

Other	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Amnestied Aliens¹	+31,250	+62,500	+93,750	+125,000	+125,000	+125,000	+125,000	+125,000	+125,000	+125,000
TOTAL Permanent Resident Aliens²	+31,250	+62,500	+93,750	+125,000	+125,000	+125,000	+125,000	+125,000	+125,000	+125,000
Anchor Babies³	NA ^a	NA	NA	NA	NA	NA	NA	NA	NA	NA
Net) in Adjustment of Status Backlog⁴	NA ^b	NA	NA	NA	NA	NA	NA	NA	NA	NA
TOTAL PERMANENT IMPACT⁵	+31,250	+62,500	+93,750	+125,000	+125,000	+125,000	+125,000	+125,000	+125,000	+125,000

NA = Not affected by HRIFA

Yes Vote = Increase; No Vote = Blocked Increase

* This table shows by how much legal immigration to the United States is likely to increase as a result of the Haitian Refugee Immigration Fairness Act of 1998 (HRIFA). The act took effect in fiscal year 1999, so the numbers in the table represent the projected cumulative increase in immigration between 1999 and 2008. The act grants amnesty to Haitians, along with their spouses and children, who entered the country illegally and applied for asylum or who were paroled into the country by December 31, 1995. They must have lived continuously in the U.S. since December 31, 1995 and must apply for amnesty before April 1, 2000.

** LPR = Legal Permanent Resident

¹ The numbers in the table are based on estimates by the INS and the House Immigration and Claims Subcommittee that there are 50,000 Haitians in the United States who are eligible for amnesty, and that each of them has an average of 1.5 dependents, for a total of 125,000. Since the amnesty began in 1999, and all applications must be filed by April 1, 2000, the table assumes that all Haitians and their dependents will have been processed and granted legal residence by the end of fiscal year 2002, a year and one-half after the application deadline. This time frame may be overly optimistic in light of the processing backlog at the INS, and the fact that the INS will be processing the beneficiaries of the Nicaraguan Adjustment and Central American Relief Act at the same time. In any case, all eligible Haitians and their families should be processed before the end of fiscal year 2008, so the 10-year impact will be the same, even if processing is slower than the table assumes.

³ This row shows the impact of HRIFA on the total number of aliens to be granted legal

permanent resident status.

⁴ "Anchor Babies" are the children born in the United States to illegal-alien mothers. Under current practice, these children are U.S. citizens at birth, simply because they were born on U.S. soil. They are called anchor babies because, as U.S. citizens, they become eligible to sponsor for legal immigration any of their relatives, including their illegal-alien mothers, when they turn 21 years of age, thus becoming the U.S. "anchor" for an extended immigrant family. Moreover, the INS rarely deports illegal immigrants who have U.S.-born children, so by virtue of being born on U.S. soil, these children offer some protection to their parents from deportation.

⁵ This row shows the net annual change in the number of aliens whose applications for adjustment to permanent resident status are still pending because of administrative delays in processing at the INS. The adjustment of status backlog first appeared in 1994 and was exacerbated by a provision of immigration law, Section 245(i), enacted by Congress to allow illegal immigrants to adjust to permanent resident status without having to leave the country, if they were otherwise qualified. The effect of this provision was to shift a large workload from the State Department, which handles the issuance of immigrant visas abroad, to the INS. The numbers shown in the table reflect the entire backlog of pending adjustment of status application, less the seven percent historical denial rate. All the aliens in the backlog were residing in the United States as of the time their applications were submitted, and all those included in the table, since it accounts for the denial rate, eventually will be issued green cards and allowed to remain permanently. (It is possible, of course, that a small number of them will change their minds about immigrating and decide to return home, or will die before their paperwork is processed, but otherwise, all will become legal permanent residents.) Had the INS kept up with its adjustment workload, total annual immigration would not have increased by the whole amount shown in this category because of the annual ceilings on most legal immigration categories, particularly on the family-preference categories, which represent an estimated 14 percent of the backlog. However, because the vast majority of the backlog is comprised of spouses, minor children and parents of citizens, and a smaller number of workers seeking employment-based visas, some of which go unused each year, the INS estimates that, had it kept up with adjustment of status processing, up to 140,000 additional immigrants would have been granted permanent residence status each year. Thus, the backlog numbers are included in the table for a couple of reasons: first, they show that the demand for immigrant visas is not declining, even though official immigration numbers are at their lowest point in several years; and second, they indicate the degree to which the official numbers are artificially low. The table uses the net change in the adjustment backlog in order to avoid double counting these aliens once the INS begins to get on top of the backlog. Once the backlog begins to decline, the category will show a negative number, which will then be subtracted from the number of total permanent resident aliens, since these immigrants have already been counted in previous years.

⁶ This row shows the total permanent impact of HRIFA. Since it is impossible to quantify

how HRIFA will affect the adjustment of status backlog or the number of anchor babies, the numbers in this row are the same as those in "TOTAL Permanent Resident Aliens."

^a Amnesty programs like HRIFA likely result in increases in the number of anchor babies, since they encourage illegal immigration. They send a message to illegal immigrants that if they remain in the United States long enough, they, too, may be amnestied. Available data, however, are insufficient to quantify any such increase.

^b HRIFA is likely to have a significant impact on the adjustment of status backlog, since it will add substantially to the workload of the INS, which must process all of the amnesty beneficiaries. If the INS focuses its resources on reducing the current adjustment of status backlog (811,000 as of the end of fiscal year 1998), HRIFA beneficiaries will become backlogged; if HRIFA beneficiaries are processed first, the current backlog will continue to grow. At this point, the extent of HRIFA's impact on the adjustment of status backlog is unclear.

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