

IMPROVING US AND EU IMMIGRATION SYSTEMS



Scientists, Managers, and Tourists:
The Changing Shape of European Mobility to the United States

By Xiaochu Hu and Madeleine Sumption





## **SCIENTISTS, MANAGERS, AND TOURISTS:**

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July 2011







#### **Acknowledgments**

This paper was produced for Pilot Projects on Transatlantic Methods for Handling Global Challenges in the European Union and the United States, a project funded by the European Union. The project is conducted jointly by the Migration Policy Institute and the European University Institute. The contents of this publication are the sole responsibility of the author and can in no way be taken to reflect the views of the European Union.

The authors would like to thank Jeanne Batalova for her helpful comments, and Elise Brau and Ashley Challinor for excellent research assistance.

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Cover Design: Burke Speaker, MPI
Typesetting: April Siruno, MPI

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Suggested citation: Hu, Xiaochu and Madeleine Sumption. 2011. Scientists, Managers, and Tourists: The Changing Shape of European Mobility to the United States. Washington, DC: Migration Policy Institute.



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### **Executive Summary**

European dominance in US immigration flows has waned since World War II, a result of economic, demographic, and policy trends on both sides of the Atlantic. Today, immigrants from European Union (EU) Member States represent about 10 percent of all permanent immigrants to the United States, down from over half in the mid-20<sup>th</sup> century and 90 percent in the mid-19<sup>th</sup> century.

That said, Europe punches above its weight as a source of high-end workers (both temporary and permanent). Substantial numbers of European scientists, professionals, and businesspeople come to the United States for its high-quality universities and research centers, or to join the US offices of global firms. EU citizens are particularly well represented among the ranks of "exceptionally talented" 0-1 visa recipients.

## European dominance in US immigration flows has waned since World War II.

Individuals who immigrate from the European Union to the United States differ significantly from other immigrant groups. They earn more; are more highly educated; are better represented in professional, managerial, and scientific occupations; and have greater English proficiency than other immigrants. They also tend to be older than other immigrants (most often because they arrived earlier) and are more likely to be naturalized citizens.

Because the immigration debate in the United States usually focuses on the large unauthorized population, these highly skilled migration flows from the European Union have maintained a relatively low profile in policy circles. However, these flows have, on occasion, made their way into the immigration policy debate. Perhaps the single most significant policy affecting movement from the European Union to the United States is the Visa Waiver Program (VWP), a visa-free travel program which primarily benefits Europeans and which has facilitated an increase in the short-term mobility of tourists and business visitors. In light of the large flows of people traveling across the Atlantic and the fact that many have the option of visa-free travel, border security measures have been the main focus of EU-US dialogues in the field of migration. Other potential areas of cooperation — such as labor migration and the circulation of professionals — have received little attention.



#### I. Introduction

The history of European immigration to America is older than the nation itself. Until the mid-20<sup>th</sup> century, Europeans made up the overwhelming majority of newcomers to the North American continent. Until the late 19<sup>th</sup> century, most immigrants came from Britain, Germany, and Ireland. At the turn of the 20<sup>th</sup> century, millions of Italian and Eastern European immigrants helped to create one of the largest immigration waves the nation had experienced. However, immigration from all regions fell dramatically in the 1930s, during the Great Depression. Restrictive immigration legislation passed in 1924 further curbed legal inflows (see Figure 1).

Europe's dominance in US immigration flows waned in the mid-20<sup>th</sup> century as a result of several converging trends. First, social, political, demographic, and economic developments in Europe gradually reduced the incentive for emigration. Many European economies boomed in the postwar period,¹ and unemployment fell to extremely low levels. In the early 1960s, for example, unemployment dipped below 1 percent in West Germany, less than one-fifth the rate in the United States at the time.² Social programs and public education also flourished in postwar Europe, improving the lot of working-class citizens who might previously have moved to the United States in search of economic opportunities. As population growth slowed and economies grew, a number of European countries that had previously fueled emigration to the United States — including Germany, the United Kingdom, Italy, and Spain — turned into significant *importers* of labor during the second half of the 20<sup>th</sup> century (a transition that took place at varying speeds and with varying levels of enthusiasm). Meanwhile, the Iron Curtain curtailed movement from Eastern Europe and Russia to the West for several decades, with the exception of periodic outflows of refugees.

Second, major US immigration legislation in 1952 and 1965 replaced a system that had explicitly favored ethnic Europeans with an admissions process that instead emphasized family unification (and whose basic architecture remains in place today). At first, the new family-focused policy led to an increase in immigration from southern European countries — notably Greece, Italy, and Portugal — with many recent immigrants to the United States. However, immigration from south of the border accelerated on the heels of bilateral agreements with Mexico in the 1940s and 1950s. Larger numbers of Latin Americans arrived and settled in the country, soon joined by their families. And from 1965 onward, substantial numbers of Asians entered on employment-based visas and as refugees (especially after 1980) and students. Over time, these groups, and not the declining European flows, became the major beneficiaries of the family-focused US immigration system.<sup>3</sup>

Major US immigration legislation in 1952 and 1965 replaced a system that had explicitly favored ethnic Europeans with an admissions process that instead emphasized family unification.

As a result of these trends, Europeans have constituted a far smaller share of immigrants to the United States since the 1950s than in earlier periods of American history. This has been particularly true since the 1980s.

The United Kingdom was a notable exception.

Organization for Economic Cooperation and Development (OECD), "Labor Force Statistics, Harmonized Unemployment Rates and Levels," <a href="http://stats.oecd.org/index.aspx?queryid=251">http://stats.oecd.org/index.aspx?queryid=251</a>.

<sup>3</sup> At the same time, new requirements for labor certification may have reduced legal flows from countries such as Ireland, who did not meet skills criteria to qualify for employment-based visas and did not have immediate family members in the United States.

4)

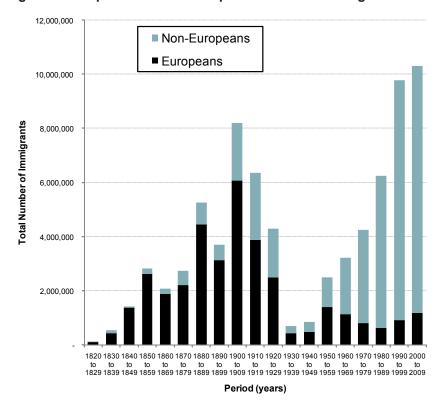


Figure 1. European and Non-European Permanent Immigration to the United States, 1820-2009

*Note:* Data represent green card recipients. Discrepancies in data collection and definitions create some inaccuracies. "Europeans" include various non-EU members sending small numbers of immigrants to the United States; Russians are included in "non-Europeans."

Source: US Department of Homeland Security (DHS), Yearbook of Immigration Statistics 2009 (Washington, DC: DHS, 2010), www.dhs.gov/files/statistics/publications/yearbook.shtm.

Today, the approximately 3.6 million immigrants from the EU Member States make up just under 10 percent of the United States' 38 million immigrants.<sup>4</sup> About 60 percent of EU immigrants<sup>5</sup> in the United States come from four countries that make up just under half of the EU population:<sup>6</sup> the United Kingdom, Germany, Poland, and Italy (see Table 1).

But by other metrics, mobility between Europe and the United States has been significant over the past three decades. Permanent immigration may have fallen and Europe may represent a smaller share of movement than in the past, but large flows of temporary visitors, workers, and students remain. These flows have been facilitated by global integration, increased intracorporate mobility, the growing availability and use of temporary work visas during the 1990s and 2000s, reduced travel costs, and visa-free travel for most EU countries.

<sup>4</sup> American Community Survey (ACS) 2007-09. These and all other ACS data used in the paper were accessed through IPUMS: Steven Ruggles, J. Trent Alexander, Katie Genadek, Ronald Goeken, Matthew B. Schroeder, and Matthew Sobek, *Integrated Public Use Microdata Series: Version 5.0* (Minneapolis: University of Minnesota, 2010).

<sup>5</sup> Throughout this paper, EU immigrants refer to individuals born in countries that now belong to the European Union. Note that many are now naturalized citizens and, depending on their date of immigration and their source country's accession to the European Union, a certain proportion will never have held EU citizenship.

<sup>6</sup> Eurostat, "EU27 Population 501 Million at 1 January 2010," (news release, July 27, 2010), http://epp.eurostat.ec.europa.eu/cache/ITY\_PUBLIC/3-27072010-AP/EN/3-27072010-AP-EN.PDF.



Table 1. Estimated Number of US Immigrants Born in EU-27 Countries, 2007-09

Country	Number
United Kingdom	670,000
Germany	627,000
Poland	472,000
Italy	391,000
Portugal	194,000
Romania	173,000
Greece	170,000
France	157,000
Ireland	148,000
Netherlands	89,000
Hungary	82,000
Spain	81,000
Czech Republic and Slovakia	74,000
Bulgaria	58,000
Austria	52,000
Sweden	45,000
Lithuania	38,000
Belgium	32,000
Denmark	30,000
Latvia	26,000
Others	27,000
Total	3,636,000

Note: Country of birth is presented as reported by individuals. The survey data contain no observations for immigrants born in Cyprus, Luxembourg, or Malta; Czech Republic and Slovakia include individuals who reported their country of birth as "Czechoslovakia."

Source: American Community Survey (ACS), 2007-09.

The *character* of European flows has also changed dramatically since the mid-20<sup>th</sup> century movement of European immigrants to the United States. Europeans now represent a disproportionate number of high-end immigrant workers — both temporary and permanent — including scientists, professionals, and businesspeople. The quality of tertiary education in the United States, along with the country's status as a global center of specialized research, has drawn substantial numbers of European students and faculty in the sciences, many for short- and medium-term stays. Meanwhile, the growth of global firms with offices on both sides of the Atlantic has created a steady flow of intracompany transferees and businesspeople.

EU immigrants to the United States thus differ from those of other regions. Fewer in number and more skilled than most other immigrant groups, they no longer stir the heated debate they once did. As recently as the 1980s, interest groups supporting Irish and Italian immigrants lobbied vigorously for the diversity visa program, which was formed with the (indirectly stated) intention of helping certain European immigrant groups find a route to legal immigration. (The program now primarily

<sup>7</sup> Indeed, two-thirds of non-American Nobel Prize winners in science and medicine who gained their PhDs after 1955 had studied in the United States. See Claudia Goldin and Lawrence Katz, *The Race between Education and Technology* (Cambridge, MA: Belknap Press, 2008).



benefits Africans and some other European nationals, including Bulgarians, Romanians, and Germans.)<sup>8</sup> Today, by contrast, discussions about EU-US mobility primarily concern visa and traveler-screening arrangements for short-term business and tourist travel.

This report examines where immigration from Europe — and, specifically, the European Union — stands today. It analyzes the nature of EU migration to the United States, the role of EU immigrants in the US economy and US society, and the policies that shape mobility between the European Union and the United States.<sup>9</sup>

## II. EU Immigration and Travel to the United States: Entry Routes and Policies

Mobility across the Atlantic comes in various forms and is governed by a range of policies, depending on the purpose of the stay. This section analyzes immigration flows of four major types: tourists and business visitors, students, temporary workers, and permanent residents. Note that the overwhelming majority of these medium- to long-term migrants now come to the United States legally. The US government estimates that immigrants from the European region — including non-EU European countries — make up less than 3 percent of the country's approximately 11 million unauthorized immigrants, compared to 11 percent of the annual inflows of legal permanent residents. 10

#### A. Tourists and Business Visitors

Most EU citizens who enter the United States do so on a temporary basis and leave soon thereafter. Most of this movement takes place under the Visa Waiver Program (VWP), which allows visa-free travel for nationals of participating countries for up to 90 days. The program's purpose is to facilitate mobility and reduce the burden of visa processing from countries considered to present a low risk of violating immigration law or national security.

The VWP currently covers 36 countries, of which 23 are EU members. Within the European Union, only Bulgaria, Cyprus, Poland, and Romania are excluded. EU citizens accounted for just under three-quarters of all VWP visitors in 2009, and the majority of these visits were from the top six sending countries (see Table 2).<sup>11</sup>

<sup>8</sup> US Department of Homeland Security (DHS), *Yearbook of Immigration Statistics 2009* (Washington, DC: DHS, 2010), www.dhs.gov/files/statistics/publications/yearbook.shtm.

<sup>9</sup> Note that many European immigrants now living in the United States were not EU citizens when they immigrated — for example, the Polish nationals who moved in substantial numbers after the fall of the Berlin Wall. In the interest of simplicity, however, this paper looks broadly at all current EU Member States, regardless of their accession date.

<sup>10</sup> Michael Hoeffer, Nancy Rytina, and Bryan C. Baker, *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2009* (Washington, DC: DHS, 2010), <a href="www.dhs.gov/xlibrary/assets/statistics/publications/ois\_ill\_pe\_2009.pdf">www.dhs.gov/xlibrary/assets/statistics/publications/ois\_ill\_pe\_2009.pdf</a>. Data on permanent residents from Figure 1.

<sup>11</sup> DHS, Yearbook of Immigration Statistics 2009.



Table 2. Number of Visits Under the Visa Waiver Program (VWP), 2009

Region and Country of Citizenship	Visa Waiver	Percent of All EU VWP Visits
United Kingdom	4,352,000	35
Germany	1,840,000	15
France	1,532,000	12
Italy	951,000	8
Netherlands	702,000	6
Spain	698,000	6
All EU countries	12,282,000	100

Note: Individuals who enter the United States more than once are counted as many times as they enter. Source: DHS, Yearbook of Immigration Statistics 2009, Table 28.

By lifting the burden of applying for and obtaining a visa at a US consulate in order to enter the United States, VWP membership can spur mobility substantially, at least initially. Indeed, the number of tourist or business visits from the six Eastern European countries that entered the VWP program in late 2008 increased by an average of about one-third between 2008 and 2009, even in the midst of the economic crisis. During the same period, business and tourist visits from long-standing VWP members France, Germany, and the United Kingdom fell by 1, 4, and 14 percent, respectively (see Table 3).

Table 3. Business and Tourist Visits: New VWP Entrants Compared to France, Germany, and the United Kingdom, 2008-09

Country 2008 Visits		2009 Visits	Percent Change				
New VWP Members							
Czech Republic	50,267	69,399	38				
Hungary	44,617	52,808	18				
Estonia	11,126	18,365	65				
Slovakia	21,292	31,010	46				
Latvia	11,001	12,653	15				
Lithuania 12,350		17,400	41				
Old VWP Members							
France	1,582,977	1,561,568	-1				
United Kingdom 5,234,744		4,494,661	-14				
Germany 1,961,223		1,879,127	-4				

*Note*: The new VWP members listed joined in late 2008. The United Kingdom in 1988, and France and Germany joined in 1989.

Source: DHS, Yearbook of Immigration Statistics 2009, Table 28.

The VWP has occasionally aroused debate in both the United States and Europe, often around the questions of visa reciprocity, the mechanisms for admitting new members, and security concerns. American passport holders can visit any EU Member State without a visa. Since all but two EU countries participate in the Schengen border-free area, individual Schengen members cannot unilaterally exclude American citizens. Membership of the United States' VWP, however, is negotiated on a bilateral basis with individual countries, although the European Commission also runs parallel discussions with US policymakers in which it advocates for the admission of the remaining EU Member States. The

<sup>12</sup> The Czech Republic, Estonia, Hungary, Latvia, Lithuania, and Slovakia were admitted in November 2008.



US government periodically announces new countries' readiness to join the program — six Eastern European countries were added in 2008, 13 and Greece joined in early 2010.

The main criterion for participation in the VWP is that countries must have low refusal rates for tourist and business visas issued at US consulates. US law states that countries are eligible for admission only if they have visa refusal rates of less than 3 percent, although 2007 legislation allows negotiations to take place with countries having rates of up to 10 percent if they meet other requirements, such as cooperating with the United States on counterterrorism measures (primarily, information-sharing agreements). Of the remaining nonmembers, Poland met the negotiation requirement in 2010 (with a visa refusal rate of 9.8 percent) and Cyprus met the stricter standard (at 1.7 percent). Romania and Bulgaria remained some distance from both benchmarks (with rates of 24.8 and 17.2 percent, respectively).

In the United States, the VWP came under congressional scrutiny as US border and air-travel security measures were heightened following the 9/11 terrorist attacks. Concerns about the risk of terrorist entries led to a series of new policies designed to screen incoming travelers, notably the Electronic System for Travel Authorization (ESTA), which requires VWP travelers to register in advance and (since 2010) pay a \$14 fee. Border security measures such as these have been the main focus of EU-US negotiations in the field of migration, and are discussed in more detail elsewhere. 17

#### B. International Students

The United States is the world's leading destination for international students. American universities and colleges host almost 700,000 international students annually, of whom an estimated 58,000 were from EU countries in the 2009-10 academic year. Foremost among EU student-sending countries are Germany, the United Kingdom, France, Italy, and Spain. 9

The number of students from EU countries who attend US universities has fluctuated in recent years. Significantly fewer student visas were issued in 2002 and 2003 than in 2001, due at least in part to the tightening of security following 9/11, though the number had been on a slight downward trajectory since 1999. The number of student visas issued to EU nationals grew modestly in the mid-2000s, peaking in 2008, then falling by 4 percent between 2008 and 2009. The small decline is only slightly more than the declines in student visa issuances for nationals of other regions, which fell by less than 3 percent in 2009. Current flows are above those of the early to mid-2000s but remain below pre-2000 levels.

Rey Koslowski, *The Evolution of Border Controls as a Mechanism to Prevent Illegal Immigration* (Washington, DC: Migration Policy Institute, 2011), www.migrationpolicy.org/pubs/bordercontrols-koslowski.pdf.

<sup>14</sup> Once US entry-exit systems for monitoring movement to and from the country have been improved, participants will be required to meet a minimum rate of unauthorized overstays; however, progress in setting up an effective entry-exit system has been slow. See Koslowski, *The Evolution of Border Controls*.

Testimony of Jess T. Ford, Director of International Affairs and Trade, Government Accountability Office, before the US Senate Judiciary Committee Subcommittee on Terrorism, Technology, and Homeland Security, *Visa Waiver Program: Actions Are Needed to Improve Management of the Expansion Process, and to Assess and Mitigate Program Risks*, 110<sup>th</sup> Cong., 2<sup>nd</sup> sess., September 24, 2008, <a href="https://www.gao.gov/new.items/d081142t.pdf">www.gao.gov/new.items/d081142t.pdf</a>; Paul de Hert and Rocco Bellanova, *Transatlantic Cooperation on Travelers' Data Processing: From Sorting Countries to Sorting Individuals* (Washington, DC: Migration Policy Institute, 2011).

<sup>16</sup> US Department of State, "Adjusted Refusal Rate — B-Visas Only — By Nationality, Fiscal Year 2010," <a href="http://travel.state.gov/pdf/FY10.pdf">http://travel.state.gov/pdf/FY10.pdf</a>.

<sup>17</sup> See Koslowski, *The Evolution of Border Controls*; and De Hert and Bellanova, *Transatlantic Cooperation on Travelers' Data Processing.* 

<sup>18</sup> Calculated from the International Institute of Education, "International Students by Place of Origin, 2008/9–2009/10," in *Open Doors Report on International Educational Exchange*, <a href="www.iie.org/en/Research-and-Publications/Open-Doors/Data/">www.iie.org/en/Research-and-Publications/Open-Doors/Data/</a> International-Students/All-Places-of-Origin/2008-10.

<sup>19</sup> Ibid.

<sup>20</sup> Note that some countries experienced more dramatic declines in student visa flows over the past two years. These include Romania (-31 percent), Bulgaria (-27 percent), and Poland (-25 percent).



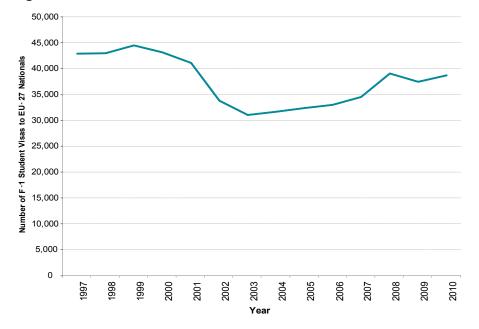


Figure 2. Number of F-1 Student Visas Issued to Nationals of EU-27 Countries

Source: US Department of State, "Nonimmigrant Visa Statistics 2010," http://travel.state.gov/visa/statistics/nivstats/nivstats 4582.html.

Most students leave the country after their studies. Some leave by choice, while others leave because their visas require them to (this is the case for some of those with "exchange visitor" visas) or because they cannot find an employer to sponsor their continued stay. A limited number stay on to work. Unlike other temporary US work visas, work authorization following the attainment of a degree (bachelor's, master's, or PhD) is not tied to a specific employer. The United States allows international students to work for one year after they receive their degree; this can be extended to 29 months for graduates in science, technology, engineering, and mathematics (STEM) fields. This period of poststudy work gives US-educated foreign nationals the opportunity to find an employer that may be willing to apply for a work visa on their behalf or in some cases support them in gaining permanent residence. According to a survey of the 2003 cohort of green card recipients, 6 percent had at some point studied in the United States on a temporary visa, and this route was about twice as common for immigrants from the Europe and Central Asia region than for immigrants from other regions.<sup>21</sup>

#### C. Temporary Work Visas

EU citizens can come to the United States for work purposes on temporary work visas, some of which have more restrictive conditions than others. The major categories of work visas and their purposes are listed in Table 4. Some of these visas are designed to facilitate international trade and business (notably the visas for traders and investors and for intracompany transferees). Others are focused more directly on admitting highly skilled workers to the US labor market (such as the H-1B visas for skilled professionals, or the O-1 visas for those with "extraordinary ability"). For almost all highly skilled workers who go on to receive employment-based permanent visas, these temporary visas are the entry point into the US labor market.<sup>22</sup>

Guillermina Jasso, Douglas S. Massey, Mark R. Rosenzweig, and James P. Smith, "The New Immigrant Survey 2003 Round 1 (NIS-2003-1) Public Release Data," March 2006, <a href="http://nis.princeton.edu/data.html">http://nis.princeton.edu/data.html</a>.

<sup>22</sup> Approximately 90 percent of employment-based green card recipients were already present in the United States on some form of temporary visa before receiving a green card. Demetrios G. Papademetriou, Doris Meissner, Marc R. Rosenblum, and Madeleine Sumption, Aligning Temporary Immigration Visas with US Labor Market Needs: The Case for a New System of Provi-



Table 4. Major Categories of Visas Conferring Work Authorization in the United States

Visa	Purpose
E	Treaty-Trade (E-1) or Treaty-Investors (E-2) from countries where the United States has a treaty of commerce and investment <sup>23</sup>
Н	Temporary workers: Highly skilled (H-1) or low skilled (H-2)
J	Exchange visitors (J-1) and spouses (J-2)
L	Intracompany transferees (L-1A and L-1B) and families (L-2)
0	Extraordinary ability aliens in science, arts, business, and athletics (O-1), families (O-2)
Р	Athletes, entertainment groups, support personnel (P1-3), and spouses (P-4)

Source: DHS, Yearbook of Immigration Statistics 2009.

EU nationals have been the major beneficiaries of many of the temporary visas available for work in the United States. Figure 3 shows the number of times citizens from 22 EU countries were admitted at the US border through three significant channels: on temporary work visas (both low and high skilled), as exchange visitors ("J" visas), and as intracompany transferees. During the 1980s and 1990s, admissions shot up as more individuals received visas to travel, and the cost of travel declined (a single individual is counted in the data as many times as he or she enters the country).

But these European countries' share of all entries did not rise (Figure 3). The proportion of temporary workers from these countries declined most substantially, as growing numbers of workers from Asia — particularly IT workers — began to use H-1B visas. Meanwhile, the number of Europeans entering under the H-2B program for less-skilled temporary workers dwindled, as workers from Mexico and other Latin American countries came in larger numbers. Binding numerical limits on the total number of visas that can be issued per year are also likely to have put downward pressure on European immigration, since these individuals now have to compete for limited visas with a greater numbers of workers from other regions of the world.<sup>24</sup> Meanwhile, Europeans' share of intracompany transfers and exchange visitors declined over the 2000s, but to a lesser extent than in other categories.

Data on visa issuances paint a similar picture and, though they are not accessible for years before 1997, are likely to represent the number of workers coming into the country in a given year more accurately than the admissions data above, which count border crossings rather than individuals. In 2005 EU-27 nationals received 15 percent of H-1B visas issued in US consulates abroad, 27 percent of L visas for intracompany transferees, and 53 percent of the most elite temporary work visas for individuals with "extraordinary ability" in the sciences, business, or arts (the 0-1 visa). By 2009 Europeans' share of H-1B and L visa issuances had fallen slightly (to 10 and 23 percent respectively), but they retained their dominance in 0-1 visas. This is consistent with EU nationals' very high skill levels and earnings in the United States, discussed in the next section.

sional Visas (Washington, DC: Migration Policy Institute, 2009), www.migrationpolicy.org/pubs/Provisional visas.pdf.

<sup>23</sup> To see the list of countries that have concluded treaty trade and investor agreements with the United States, see Department of State, "Treaty Countries," <a href="http://travel.state.gov/visa/fees/fees\_3726.html">http://travel.state.gov/visa/fees/fees\_3726.html</a>.

<sup>24</sup> The absolute number of citizens from the 22 European countries receiving H-1B visas also decreased between 2000 and 2008, largely because of numerical constraints on the total number of H-1Bs that can be issued. The H-1B visa is capped at 65,000 individuals per year, plus 20,000 individuals with a US master's degree and a variable number of workers sponsored by public-sector or nonprofit research institutions (who are exempt from the cap).

Visa-issuance data come from the Department of State and only include individuals who received their visa from a US consulate abroad. As a result, they exclude individuals who adjust from one temporary visa to another (for example, students with poststudy work authorization are sometimes able to adjust from student to work visas without leaving the country). On the other hand, some workers who are issued visas do not follow through with their plans to come to the United States. Nonetheless, temporary visa-issuance data are likely to be more accurate than admissions data because they do not double count immigrants, some of whom travel back and forth to the United States several times a year.



180,000 60% 160.000 50% 140,000 Number of Admissions Share of All Admissions 120,000 40% 100,000 30% **1981** 80,000 **1990** 60.000 20% □2000 40,000 2008 10% 20,000 n 0% Temporary Exchange Intracompany Temporary Exchange Intracompany

Workers

Visitors

Admission by Category

Transfers

Figure 3. Admissions by Visa Category for 22 EU Countries, and These Countries' Share of All Visas Issued: 1981, 1990, 2000, and 2008

*Note:* Figure shows only countries whose data can be tracked by DHS back to 1981: this includes all EU-27 countries except Estonia, Latvia, Lithuania, Slovenia, and Cyprus. Data refer to border crossings, not visas issued; individuals who enter the United States more than once on the same visa are double counted. *Source:* DHS, *Yearbook of Immigration Statistics,* 1981, 1990, 2000, and 2008.

Transfers

The nature of mobility across the Atlantic differs by sending country. Wealthier EU members in Northern and Western Europe tend to send a greater proportion of their temporary workers on intracompany transfer visas — perhaps not surprising, given the greater density of multinational companies there. These workers tend to be highly skilled. At the other end of the skill spectrum, only a few countries send a significant number of workers on low-skilled visas for agricultural or seasonal work. These visas make up the largest proportion of all temporary work visas held by Romanians (41 percent) and Bulgarians (15 percent). Appendix 1 shows the distribution of work-visa holders across six of the major categories.

#### The Impact of the Economic Crisis

Workers

Visitors

Admission by Category

Temporary labor migration to the United States decreased during the economic crisis. Overall, issuances of H-1B visas declined to a six-year low in 2009, almost 30 percent below their 2007 peak (both worldwide and for EU-27 nationals). H1-B visas issued to British citizens fell by 35 percent. Multinational companies were also hit, transferring fewer staff to the United States from their offices abroad: L visa issuances for intracompany transferees fell by 20 percent globally from 2007 to 2009, and by 18 percent for EU nationals. For other work and student visas, the EU-27 countries experienced roughly the same declines as other regions, except for low-skilled (H-2) visa issuances, which fell by 74 percent for Europe and by 42 percent worldwide. While Romania and Bulgaria — as the two largest European users of the H-2B program before the crisis — accounted for most of the drop, Europeans' use of these visas had been declining for some time, and the short-term impact of the crisis simply may have accentuated a longer-term trend (i.e., of smaller numbers of Europeans entering the United States for low-skilled work).

Interestingly, the number of visas issued to the most highly skilled workers did not fall. "Extraordinary ability" (0-1 visa) issuances increased by almost 30 percent for German and French nationals, for example, and by 38 percent for Spaniards between 2007 and 2009 (see Table 5).



Table 5. Change in Number of Temporary Visas Issued (%), 2007-09

	E Visa	F Visa	H-1 Visa	H-2 Visa	J Visa	L Visa	O Visa	P Visa	Total of 8 Visas
United Kingdom	-16	-8	-35	-44	-3	-19	8	-2	-12
Poland	10	-26	-30	-88	-68	9	-5	26	-59
Germany	-26	22	-27	-82	-5	-28	27	-1	-7
France	-21	24	-24	-80	4	-17	29	-2	0
Greece	5	-3	-14	-100	-4	24	-12	-38	-7
Romania	-8	-31	-31	-83	-67	-22	11	37	-65
Italy	3	6	-11	-66	10	6	5	-39	4
Spain	37	17	-12	-57	13	0	38	-22	10
Bulgaria	-33	-27	-28	-89	-55	-22	-19	-5	-53
Netherlands	-23	22	-33	-78	-2	-17	-37	-9	-8
World	-15	10	-28	-42	-8	-20	17	-5	-12
EU-27	-16	9	-28	-75	-20	-18	12	-3	-15

Source: US Department of State, "Nonimmigrant Visa Statistics," <a href="http://travel.state.gov/visa/statistics/nivstats/nivstats\_4582.html">http://travel.state.gov/visa/statistics/nivstats/nivstats\_4582.html</a>.

Labor demand in the United States remained low in 2010, as high levels of unemployment persisted. It took US employers 10 months to reach the numerical limit on H-1B visas in 2010 (compared to just a couple of days on the eve of the crisis, in 2007). But as the economic recovery continues and unemployment falls, the flows of foreign workers are likely to regain some of their previous momentum, even if they do not return to the precrisis levels in the short run.<sup>26</sup>

#### D. Flows into Permanent Residence

Temporary visas in the United States typically expire between 1 and 10 years after issuance. The two primary visas for highly skilled workers that dominate EU worker flows to the United States — L visas for intracompany transferees and H-1B visas for highly skilled professionals — are valid for stays of up to five and six years, respectively. Unlike some other immigrant-receiving countries, the United States does not allow workers to renew temporary visas indefinitely. When their temporary visa expires, immigrants typically require permanent residence (a green card) to remain in the country. In most cases, acquiring an employment-based green card requires an employer-sponsor, although the most exceptional individuals (for example, internationally renowned scientists or researchers) may be eligible to apply without the support of an employer. (Foreign nationals can also acquire a green card if they marry a US citizen or legal permanent resident.)<sup>27</sup>

Tight numerical limits and strict conditions on visas make it relatively difficult to obtain a green card.<sup>28</sup> Some workers are therefore required to go home when their visas expire. Whether workers return by necessity or of their own volition, many more temporary visas are issued than green cards, suggesting that substantial return migration takes place.

Demetrios G. Papademetriou, Madeleine Sumption, and Aaron Terrazas, with Carola Burkert, Steven Loyal, and Ruth Ferrero-Turrión, *Migration and Immigrants Two Years after the Financial Collapse: Where Do We Stand?* (Washington, DC: Migration Policy Institute, 2010), <a href="https://www.migrationpolicy.org/pubs/MPI-BBCreport-2010.pdf">www.migrationpolicy.org/pubs/MPI-BBCreport-2010.pdf</a>.

<sup>27</sup> Small numbers also receive permanent residence by entering a green card lottery.

<sup>28</sup> Papademetriou et al., Aligning Temporary Immigration Visas.



In 2009, 63,000 EU-27 nationals gained US permanent residence. Like members of other US immigrant groups, most received their green card as an immediate family member (typically the spouse) of a US citizen. But EU-27 green card recipients are also about twice as likely to be employment-based immigrants than are green card recipients from other countries. Employment is a particularly significant route for EU citizens from Northern and Western Europe, notably Belgium, Denmark, the Netherlands, France, and the United Kingdom. This is consistent with the high skill levels of EU immigrants in the United States (indeed, workers must have at least a bachelor's degree to qualify for the main types of employment-based green card). It is also not surprising in light of their dominance among temporary work visa recipients, especially in some of the most highly skilled categories.

Reliance on employment streams (as opposed to family or other routes) has evolved over time and varies by country. Figure 4 shows the proportion of all green card recipients coming through the employment route in 1990 and 2010. In some cases, countries with long histories of immigration to the United States are shifting towards employment-based immigration from primarily family flows: these include Poland, Ireland, Italy, and the United Kingdom. In other cases, non-employment-based immigration has become a more significant share. For Sweden, Spain, and Belgium in particular, the number of (predominantly) family-based immigrants has increased significantly faster than the number of workers, reducing the dominance of employment-based immigration as a share of the total.

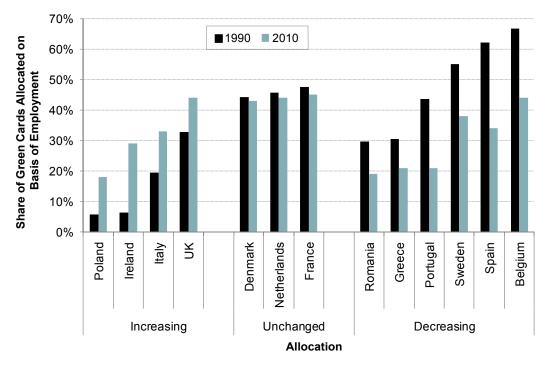


Figure 4. Share of Green Cards Allocated on the Basis of Employment (%), Select EU Countries, 1990 and 2010

Source: DHS, Yearbook of Immigration Statistics, 1990 and 2010.

#### E. Naturalization

Immigrants are eligible for naturalization after five years as a green card holder (or three years as the spouse of a US citizen), and must pass a naturalization test that assesses English language proficiency and knowledge of US history and civic institutions. About 60 percent of the EU-born immigrants currently living in the United States are naturalized US citizens — compared to just over 40 percent of immigrants from other countries. The older the immigrant and the longer he or she has been in the



country, the more likely he or she is to have naturalized; this partly explains why a high proportion (over 70 percent) of immigrants from Italy, Hungary, and Greece are naturalized citizens.<sup>29</sup>

While naturalization implies that individuals are no longer "circulating" and have instead settled permanently in the United States, it can also make it possible to spend long periods abroad. Permanent residents risk losing their green card if they live abroad for several years;<sup>30</sup> naturalized citizens do not. Moreover, US law tolerates dual citizenship, making it possible for EU-born US citizens to maintain their European citizenship and circulate freely for work (or indeed for retirement). Of course, US citizenship also confers voting rights, access to publicly funded welfare benefits, and greater opportunities for federal public-sector jobs, among other rights.

## Box I. Circulation and the Portability of Benefits between the European Union and United States

Workers who spend periods of their career abroad sometimes risk losing access to some or all of certain social entitlements such as pensions or health care benefits for which eligibility depends on lifetime contributions. In some cases countries require a minimum number of years of service in order to obtain a fixed pension, while in others the value of a pension may depend on the number of years of work, and workers may "lose" years spent abroad. Currently, a complicated patchwork of bilateral totalization agreements, primarily between wealthy countries, aims to ensure that workers from these countries who spend periods of their career abroad do not lose entitlement to pensions and health care. Totalization agreements also help to avoid double taxation for social security purposes, for example, for intracompany transferees who might otherwise pay social security taxes in both their home and host countries. An estimated 23 percent of migrants worldwide are covered by totalization agreements.<sup>31</sup>

Social security agreements are concluded on a bilateral basis, and 17 of the 27 EU Member States have such agreements with the United States (Austria, Belgium, the Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Poland, Portugal, Spain, Sweden, and the United Kingdom). For example, an American who has worked in France and the United States long enough to qualify for pensions from both systems can get credit for work in both countries when the size of the pension is calculated. Meanwhile, a German national who has worked for several years in Germany may be able to qualify for social security and disability benefits in the United States after making social security contributions for as few as six quarters, instead of the usual 40.34

Without totalization agreements, return migrants may face penalties or restrictions on their benefits at home and may not be able to receive pension payments from abroad either. Others may be unwilling to migrate or to return home. Extending the reach of totalization agreements to the remaining EU countries could help to further reduce EU-US barriers to labor mobility.

<sup>29</sup> However, immigrants from some countries — such as Sweden and Denmark — appear less likely to naturalize even after some time in the country. Less than 60 percent of immigrants from Sweden and Denmark aged 30 and above who arrived in the United States in 2000 or earlier had naturalized by 2006-08, compared to 70 percent on average for EU immigrants.

<sup>30</sup> Individuals with high incomes or assets may also be subject to an "exit tax" if they abandon their green-card status. See *Heroes Earnings Assistance and Relief Tax Act of 2008*, HR6081, 110<sup>th</sup> Cong., 2<sup>nd</sup> sess.

Johanna Avato, Johannes Koettl, and Rachel Sabates-Wheeler, "Social Security Regimes, Global Estimates, and Good Practices: The Status of Social Protection for International Migrants," *World Development* 38, no. 4 (2010): 455-66.

<sup>32</sup> US Social Security Administration (SSA), "U.S. International Social Security Agreements," <a href="https://www.ssa.gov/international/agreements\_overview.html">www.ssa.gov/international/agreements\_overview.html</a>; Internal Revenue Service (IRS), "Totalization Agreements," <a href="https://www.ssa.gov/businesses/small/international/article/0,id=105254,00.html">www.ssa.gov/businesses/small/international/article/0,id=105254,00.html</a>. The SSA site has full-text copies of each agreement.

<sup>33</sup> SSA, "Totalization Agreement with France," SSA Publication No. 05-10187, January 2006, www.ssa.gov/international/Agreement\_Pamphlets/france.html.

<sup>34</sup> SSA, "Totalization Agreement with Germany," SSA Publication No. 05-10191, May 2005, www.ssa.gov/international/Agreement\_Pamphlets/germany.html.



### III. EU Immigrants in the US Economy

#### A. EU-27 Immigrants in the Labor Market

Immigrants from EU countries are distinctively positioned in the US labor market and differ from other immigrant groups in several ways: they are older (having been in the country for longer, on average),<sup>35</sup> they are more heavily concentrated in the Northeast and Midwest (see Appendix 2),<sup>36</sup> they are more highly educated, and they are more strongly represented in professional, managerial, and scientific occupations.

Thirty-three percent of EU immigrants have a bachelor's degree or higher, compared to 28 percent of people born in the United States and 26 percent of immigrants not from the European Union. PhD holders make up 3.5 percent of EU immigrants, compared to 1.7 percent of the non-EU immigrant population and about 1 percent of the US born.<sup>37</sup> By contrast, 17 percent of EU immigrants lack a high school diploma, compared to 34 percent of non-EU immigrants and 12 percent of the US born.<sup>38</sup>

## The EU immigrant population is concentrated in highly skilled, executive, and managerial occupations.

EU-born immigrants also have superior language skills compared to other immigrant groups. On average, 76 percent speak English "very well" (or speak only English). Among some of the leading sending countries, 94 percent of Germans living in the United States speak English "very well" (or speak only English), compared to 65 percent of Romanians, 66 percent of Italians, and about half of Poles. By way of comparison, about one-quarter of Mexicans and two-fifths of Chinese immigrants have reached this level of language proficiency.<sup>39</sup>

Due to their high education levels and the strong likelihood that they move for work, the EU immigrant population is concentrated in highly skilled, executive, and managerial occupations. EU immigrants make up 4 percent of life and physical scientists; 3 percent of engineers, architects, and surveyors; and 3 percent of social scientists, despite constituting only 1.2 percent of the US population. At the same time they are underrepresented in lower-wage occupations such as construction, food preparation, and cleaning and building maintenance.<sup>40</sup> These trends differ somewhat by sending country: UK-born immigrants, for example, are particularly concentrated in executive and managerial work, while French immigrants dominate in teaching-related professions and the social sciences.<sup>41</sup>

<sup>35</sup> Because EU immigrants are older and more likely to be retired, they have higher rates of economic inactivity than other immigrants: 41 percent are not in the labor force, compared to a little over one-quarter of the US born and other immigrants. The median age of immigrants born in EU countries was 54 years old in 2007-09, compared to 39 and 40 for other immigrants and the US born, respectively. Sixteen percent of EU immigrants are between the ages of 18 and 35, compared to 33 percent of other immigrants and 24 percent of the US born (calculations from the ACS 2007-09).

<sup>36</sup> In particular, EU immigrants are overrepresented in Illinois and Michigan, and in Pennsylvania and Connecticut. The patterns vary by country of birth. UK, French, and German-born immigrants, for example, are most likely to live in California, while New York is the top state for those born in Italy, and Illinois for those born in Poland (calculations from ACS 2007-09).

<sup>37</sup> ACS 2007-09. Sample restricted to those aged 25 and above.

<sup>38</sup> Ihid

<sup>39</sup> Ibid. Excludes children under the age of 5 years.

<sup>40</sup> ACS 2007-09.

<sup>41</sup> ACS 2008. Note some differences by country. For example, Polish immigrants are more likely to work in a range of construction and skilled trades and occupations, as well as less-skilled jobs such as building cleaning and maintenance.



In light of these trends, it is perhaps not surprising that EU immigrants tend to command significantly higher earnings than other immigrants, even more than the US born. In 2008 EU-born immigrants had a median personal income of about \$45,000, compared to \$26,000 for non-EU immigrants and \$35,000 for the US born. EU immigrants fell into lower-income groups (from under \$10,000 to about \$20,000), and many more earned incomes of over \$80,000 (Figure 5). Indeed, the proportion earning over \$200,000 was more than double that of the US born and more than three times that of non-EU immigrants. The concentration in highly paid work is particularly strong for British immigrants, about 13 percent of whom had household incomes of over \$150,000.

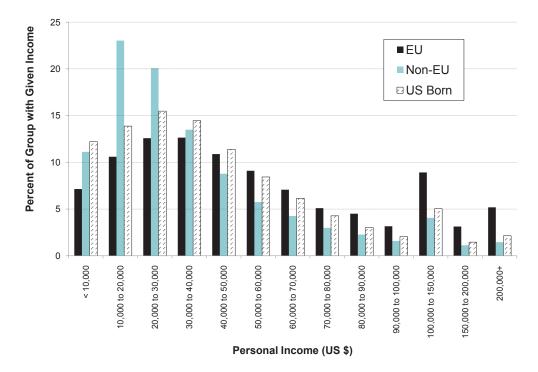


Figure 5. Personal Income of EU Immigrants, Non-EU Immigrants, and the US Born, 2008

*Note:* Sample includes employed individuals with positive incomes. *Source:* ACS 2008.

#### B. Recent Arrivals and the Brain Drain Debate

Recently arrived workers from EU countries are more educated, on average, than those who have been in the country for some time. Among EU-born immigrants who moved to the United States in 1995 or later, half have at least a college degree, compared to less than one-third of EU immigrants who moved before 1995 (see Figure 6). Recently arrived EU immigrants are also more strongly concentrated in highly skilled occupations such as the life and physical sciences, mathematics and IT, and executive or managerial jobs.

One explanation for this trend is that the average EU worker moving to the United States may have become more skilled with the increasing use and availability of temporary work visas over the past three decades (see Figure 3). Following the Immigration Act of 1990 and the economic expansion of the 1990s and 2000s, the number of temporary workers rose substantially (particularly after 1995). Many of these arrived on skilled work visas and as intracompany transferees working for multinational corporations.

<sup>42</sup> Income calculations include all employed workers with positive incomes.



The second likely explanation for recently arrived EU immigrants' higher skill levels is selective return migration. If more-educated workers are more likely to go home, then those who have been in the country longer are likely to have lower levels of education than those who arrived recently. The scale of return migration (not to mention its character) is difficult to estimate in the absence of good data on departures. However, significantly more temporary visas are issued than permanent ones, suggesting that many go home. Moreover, government survey data show that over time, a decreasing proportion of EU nationals from a given cohort remain in the country.

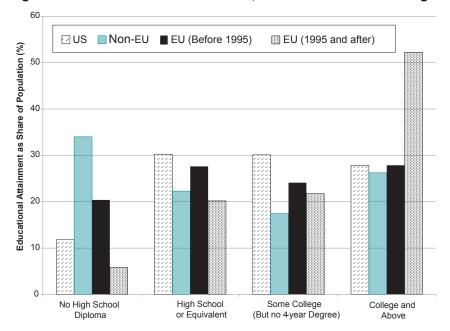


Figure 6. Education Levels of US Born, and EU and Non-EU Immigrants, 2007-09

Note: Recent EU immigrants include those who immigrated in 2000 or later. Source: ACS 2007-09, three-year sample.

This raises the question whether the flows of highly qualified EU immigrants to the United States represent "brain drain" from Europe, "brain circulation," or, most likely, some combination of the two. The migration of talent to the United States has been the subject of much political debate in Europe. Even if many of the EU students and workers who move to the United States eventually return home, some studies have indicated that the most successful Europeans — including high-flying scientists, artists, innovators, and entrepreneurs — are those most likely to emigrate. Scientists and researchers are at the center of these concerns, since US-based researchers are traditionally thought to have broader job opportunities, better access to funding and venture capital, and greater academic freedom than their European counterparts. In response, several initiatives have been launched to provide a better working environment and greater funding opportunities for scientists in Europe. The 2007 establishment of the

<sup>43</sup> In 2008, for example, 59,000 green cards were issued to EU nationals (in all categories, including family unification); this included both new arrivals and those coming on temporary visas. For most of the mid-2000s, however, the number of visas issued to EU nationals in the major visa categories associated with work and study exceeded 230,000 temporary visa issuances per year, including the following visas: E-1, E-2, F-1, H-1B, H-2B, J-1, J-2, L-1, L-2, O-1, O-2, O-3, R-1, and R-2. See Department of State, "Nonimmigrant Visa Statistics 2010," http://travel.state.gov/visa/statistics/nivstats/nivstats\_4582.html.

<sup>44</sup> In 2005, for example, ACS recorded an estimated 81,000 EU immigrants in the United States who had arrived in 2004. By 2009 the population of EU-born immigrants who had arrived in 2004 was an estimated 61,000, suggesting that about one-quarter of the 2004 cohort that was still present in 2005 had left the country again within five years. This calculation underestimates return migration since it excludes workers who stayed less than one year, arriving and leaving again in 2004. By contrast, 9 percent of the total cohort of immigrants (EU or non-EU) who arrived in 2004 and were still present in 2005 appeared to have left by 2009, according to the same calculation. The margins of error are substantial, but both decreases are statistically significant. Authors' calculations from ACS, 2005 and 2009.

<sup>45</sup> See, for example, Ioanna Kohler, *Gone for Good? Partis Pour de Bon? Les Expatriés de L'enseignement Supérieur Français aux États-unis* (Paris: Institut Montaigne, 2010), <u>www.institutmontaigne.org/medias/documents/etude\_kohler\_web.pdf</u>.



European Research Council, a frontier-research funding body, is foremost among these new projects. But it is too soon to tell to what extent this and other initiatives will make a difference.<sup>46</sup>

#### IV. Conclusion

In the past two decades, European immigration has maintained a relatively low profile in the United States, where political and policy attention has focused on the impact of the rapidly growing unauthorized immigrant population (comprised almost entirely of non-Europeans) and concerns about less-skilled immigrants. Because most EU immigrants are highly skilled workers, in many cases on temporary work visas, with high occupational status and incomes (who are not generally thought to "undercut" or displace US-born workers), they have not generated much debate.

But European migration across the Atlantic does raise a few policy questions. First, following the 9/11 attacks, security measures such as information-sharing agreements among Visa Waiver Program (VWP) members and the Electronic System for Travel Authorization (ESTA) have been passed, with the latter being criticized by some as a mechanism to reimpose visa-like requirements on VWP-country nationals. Policies to facilitate labor mobility across the Atlantic have received much less attention and are confined primarily to totalization agreements, which govern benefit eligibility for workers who split their careers between countries. If and when EU-US dialogue on migration goes beyond security concerns, it could be constructive for both parties to consider broader measures to facilitate labor mobility for professionals in both directions.<sup>47</sup>

In the past two decades, European immigration has maintained a relatively low profile in the United States.

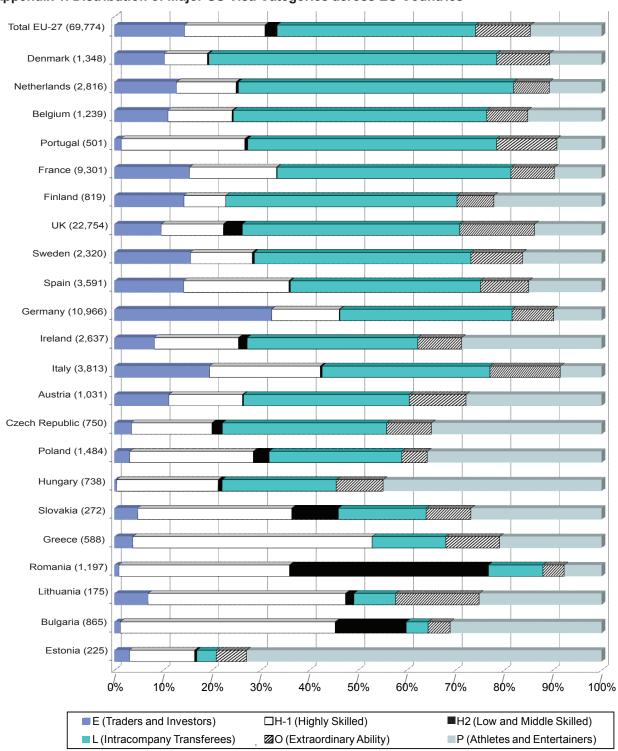
<sup>46</sup> ERC Expert Review Panel, *Towards a World Class Frontier Research Organisation* (Brussels: European Commission, July 2009), <a href="http://erc.europa.eu/pdf/final report 230709.pdf">http://erc.europa.eu/pdf/final report 230709.pdf</a>.

<sup>47</sup> Demetrios G. Papademetriou and Madeleine Sumption, *Opportunities for Transatlantic Cooperation on International Migration* (Washington, DC: Migration Policy Institute, 2011), <a href="https://www.migrationpolicy.org/pubs/transatlanticcooperation-2011.pdf">www.migrationpolicy.org/pubs/transatlanticcooperation-2011.pdf</a>.

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### **Appendices**

Appendix 1. Distribution of Major US Visa Categories across EU Countries



Note: Absolute number of visas per country in parentheses. Cyprus, Latvia, Luxembourg, Malta, and Slovenia are not included because the number of visas issued is very small; they are included in the EU-27 total, however. Source: US Department of State, <a href="https://www.travel.state.gov/visa/statistics/s

Appendix 2. Top Ten US States as Destinations for EU and Non-EU Immigrants

EU-born Immigrants	% of All EU Born	Non-EU-Born Immigrants	% of All Non-EU Born
New York	15	California	27
California	14	Texas	11
Illinois	9	New York	11
Florida	8	Florida	9
New Jersey	7	New Jersey	4
Massachusetts	5	Illinois	4
Texas	4	Arizona	3
Pennsylvania	3	Georgia	2
Connecticut	3	Massachusetts	2
Michigan	3	Washington	2
Total in Top 10 States	71	Total in Top 10 States	76

*Note:* States in italics appear in only one of the EU and non-EU top-10 state lists. *Source:* ACS 2008.



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