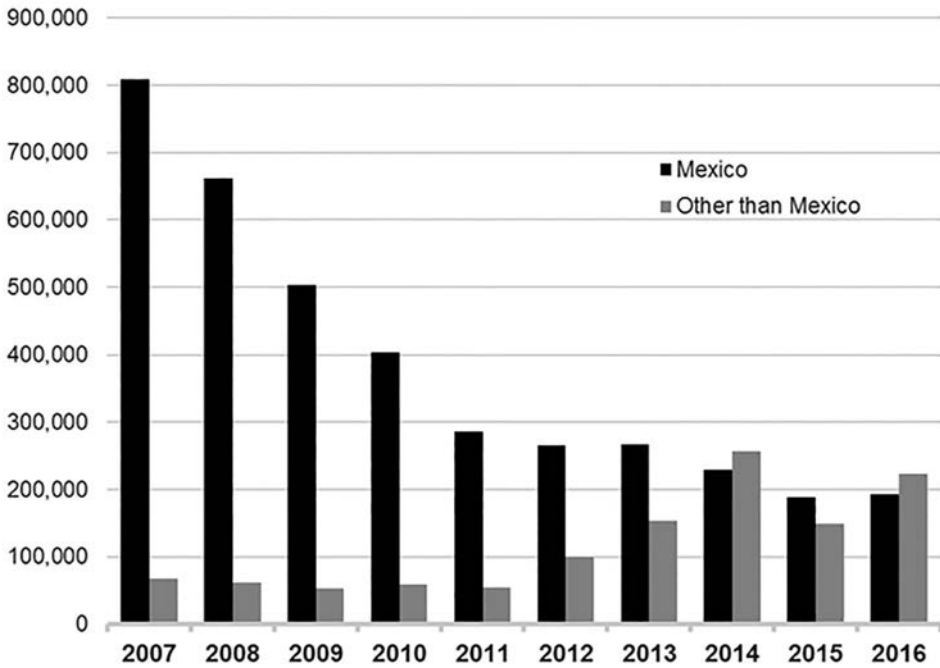
Current US Border Patrol data shows a dramatic decline in the number of persons apprehended trying to cross the US-Mexico border. Apprehensions were down at all US borders from their height in the mid-1980s, and have fallen more recently from a spike in 2000. In Fiscal Year (FY) 2000, the US Border Patrol apprehended or turned back 1.6 million potential unauthorized migrants, whereas in FY 2016 that number had dropped by more than two-thirds to 408,870.¹⁹ As is well known, the Border Patrol dramatically increased the number of guards and upgraded their technology during the same period. Across the board, all migration analyses have been suggesting that while US investments in more border guards and technology are increasing, they are catching far fewer illegal crossings, that is, the marginal return for US investments in border security is falling rapidly.

Graph 2 presents border apprehensions from 2007–2016, distinguishing between apprehensions of Mexican nationals and other nationalities. These trends show another remarkable shift, a dramatic change in the composition of those crossing the border away from Mexican nationals. The number of Mexicans who were caught at the border reached a near historic low of 188,000 in 2015, an 18 percent decline over the year before. As recently as 2007, 800,000 Mexicans were apprehended on the border, and comprised more than 90 percent of all southern border apprehensions.

Quite dramatically, apprehensions of Mexicans have declined significantly since then, with slow increases of other nationalities—so much so that in 2014 and again in 2016, more non-Mexicans were apprehended at the border than Mexicans. Increases in border apprehensions have been noted among Caribbean persons, particularly Haitians, Africans, and Chinese. Increases in Central American migration have been notable with the increases in gang and drug violence, including the child migrant crisis that reached its height between 2014 and 2015.

The most recent data for apprehensions under the first year of the Trump administration shows that border apprehensions are continuing to fall. August 2017 apprehensions were 41 percent less than August 2016, and were down 24 percent over the whole year (August 2016–August 2017). Even as apprehen-

Graph 2. Number and National Origin of US-Mexico Border Apprehensions: 2007–2016



Source: United States Border Patrol Southern Border Illegal Alien Apprehensions from Mexico and Other than Mexico By Fiscal Year (Oct. 1st through Sept. 30th).

sions are declining, it is important to remember that a portion of these figures are not apprehensions at all, but persons attempting to cross at legal borders.²⁰ In an analysis of non-Latin American border crossings, the Migration Policy Institute found that Caribbean persons, particularly Haitians, were the most likely to present themselves at legal border crossings.²¹

The sharp curtailment in the number of Mexicans found crossing the US-Mexico border is not just directly attributable to more border security, as this would affect all populations equally. In the Mexican case, the combination of a stronger domestic economic trends and declining birth rates has coincided most recently with greater US border security. There is an interesting caveat—the number of actual Mexicans crossing is potentially even lower. Mexican authorities have noted the incentive for “over self-reporting” as Mexican by Spanish-speaking immigrants caught crossing the border. Under US deportation procedures, Mexican nationals are bused back to a US-Mexico border town, while Central Americans (or others) are typically flown back to their home countries. As few, if any, carry an actual passport, a migrant who wants to try again will have an incentive to say he or she is Mexican.²²

Virtually all analysts agree that the increase in border security has had differing effects on the patterns of migration, including making the US-Mexican border crossing more expensive and dangerous, and thus more lucrative for criminal organizations. With the major shift to higher value-added opioids,

the drug trade has been shifting away from the border to a greater use of air transport, sea containers, trucks (over legal crossings), tunnels, and the US Postal Service, rendering a concrete wall increasingly obsolete for reducing drug inflows, particularly given the ease and reliability in switching to non-border ports of entry. Despite extensive US investments in southern border security, there is little evidence that migrants are increasingly using the less protected US-Canadian border or sea routes, which combined are still less than two percent of border apprehensions.²³ Nonetheless, migration specialists note that diversion to sea routes and the US-Canadian border continues to be a serious concern that could result from more concrete barriers just on the southern border.

Overall, the distinct evidence examined here indicates that the Mexican unauthorized population crossing into the United States over the US border is becoming (proportionately) less a source of the overall US “problem” with migration.²⁴ The following section looks further at non-border sources of US immigration.

Looking Beyond the Border: Visa Overstayers, Special Employment Visas, and Employer Policies

While President Trump has maintained an overwhelming focus on US immigration needs being to “control the border,” very limited attention has been placed on the more modern non-border sources of unauthorized migration, or to areas of authorized migration such as special employment visas. This section looks at a range of US immigration policies and their enforcement, which are overshadowed by a disproportionate focus on the US-Mexico border security. The section looks first at unauthorized migration via visa overstayers. It then turns to a range of other enforcement tools as well as examines a category of legal visas to work in the United States. Taken that, taken together, these non-border trends and policies demonstrate greater significance for the administration’s top concerns both in terms of volume of migrants and in terms of job displacement of US permanent residents.

Visa Overstayers

A visa overstayer is defined by the Department of Homeland Security (DHS) as a nonimmigrant who was lawfully admitted to the United States for a defined period (usually for business or tourism) but who then stayed or remained in the United States after his or her visa expired. The problem of visa overstayers received national attention when it was disclosed that the September 11 terrorists had entered the United States legally but overstayed their student visas without any FBI or DHS follow-up.

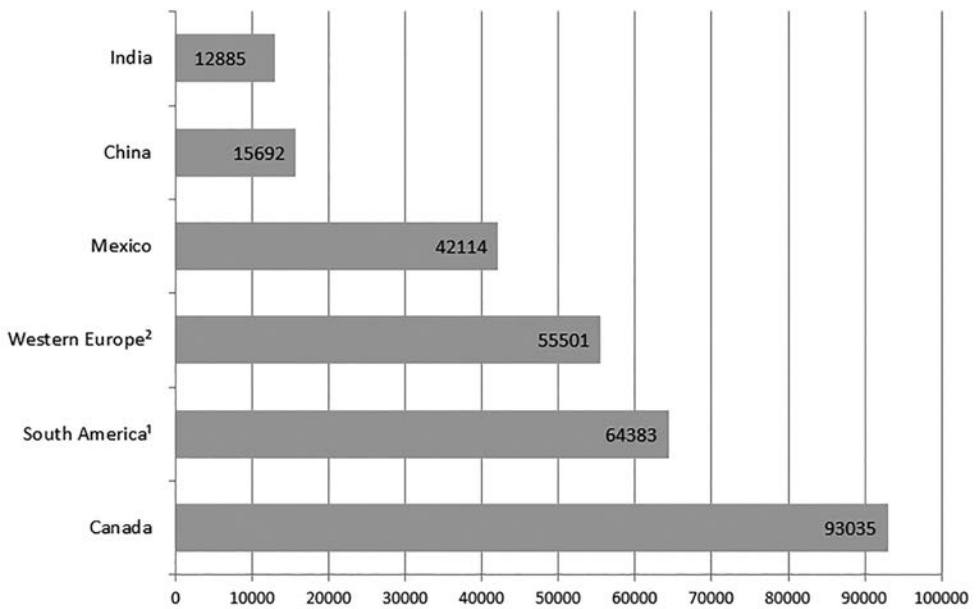
Since the 9/11 attacks, the US Congress has pressured the Department of Homeland Security to better report the extent of the visa overstayer problem. DHS maintains statistics on the departures that occur from air or sea ports of entry and those that transition to another immigration status (e.g. such as tourist to asylum seeker). The Department of Homeland Security released its first

official estimate in 2015 of just how many currently unauthorized immigrants had come into United States on short-term visas but then overstayed those visas. The DHS estimate of 416,500 persons on overstayed visas²⁵ stands in sharp contrast to the US Border Control's alien apprehensions of 331,333 individuals in fiscal year 2015 on the southern border. That is, it is now clear that despite the dramatic escalation of border security on the US-Mexico border, officials did not catch even a majority of those who came in the United States without authorization because there were more individuals simply overstaying their visas. Although this represents the first official report from Homeland Security, there have been a series of surveys and analyses prior to 2015 demonstrating the growing importance of visa overstays as a form of unauthorized immigration. Some estimates suggest that as much as 60 percent of the immigrant population without authorization has gained access to the United States not by sneaking over the US-Mexico border, but by overstaying their visa once in the United States.

Most significantly, in January 2016, well before then candidate Trump called for a concrete wall, an analysis by the Center for Migration Studies concluded that “visa overstayers now represent the majority of non-citizens now joining the undocumented population each year.”²⁶ Graph 3 below demonstrates that Canada—not Mexico—is the largest single source of visa overstayers.

An estimated 93,035 Canadians overstayed their visas in 2015, followed by 93,073 from three countries in South America (Brazil, Colombia, and Venezuela), and 123,729 from three countries in Western Europe (Germany, Italy, and the United Kingdom). Mexico was the second single country source of visa overstayers, but was at less than one-half the levels of Canada (42,114).²⁷ For both the Canadian figures and the smaller number associated with Mexico, DHS data likely overstates the overstayers, since DHS does not record those who may have come by air or sea and left by driving over the northern or southern border, a problem the General Accountability Office had noted in a report to Congress in 1995.²⁸

The Center for Migration Studies (CMS) has explained that the findings on larger numbers of visa overstayers is consistent with the broader trend of changes in the migration population in the United States. These two trends show the most significant change in the composition of the problem, specifically that greater weight is moving towards visa overstayers rather than on border crossings.²⁹ The CMS reports that both its own analysis and the data presented by DHS do not yet constitute an estimate of the total visa overstayers now in the United States. DHS statistics refer to the new overstays in a single fiscal year, but do not provide a full account of current overstays, that is, the accumulation of visa overstayers in the immigrants without authorization category. The proportionately more limited emphasis of US authorities on tracking down visa overstayers for deportation is one part of a larger critique that President Trump fails to call for, pursue, or even consider. There are many less costly and more productive immigration approaches, particularly those that would balance enforcement between employers who hire unauthorized workers and the immigrants themselves.

Graph 3. Leading Country and Regional Sources of Visa Overstays: 2015

Source: United States Homeland Security, Customs and Border Protection: US Border Patrol Apprehensions From Mexico and Other Than Mexico (FY 2000–FY 2016).

Special Employment Visas, US Employer Sanctions and Labor Market Policies

A fundamental disconnect in current US immigration enforcement is the near-exclusive emphasis on eliminating (in theory) the supply of workers without authorization while not addressing demand reduction, such as enforcing US law by sanctioning employers for hiring undocumented workers or supporting employers to find or train US permanent residents. Ironically, this is the same fundamental criticism of why US drug control policies have a limited impact, namely a focus on supply reduction and interdiction, with little emphasis on demand reduction.

The 1986 Immigration and Reform Act signed by President Reagan includes sanctions against employers who knowingly hire workers whose legal residency cannot be verified. These employer sanctions have languished on the books, and by the early 1990s, have been rarely used to control immigration. As both candidate and President, Donald Trump has made no statement regarding whether his administration would take a tough stance against employers hiring those whose work status was unverified. To date, while the Immigration and Naturalization Service (INS) has stepped up raids in 2017 on workplaces and in shopping malls frequented by Hispanics, there was no use of sanctions against US employers even in the same worksites where such workers were found.

Some key ways demand reduction could be accomplished would be to better enforce the federal employer sanctions, particularly in sectors where qualified US citizens are in demonstrated supply or can be trained (e.g. hotels and services). This would include improvements to the E-verify system which all agree isn't reliable enough as an enforcement tool. But in sectors such as

low-skilled and seasonal agriculture and construction, enforcement isn't the issue; given wages and working conditions there is limited to no supply of US workers willing to do the work. This is precisely why George W. Bush had proposed expansion of temporary agriculture workers' programs, to permit more orderly and controlled temporary authorized employment.

Another key area of better enforcement of existing law is in the special employment visas that the United States currently provides that require (in theory) employer applications claiming there are no available US citizens or permanent residents who can do the job. The H-1B visa program was enacted in 2001 to allow employers to obtain work permits for a limited number of high-skilled workers for which they were unable to find qualified American workers. An analysis by the Pew Research Center found that, while intended only for high-skilled professions for which companies could prove there were no qualified US legal residents, a full 26 percent were granted for jobs that did not require a bachelor's degree.³⁰ Since its inception, over 1.8 million visas have been awarded, half of which were given to Indian residents.³¹ In 2016 alone, over 225,000 H-1B visas were issued, of which 82 percent went to Indian (126,692) and Chinese (21,657) individuals. For perspective, H-1B visas in 2016 far exceeded the number of Mexicans apprehended on the border that year. Donald Trump had criticized the H-1B visa program on the campaign trail, noting accurately that a proportion of these visas were being used to replace US workers at lower costs. A *60 Minutes* report documented that US citizens in California were being coerced to train Indian workers to replace them in their jobs as a condition for receiving severance pay. In important cases, then, the H-1B visa program is being used to replace American skilled workers with foreign workers at a lower skill level, providing the foreign workers less pay and no benefits.

Despite criticizing the H-1B visa program on the campaign trail and ordering a review of the program as President, Trump expanded another legal route for foreign workers—the H-2B³² visa program for seasonal services

Despite criticizing the H-1B visa program on the campaign trail and ordering a review of the program as President, Trump expanded another legal route for foreign workers—the H-2B visa program for seasonal services workers.

workers.³³ H-2B visas require employers to prove there are not enough “ready, willing, able, and available” US legal residents for the seasonal positions.³⁴ The 2017 expansion by President Trump enabled the Labor Department to grant the Trump Corporation more visas to hire increased numbers of foreign workers for services jobs. As reported by the Labor Department, the Trump Corporation was granted seventy visas

for 2017–2018, up from 64 in 2016, for cooks, waiters, maids, and housekeepers, who were principally from South Africa and Romania, as well as eight waiters for his golf course in Briarcliff, New York.³⁵ Palm Beach County's CareerSource Agency, where Mar-a-Lago is located, indicated that it had over 5,136 job seekers registered with hospitality experience but had never been contacted by Mar-a-Lago.³⁶

There is near universal agreement that employers are not making best faith efforts to find US legal residents in key sectors, such as services, tourism, and the hi-tech industry used by the H-1B and H-2B programs. Although Donald Trump's inaugural speech called for policies to "buy American and hire America," his executive order on this subject does not sanction or provide improved incentives or services to employers to reduce the hiring of foreign workers when possible. Employers, for example, could be required to demonstrate more specific efforts to find and interview American citizens before receiving foreign worker visas, particularly in areas not requiring a higher education, such as waiters and housekeepers.³⁷ Or conversely, employers could receive employment services to help find qualified Americans or have access to job training targeting job training to specific posted jobs, as is done in developing countries, to enable American workers to train into jobs where a job clearly exists.³⁸ Ironically, some of the fees collected from the H-1B visa program are used to fund a national job retraining program, Trade Adjustment Assistance. However, Congressional and Executive budget and eligibility restrictions make this program very hard to use, particularly to move workers who are laid off for various reasons into viable sectors. Workers must prove specific job loss due to foreign trade impacts rather than a broader retraining program that has the flexibility to train Americans for jobs with high use of undocumented, H-1B or H-2B visa employment.³⁹

Towards a 21st Century Understanding of Mexican Migration and the US-Mexico Border

"What can be simpler or more accurately stated? The Mexican Government is *forcing their most unwanted people into the United States*. They are in many cases, criminals, drug dealers, rapists,⁴⁰ etc."⁴¹ (Emphasis added) Donald Trump, June 15, 2015

Using twenty-first century evidence, this article reviewed the principal trends in migration with or without authorization to the United States with a particular focus on Mexican migration and the US-Mexico border. It examined a range of other sources of entry, including visa overstayers and H-1B and H-2B visas, and found that these sources of entry, have become more significant in terms of volumes and US security. It also considered the weak enforcement of special employment visas and the necessity to support US employers in hiring willing and able US citizens, particularly in the hospitality and services sectors.

In contrast to the image of Mexicans forced by their government to cross the dangerous US-Mexican border in surging numbers, this analysis found a range of evidence that immigration flows, particularly from Mexico, are declining and stabilizing. In contrast, the numbers of immigrants without authorization, and Mexicans even more so, have declined from highs reached over a decade ago. Rather than witnessing an unprecedented surge of border crossings that could be stopped by a concrete wall, it found many more guards are apprehending fewer and fewer immigrants, and even fewer of these are Mexicans. To use just one counterintuitive fact, Mexico is being told it is responsible to

pay for 100 percent of a border wall, even though only 7 percent of today’s unauthorized immigrant population came from Mexico within the last five years.

“Mexicanizing” a more diverse set of US immigration and employment trends clearly had political utility in the 2016 electoral campaign. But continuing to replay this political theme now diverts the new administration’s attention and resources from more cost-effective immigration policies that offer more promise for American workers and US security. These policies include: greater tracking of visa overstays, use of employer sanctions, better control of lower-skilled H-1B and H-2B visas, providing better employer and job seeker services and training support for American workers, as well as smart technologies on the border. The President’s urgent call for a concrete wall stretching all 2,000 miles of the US-Mexico border seems ever more outdated and counterfactual juxtaposed with these 21st century immigration and jobs challenges, challenges that require political attention beyond the US-Mexico border.

Notes

¹ Raoul Lowery Contreras, “Opinion: A Million People Cross the Border Legally Every Day and That’s a Good Thing,” Fox News Opinion, July 19, 2016, <http://www.foxnews.com/opinion/2016/07/19/opinion-million-people-cross-border-legally-every-day-and-that-good-thing.html>.

² World Bank, “Migration and Remittances Factbook,” 2016, Top Migration Corridors 2013, 5. The US-Mexico Corridor: 13.3 million migrants, Ukraine-Russia 3.5 million.

³ The Russia-Ukraine border is 1,426 land miles and 321 sea miles.

⁴ “The busiest Land Border Crossing in the World is Closed this Weekend,” Reuters, Sept 22, 2017.

⁵ To be eligible for legalization, immigrants had to show evidence that they were in the United States continuously prior to 1982.

⁶ This article uses the terms “with authorization” and “without authorization” to refer to foreign-born immigrants in a variety of distinct positions as to whether they possess specific US documents authorizing work or residency. Under the 1986 law, American employers who hire workers without specific work authorization would also reasonably be termed “illegal” employers as they are technically breaking US law. The term “illegal” aliens or workers is not utilized in this article to avoid confusion over distinct and unclear immigration status as well as the lack of common application of American laws to both workers and employers, including the special consideration given to “dreamers,” undocumented youth who were too young at the time of entrance to the United States knowingly break American law.

⁷ Presidential campaign announcement, Donald Trump, June 15, 2015.

⁸ Jeffrey Passel, D’Vera Cohn and Ana Gonzalez-Barrera, “Net Migration Rate Falls to Zero – and Perhaps Less,” Pew Research Center, April 23, 2012.

⁹ Donald Trump, quoted in Julia Edwards Ainsley, “Trump moves ahead with wall, puts stamp on U.S. immigration, security policy,” Reuters, January 25, 2017, <https://www.reuters.com/article/us-usa-trump-immigration/trump-moves-ahead-with-wall-puts-stamp-on-u-s-immigration-security-policy-idUSKBN1591HP>.

¹⁰ The data for 2016 is still estimated, owing to a change in methodology that may require additional future adjustments.

¹¹ “5 Facts About Illegal Immigration in the U.S.,” Pew Research Center, Nov. 7, 2017.

¹² Jessica Bolter, “The Evolving and Diversifying Nature of Mexican Migration to the United States,” Migration Policy Institute, Feb. 16, 2017; “Visa Overstays and the Decline in the U.S. Undocumented Population,” Center for Migration Studies, New York, 2017.

¹³ Anna Gonzalez-Barrera, “More Mexicans Leaving the United States than Coming,” Pew Research Center, Nov. 19, 2015.

¹⁴ Robert Warren, “US Undocumented Population Drops Below 11 Million in 2014, with Continued Declines in the Mexican Undocumented Population,” *Journal on Migration and Human Security*, Vol. 4, No. 1, (2016: 1-15), 1.

¹⁵ Warren, "US Undocumented Population," 5.

¹⁶ Zie Zong and Jeanne Batalova, "Mexican Immigrants in the United States," Migration Policy Institute, March 17, 2016.

¹⁷ "5 Facts," Pew Research Center, 2017.

¹⁸ "5 Facts," Pew Research Center, 2017.

¹⁹ "Total Illegal Alien Apprehensions by Month, FY 2000-2016," US Border Patrol.

²⁰ "Southwest Border Migration," US Customs and Border Protection, Nov. 3, 2017, <https://www.cbp.gov/newsroom/stats/sw-border-migration>.

²¹ Zie Zong and Jeanne Batalova, "Mexican Immigrants in the United States," Migration Policy Institute, March 17, 2016.

²² This potential for over reporting Mexican nationality is also true of Spanish-speaking migrants apprehended outside of the border region, as they are also more likely to be returned to a town on the US-Mexico border.

²³ Author calculations from US Border Patrol, "Total Illegal Alien Apprehensions by Month, FY 2000-2016."

²⁴ It is beyond the scope of this article to further analyze how easily, even with an impenetrable wall, undocumented migrants could use alternative entry points, such as the US-Canada border and sea routes (used today particularly by Chinese undocumented migrants) to enter the United States.

²⁵ "Entry/Exit Overstay Report, Fiscal Year 2015" US Department of Homeland Security, <https://www.dhs.gov/sites/default/files/publications/FY%2015%20DHS%20Entry%20and%20Exit%20Overstay%20Report.pdf>.

²⁶ "Visa Overstays," Center for Migration Studies, 2017.

²⁷ "Entry/Exit Overstay" Homeland Security.

²⁸ "Illegal Immigration: INS Overstay Estimation Methods Need Improvement," GAO-PEMD-95-20, US Government Accountability Office.

²⁹ "Visa Overstays," Center for Migration Studies, 2017.

³⁰ "H-1B visa program," Pew Research, 2017, 4.

³¹ "Key Facts about the U.S. H-1B visa program," Pew Research Center, April 27, 2017, 1.

³² The H-2B visa program covers seasonal workers, used principally in tourism and agriculture, but has the same standards that requires certification that there are no available US legal residents for the job.

³³ There is an H-2A seasonal program for agricultural workers that was not increased by the Trump administration for the 2017-18 season.

³⁴ Department of Homeland Security, "H-2B Non-Agricultural Visas," Sept. 21, 2017. <https://www.uscis.gov/working-united-states/temporary-workers/h-2b-temporary-non-agricultural-workers>.

³⁵ President Trump indicated that the reason Trump Corporation was expanding hiring of foreign workers under the H-2B visas was because it's "very, very hard to get people" and "[o]ther hotels do the exact same thing."

³⁶ Jeff Osterowski, "As Employers Use More Foreign Workers, Trump Wins 70 Visas" Nov. 3, 2017.

³⁷ Examples of qualified US workers in housekeeping and food service available to work were presented in the case of Mar-a-Lago by *60 Minutes*.

³⁸ See Jacqueline Mazza, *Labor Intermediation Services in Developing Economies: Adapting Employment Services for a Global Age*, (Palgrave-MacMillan Press: 2017).

³⁹ Howard Rosen, "Trade Liberalization, Trade Adjustment Assistance, and Newton's Third Law," Presentation to the Inter-American Development Bank, Nov. 20, 2017.

⁴⁰ While outside the scope of this article, research consistently indicates that immigrants are, on average, more law-abiding than native-born Americans (Charis E. Kubrin, "Immigration and Crime," Chapter 23, in Francis Cullen and Pamela Wilcox, Eds., *The Oxford Handbook of Criminological History*, Oxford University Press, 2013.). In addition, native-born Americans have dramatically higher incarceration rates than either Mexicans or Central Americans, whose incarceration is overwhelming for immigration violations, not violent crime.

⁴¹ Donald J. Trump, July 16, 2015.