



Many people whose families immigrated to this country see an obvious difference between their history and those of undocumented Latin American immigrants today.

They say "My family didn't come here illegally. "

So , that's where we need to start if we are to have any conversation at all

Because for many people: "What part of illegal don't you understand" is the beginning and end of conversation.

So, some history might help.



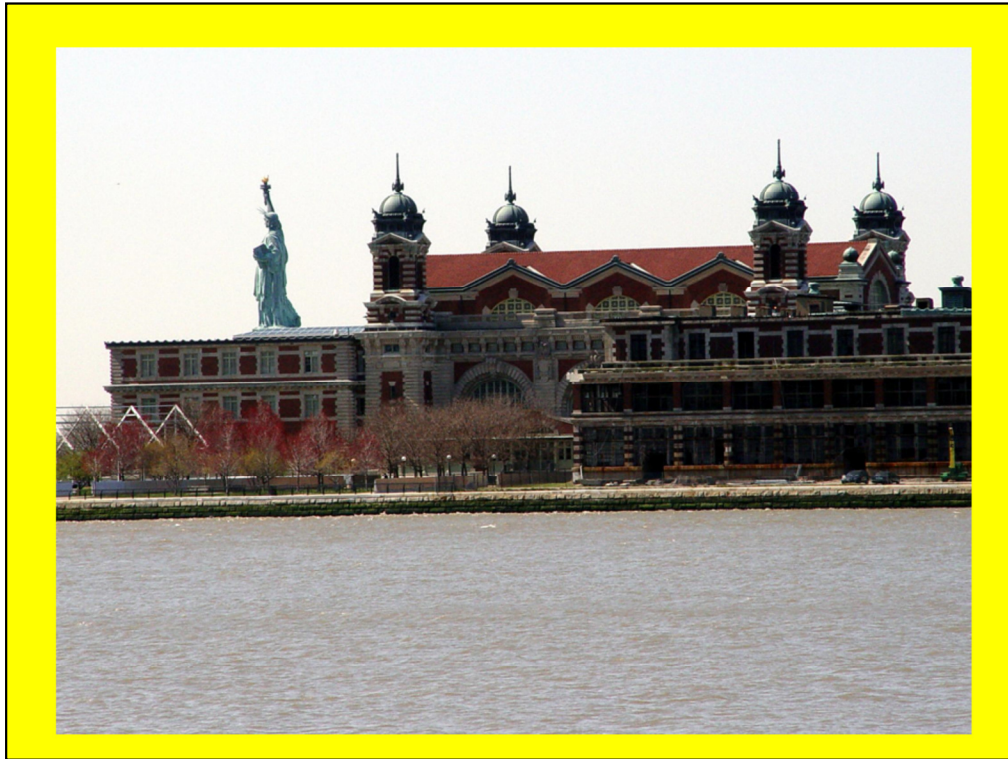
In the early 20th Century, immigration was different  
For those huddled masses yearning to breathe free, sailing past the the  
Statue of Liberty was all that was required



Your task was to get off the boat with whatever you came with



And in line to get into the great immigration hall



During peak immigration years between 1880 and 1921, roughly 23 million people from Europe arrived at and were processed through Ellis Island in lower Manhattan



Once inside, you had to pass a cursory medical exam to determine whether you exhibited any red flags of contagion or disability that would prevent you from working.

X	Suspected mental defect	F	Face	P	Physical and Lungs
⊗	Definite signs of mental disease observed	Ft	Feet	Pj	Pregnancy
B	Back	G	Goiter	Sc	Scalp (Favus)
C	Conjunctivitis	H	Heart	S	Senility
CT	Trachoma	K	Hernia		
E	Eyes	L	Lameness		
		N	Neck		

An exam that was done in under 10 seconds

- **What is your name?**
- **How old are you?**
- **Are you male or female?**
- **Are you married or single?**
- **What is your occupation?**
- **Are you able to read and write**

You were asked 29 questions

- **What country are you from?**
- **What is your race?**
- **What is your final destination  
in America?**
- **Who paid for your passage?**
- **How much money do you  
have with you?**

This is the vetting process

- **Have you been in a prison, almshouse or insane asylum?**
- **Are you a polygamist?**
- **Are you an anarchist?**

They included a few questions with potentially disqualifying answers

- **Who was the first President of America?**
- **What are the colors of our flag?**
- **How many stripes are on our flag?**
- **How many stars?**
- **What is the 4th of July?**
- **What is the Constitution?**
- **What are the three branches in our government?**
- **Which President freed the slaves?**

Plus a few you might get some extra credit for

## **Admitted unless:**

**1901: polygamists, mentally ill,  
contagious**

**1907: epileptics, anarchists**

**1917: homosexuals, idiots,  
alcoholics**

**1921: first numerical quota**

But basically unless you were judged to be highly contagious, politically dangerous, feeble-minded, criminal, or suffering from a moral turpitude of the era, you were admitted. The admission rate was roughly 99%.



So essentially those families didn't immigrate here illegally, because illegal immigration didn't exist

Although it sounds like a wildly radical phrase today, the United State at that time had open borders.



These days, though, the statue of liberty has gotten a lot more prickly

# CATEGORIES

- **Family –based** 480,000/year
- **Employment –based** 140,000/yr
- **Refugees** 120,000/yr  
(flexibly applied)

These next few slides are a whirlwind broad strokes tour of the virtual impossibility of legally immigrating if are

an unskilled worker in El Salvador who doesn't happen to have parent or child who is a U.S. citizen.

Here goes: The annual immigration to the U.S. is roughly 740,000 worldwide, divided into these 3 broad categories: Family, Employment, Refugees

## **Who gets priority: Family Based**

**480,000**

**Minor children of citizens**

**Relatives of legal permanent residents:**

- **Spouses and minor children**
- **Unmarried sons and daughters**

**Married sons and daughters of citizens**

**Sibs of citizens**

For family connections, minor children of citizens have the highest priority, then those below in that order.

## Who Gets Priority: Employment-Based

**140,000**

- **Extraordinary priority workers**
- **Advanced degrees**
- **Skilled Shortage Workers (sponsored)**
- **Unskilled Shortage Workers (sponsored)  
(5,000 worldwide)**

Of the 140,000 employment based slots, 5,000 worldwide are allotted to unskilled workers.

To be considered for one of these, a U.S. employer must attest he has a job for which he can't find a U.S. worker

## Unskilled Worker: Odds of Approval

**Worldwide:** 5,000 of 140,000 (= 3.5%)  
employment-based slots for unskilled

**El Salvador (2013): 425** total employment

**Estimated Salvadoran unskilled slots**

$$425 \times 3.5\% = 15$$

So here's the math for odds of a random unskilled worker getting approved, in 2013, at least.

That year 425 employment-based slots for Salvadorans were approved. Almost all were for highly sought professionals and skilled workers with advanced degrees

So of those 425, roughly 15 slots might have been approved for an unskilled Salvadoran, sponsored by a U.S. employer.

## “GET IN LINE”

- **Approval  $\neq$  Admission**
- **4.4 million people long**  
**78,000 Salvadorans**
- **Years to Decades**

Not one of these 15 people would actually be admitted, because there is a waiting list. Worldwide of 4 ½ million people, in El Salvador currently 78,000 people.

Virtually everyone in this line has higher priority than this theoretical would-be immigrant. The wait time is years to decades.

“Consular procedures mandate regular culling of visa cases to remove those unlikely to see further action.”

Then there's this checkmate directive to the immigration consulates in every country.

Translation: if it looks hopeless, immigration will just take you off the list.

So: The chance of ever being approved is essentially zero.

And if by some miracle you were approved for the waiting list, you'd be quickly removed from it.

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# Refugees

**Can no longer live in their home country**

**DUE TO:**

1. “reasonable fear or proof” of persecution

**AND**

2. race, religion, nationality, membership  
in a social group, or political opinion.

But there was one more category, refugees. Refugees theoretically are admitted once approved, or used to be before recent executive orders.

Here are the two criteria: credible fear of persecution **BASED ON** membership of a particular race, religion, country, group or political opinion.

So while people who can't feed their families might reasonably be considered economic refugees, that doesn't meet this definition.

## Murder Rates

per 100,000 (2015)

Canada 1.68

Cuba 4.2

U.S. 4.35

Chicago 17.3

El Salvador 108

Currently In El Salvador, fear of gang-related violence has become the primary motivation for flight to the U.S.

You might think that would be more compelling to immigration officials than simple economic hardship.

But being at risk plus being Salvadoran is not compelling to U.S. immigration officials.

## **Granted Refugee Status in 2013**

**(181 Countries)**

<b>Total:</b>	<b>119,630</b>
<b>China</b>	<b>14,146</b>
<b>Cuba:</b>	<b>26,407</b>
<b>Somalia</b>	<b>2,766</b>
<b>El Salvador</b>	<b>425</b>

Being Cuban, however, clearly is.

Here are recent refugee admission numbers suggesting there's some political discretion involved in deciding who are true refugees.

The case for asylum for Cubans, who accounted for roughly 1/4 of all refugee admissions in 2013, was more compelling

than from a country with the highest homicide rate in the hemisphere.



So that's the whirlwind tour.

The flow of undocumented Latin American immigrants continues and will continue, despite the dangers

Because Salvadorans and other Latinos well understand the impossibility of entering the U.S. legally.

And because desperation trumps walls and warnings of danger every time,

Many but not all cross successfully. This is a NYT photo of an Arizona morgue last year, holding those who perished along the way.

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None of this goes to show that those who say their family came legally are wrong.

It's just to remind us that the age-old reasons to leave one's country for another – desperation, economic disaster, and survival for one's family -- have not changed.

What has changed are the rules.