

Migrant Categories Included in Algorithms

by Rachel Cassidy*

This report outlines the categories of international migrants that are estimated as part of the Size, Characteristics, and Impact of Migration Contract. Algorithms have been developed to identify people in these different migrant categories and “assign” them a migrant status.[†] Whenever possible the names and definitions of the categories are based on the 1998 United Nations Statistics Division report, entitled “Recommendations on Statistics of International Migration, Revision 1.” The U.N. developed these recommendations after extensive international collaboration, in order to help increase comparability between migration statistics of different countries. The U.N. recommendations include a taxonomy of international inflows and outflows of people, as well as a framework for the compilation of statistics on these flows. The migrant categories for this project are designed to coordinate with the U.N.’s framework to ensure that the estimates produced are as internationally compatible as possible. The international migrant categories used in this project are outlined in Table 1, along with their relationship to the migrant categories in the U.N.’s framework; the categories in bold are those for which estimates will be produced with the algorithms. Each category is explained in detail in the remainder of the proposal.

International Migrants

The U.N. defines an international migrant as “any person who changes his or her country of usual residence.” A person’s country of usual residence is defined as “the country in which a person lives, that is to say, the country in which he or she has a place to live where he or she normally spends the daily period of rest” (United Nations 1998).

The U.N. recommendations separate international migrants into two types: long-term and short-term. Long-term migrants are people who move to a country other than their usual residence for at least a year, so that the destination country becomes their new country of usual residence. Short-term migrants are those who move for a period of at least three months but less than a year, “except in cases where the movement to that country is for purposes of recreation, holiday, visits to friends and relatives, business, medical treatment, or religious pilgrimage.” A short-term migrant’s country of usual residence is considered to be their country of destination during the time they are there (United Nations 1998).

The algorithms developed during this project run on both *Census 2000* and *American Community Survey* (ACS) data files, which have slightly different definitions of residence. The ACS questionnaire instructs respondents to list “everyone in the household who is living or staying here for more than 2 months,” while *Census 2000* asked respondents to include “people who have no other permanent place to stay or who are living here most of the time while working.” Based on these instructions and the U.N definitions of short- and long-term migrants, an international migrant is defined for this project as any person who changes his or her country of usual residence to the United States for a period of at least two months. The estimates of international migrants from Census 2000 could differ from those from ACS because of the lack of consistency in their residency rules. Short- and long-term international migrants

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[†] See other reports by Rachel Cassidy in the White Papers Section (Immigration) of the Statistical and Demographic Analysis Division on the Sabre Systems, Inc. website for the results of the application of the algorithms.

Table 1. Comparison of International Migrant Categories

International Migrant Categories: Assignment by Migrant Status Project	International Migrant Categories: United Nations
Naturalized (U.S.) Citizens	
Non-Citizens:	
Forced Migrants¹:	
Humanitarian Migrants:	Foreigners admitted for humanitarian reasons:
(a) Refugees	(a) Refugees
(b) Asylees and asylum-seekers	(b) Asylum-seekers
(c) People granted Temporary Protected Status (TPS)	(c) Foreigners granted temporary protected status
(d) Parolees	(d) Persons admitted for other humanitarian reasons
Lawful Permanent Residents (LPRs):	Migrants for settlement:
(a) Employment-based (part) ²	(a) Employment-based
(b) Family-sponsored	(b) Family-based
(d) Unauthorized migrants allowed to become LPRs under special provisions	Foreigners whose status is regularized
(e) International adoptions	Migrants for family reunification or family formation (part) ²
(f) Other LPRs (refugee adjustees, parolee adjustees, Diversity program LPRs, country-specific adjustees, etc.)	
Unauthorized Migrants (includes people who enter the U.S. illegally to escape persecution, asylees who become ineligible to retain their status, etc.)	Foreigners whose entry or stay is not sanctioned
Voluntary Migrants:	
Lawful Permanent Residents (LPRs):	Migrants for settlement:
(a) Employment-based (part) ²	(a) Employment-based
(b) Family-sponsored	(b) Family-based
(c) Employment-based (part) ²	(c) <i>Ancestry-based</i> ³
	(d) Entrepreneurs and investors
	(e) <i>Foreign retirees</i> ³
(d) Unauthorized migrants allowed to become LPRs under special provisions	Foreigners whose status is regularized
(e) International adoptions	Migrants for family reunification or family formation (part) ²
(f) Other LPRs (Diversity program LPRs, some country-specific adjustees, etc.)	
Temporary Migrants:	
	Foreigners admitted for education or training:
(a) Students	(a) Foreign students
(b) Scholars and trainees	(b) Foreign trainees
	Foreigners admitted for employment:
(c) Temporary workers	(a) Migrant workers
(d) International organization employees	(b) International civil servants
(e) North American Free Trade Agreement (NAFTA) workers	Migrants having the right to free establishment or movement
(f) Diplomats	
Unauthorized Migrants (includes people who enter the U.S. illegally, who violate the terms of their legal admissions, etc.)	Foreigners whose entry or stay is not sanctioned
Dependents (of all categories)	Migrants for family reunification or family formation (part) ²

¹ Categories in bold type are those that will be estimated with the algorithms in this project; categories not in bold are those that are included within the estimated categories, but will not be estimated separately.

² "(part)" indicates that a category corresponds with more than one U.N. or Census category.

³ The U.S. does not have programs for ancestry-based LPRs or foreign retirees, so these U.N. categories will not be included in the LPR estimates.

are not be specifically identified in the algorithms, but are both included in each migrant category.

The goal of this project is to categorize international migrants in the U.S. into more specific groups, based on the circumstances of their migration and activities in the U.S. These migrant categories are described below and outlined in Table 1.

Naturalized Citizens and Non-Citizens

International migrants can first be separated into the categories of naturalized U.S. citizens and non-citizens. Naturalized citizens were born in a country other than the U.S. but were granted U.S. citizenship through naturalization; any other international migrants in the U.S. without U.S. citizenship are non-citizens. Data on U.S. citizenship status are available from the decennial census and other Census surveys. While some research has shown that these citizenship data may not be reliable (see Passel and Clark 1998), researchers disagree on the existence and extent of misreporting of citizenship status. At this time, algorithms have not been developed to estimate naturalized citizens and non-citizens.

Non-citizens are categorized into the remaining migrant groups discussed below. These categories only include non-citizens and do not apply to citizens, although naturalized citizens would have fit into these categories during the time before they naturalized.

Forced and Voluntary Migrants

Forced and voluntary migrants are a dichotomy of non-citizen migrant categories. The concept of forced migrants is not included in the U.N. recommendations, although international researchers and organizations use the term frequently. The International Association for the Study of Forced Migration's (IASFM) definition of forced migration is "a general term that refers to the movements of refugees and internally displaced people (people displaced by conflicts) as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine, or development projects" (Hansen 2003). IASFM distinguishes forced migration from voluntary migration "by the original absence of a desire or motivation to leave the place of residence" (Hansen 2003).

Based on these definitions, forced migrants are defined for this project as any non-citizens who have migrated to the U.S. because they have been displaced from their home country, have a fear of persecution, or have been moved by deception or coercion. The forced migrant category can be broken down further into some of the categories described below: most are humanitarian migrants, but some LPRs and unauthorized migrants can also be forced migrants. Although some temporary migrants could theoretically be forced migrants, all temporary migrants are assumed to be voluntary migrants for this project.

Voluntary migrants, sometimes also referred to as "economic migrants," include all other international migrants who have moved as a result of their own desires and motivations (Hansen 2003). Voluntary migrants include LPRs, temporary migrants, and unauthorized migrants. No humanitarian migrants are included in the voluntary migrant category for this project because they are all assumed to be forced migrants.

Types of Forced and Voluntary Migrants

Humanitarian Migrants

Humanitarian migrants are individuals who are admitted into or allowed to remain in the U.S. based on the fact that they are unwilling (because of persecution or a well-founded fear of persecution) or unable to return to their home country. This category includes refugees, asylees and asylum-seekers, people granted Temporary Protected Status, and some parolees. Separate estimates will most likely not be developed for each of the types of humanitarian migrants because of their similar characteristics (such as country of birth) and therefore the difficulty in distinguishing between them in an algorithm. For this project, all humanitarian migrants are assumed to be forced migrants.

An international definition of refugee was established by the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 Protocol to be “a person outside of his or her country of nationality who is unable or unwilling to return because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.” This definition is used by the U.N. and was formally incorporated into U.S. law with the Refugee Act of 1980. In the U.S., a Presidential Determination may also allow refugees of certain countries (currently Vietnam, Cuba, and the former Soviet Union) to be processed while they are still in their home countries. The U.S. Immigration and Nationality Act and the Refugee Act of 1980 further distinguish between refugees, who are outside of the U.S. when they apply for refugee status, and asylees, who meet the same criteria as refugees but are already in the U.S. when they apply for asylum (see below). Refugees are eligible to adjust to LPR status (see below) after one year.

Asylees are people who meet the same criteria as refugees, but are already in the U.S. or at a port of entry when they apply for asylum. Like refugees, asylees are eligible to adjust to LPR status after one year. In the U.N. recommendations, asylees are included in the refugee category. Asylum-seekers in the U.S. are people who have filed an application for asylum, but have not yet had their cases decided. The U.N. recommendations use the same definition for asylum-seekers.

Unlike refugees and asylees, people granted temporary protected status and parolees are only admitted to the U.S. on a temporary basis. Temporary Protected Status (TPS) was established by the Immigration Act of 1990 to be granted to non-citizens in the U.S. who “are temporarily unable to return to their homeland because of ongoing armed conflict, environmental disasters, or other extraordinary and temporary conditions” (USCIS 2003). The U.N. uses a similar definition for “foreigners granted temporary protected status.” The U.S. Attorney General designates TPS to eligible individuals from certain countries for a specific period of time. People who register for TPS are not required to leave the U.S., regardless of their prior migration status, and may obtain work authorization. Once TPS has expired for a particular country, all foreigners who were formerly protected return to the same migrant status they had before TPS or acquired while registered for TPS.¹

The U.S. Immigration and Nationality Act includes a provision for parolees to be granted permission for a temporary stay in the U.S. for urgent humanitarian reasons or significant public benefit. There are several categories of parolees, however those included here in the humanitarian migrant category are individuals granted parole in the U.S. as part of an overseas program. Most overseas parolees arrive in the U.S. under special legislation or international migration agreements, where they are granted parole overseas after

¹ The countries currently under TPS include Burundi, El Salvador, Honduras, Liberia, Montserrat, Nicaragua, Sierra Leone, Somalia, and Sudan. El Salvador’s first TPS designation expired in 1992, and then a second unrelated TPS was designated in 2001, which is still in effect. TPS is scheduled to expire for Sierra Leone effective May 3, 2004.

their refugee applications have been denied, and are allowed to become LPRs after one year (USCIS 2000). Most of them come from Cuba, the former Soviet Union, Vietnam, Cambodia, and Laos. Other types of parolees, most of which are only in parole status for short periods of time before they leave the country or change their migration status, will not be included in this project's estimates of international migrants. The U.N. recommendations do not include a category for parolees, but instead have a category for "persons admitted for other humanitarian reasons," that includes people who do not fit into the previous humanitarian migrant categories.

Lawful Permanent Residents (LPRs)

Lawful Permanent Residents (LPRs) are individuals who are legally admitted to the U.S. for permanent residence. Non-citizens can become LPRs either by receiving an immigrant visa while outside of the U.S. and then entering the country, or by adjusting to LPR status from another migrant status while in the U.S. LPRs are authorized to work in the U.S. and may become U.S. citizens generally after 5 years. They can be either forced or voluntary migrants, depending on the circumstances of their migration.

The U.N. uses the term "migrants for settlement" instead of "LPRs," and defines them similarly as "foreigners granted the permission to stay for a lengthy or unlimited period, who are subject to virtually no limitations regarding the exercise of an economic activity" (United Nations 1998). The U.N. divides migrants for settlement into the following categories: employment-based, family-based, ancestry-based, entrepreneurs and investors, and foreign retirees (see glossary for definitions). LPRs in the U.S. are admitted under some similar categories, including those based on employment, family, or investments (USCIS 2003b). The U.S. does not, however, have programs for the admission of ancestry-based LPRs or foreign retirees.

LPRs also include people in the U.N.'s "foreigners whose status is regularized" category. These are people "whose entry or stay has not been sanctioned by the receiving State or who have violated the terms of their admission but who are nevertheless allowed to regularize their status," such as unauthorized migrants who were allowed to become LPRs under provisions of the Immigration Reform and Control Act (IRCA) of 1986 (United Nations 1998).

In addition, some migrants in the U.N.'s category "migrants for family reunification or family formation" are included here as LPRs. These include non-citizens admitted because they are adopted children or fiancé(e)s of U.S. residents. Other migrants in this U.N. category are counted as dependents (see below).

Temporary Migrants

Temporary migrants, also sometimes called "nonimmigrants," are people lawfully admitted to the U.S. for a specific purpose and time, but not for permanent residence (USDHS 2003). This category includes foreign students, trainees, and temporary workers who are usual residents of the U.S.; it does not include people who are in the U.S. temporarily but are not usual residents, such as tourists or business travelers. As mentioned earlier, all temporary migrants are assumed to be voluntary migrants for this project, although in theory some could be forced migrants.

The U.N. recommendations do not include a category for temporary migrants, but instead include categories for foreign students, foreign trainees, migrant workers, and international civil servants. Individuals in these categories are included here as temporary migrants.

The U.N. has a separate category for "migrants having the right to free establishment or movement" who "have the right to enter, stay and work within the territory of a State other than their own by virtue of an agreement or treaty concluded between their State of citizenship and the State they enter" (United Nations 1998). Individuals that would fall under this category, such as Canadian and Mexican citizens admitted to

the U.S. temporarily under provisions from the North American Free Trade Agreement (NAFTA), are also included as temporary migrants for this project.

Unauthorized Migrants

Unauthorized migrants include any international migrants who are illegally present in the U.S., either as a result of unlawful entries into the country or violations of the terms of their legal admissions. An unauthorized migrant can be either a forced or voluntary migrant. Forced unauthorized migrants could include people who enter the U.S. illegally to escape persecution in their home country, or asylees who commit crimes that make them ineligible to retain asylum status.

The U.N. recommendations do not use the term “unauthorized migrants,” but the U.N.’s taxonomy of international inflows and outflows include a category for “foreigners whose entry or stay is not sanctioned” (United Nations 1998). Unauthorized migrants here include the same people as the “foreigners whose entry or stay is not sanctioned” category.

Dependents

Most of the above categories of migrants are allowed to bring their dependents to the U.S. When applicable and possible, dependents will be identified in the algorithms separately from the principal migrants, but will still be counted under the principals’ migrant categories. For example, the spouse of a refugee who is also allowed to enter the U.S. will be considered the refugee’s dependent, but will be included in the total refugee estimate. The U.N. recommends a similar approach, with the exception of dependents entering the U.S. after the principal migrant. They count these dependents in a separate category called “migrants for family reunification or formation” (United Nations 1998). Dependents were not separated in that way for this project, but instead all dependents were included in the migrant categories of their principal migrants, regardless of when they entered the U.S.

The international migrant categories presented here are based on U.S. immigration law, but are designed to be as compatible as possible with the U.N.’s recommendations on international migration statistics. These categories vary slightly from ones currently used by the Census Bureau, but are more internationally compatible, and can therefore hopefully be more relevant to researchers in foreign countries. The first step in producing estimates of these migrant categories will be the development of an algorithm to identify forced and voluntary migrants, followed by the remaining groups.

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Glossary

Ancestry-based settlers: defined by the U.N. as foreigners admitted by a country other than their own because of their historical, ethnic or other ties with that country, who, by virtue of those ties, are immediately granted the right of long-term residence in that country or who, having the right to citizenship in that country, become citizens within a short period after admission.

Asylee: a person who meets the same criteria as a refugee, but was already in the U.S. or at a port of entry when they applied for asylum.

Asylum-seeker: a person in the U.S. who has applied for asylum but whose case has not yet been decided.

Country of usual residence: defined by the U.N. to mean the country in which a person lives, that is to say, the country in which he or she has a place to live where he or she normally spends the daily period of rest.

Dependent: an immediate relative (usually only a spouse or child) of a principal migrant who is also allowed to enter the U.S.

Employment-based settlers: defined by the U.N. as foreigners selected for long-term settlement because of their qualifications and prospects in the receiving country's labor market.

Entrepreneurs and investors (as settlers): defined by the U.N. as foreigners granted the right to long-term settlement in a country on condition that they invest a minimum sum of money or create new productive activities in the receiving country.

Family-based settlers: defined by the U.N. as foreigners selected for long-term settlement because of the family ties they have with citizens or foreigners already residing in the receiving country.

Forced migrant: any non-citizen who has migrated to the U.S. because he or she has been displaced from their home country, has a fear of persecution, or has been moved by deception or coercion. IASFM defines forced migration as a general term that refers to the movements of refugees and internally displaced people (people displaced by conflicts) as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine, or development projects.

Foreign retirees (as settlers): defined by the U.N. as persons beyond retirement age who are granted the right to stay over a long period or indefinitely in the territory of a State other than their own provided that they have sufficient independent income and do not become a charge to the State.

Foreign students: defined by the U.N. as persons admitted by a country other than their own for the specific purpose of following a particular program of study in an accredited institution of the receiving country.

Foreign trainees: defined by the U.N. as persons admitted by a country other than their own to acquire particular skills through on-the-job training, who are allowed to work only in the specific institution or establishment providing the training and whose length of stay is usually restricted.

Foreign-born person: any person in the U.S. who is either not a U.S. citizen or is a U.S. citizen by naturalization. A person born abroad of at least one U.S. citizen parent is not foreign-born.

Foreigner: a term used by the U.N. to refer to a person in a country who is not a citizen of that country.

Foreigners granted temporary protected status: used by the U.N. to mean foreigners who are allowed to stay for a temporary though possibly indefinite period because their life would be in danger if they were to return to their country (or countries) of citizenship. This term is used interchangeably in this project with "people granted Temporary Protected Status."

Foreigners whose entry or stay is not sanctioned: defined by the U.N. as foreigners who violate the rules of admission of the receiving country and are deportable, as well as foreign persons attempting to seek asylum but who are not allowed to file an application and are not permitted to stay in the receiving country on any other grounds. Used interchangeably here with "unauthorized migrants."

Foreigners whose status is regularized: a term used by the U.N. to mean foreigners whose entry or stay has not been sanctioned by the receiving State or who have violated the terms of their admission but who are nevertheless allowed to regularize their status.

Humanitarian migrants: individuals who are admitted into or allowed to remain in the U.S. based on the fact that they are unwilling, because of persecution or a well-founded fear of persecution, or unable to return to their home country.

Internally displaced people: defined by the U.N. as persons who have been forced to flee their homes suddenly or unexpectedly, as a result of armed conflict, internal strife, systematic violations of human rights or natural or man-made disasters, and who are within the territory of their own country.

International civil servants: defined by the U.N. as foreigners working for international organizations located in the country of arrival.

International migrant: any person who changes his or her country of usual residence to the United States for a period of at least two months. The U.N. defines an international migrant as any person who changes his or her country of usual residence.

Lawful permanent resident (LPR): a non-citizen who is legally admitted to the U.S. for permanent residence, either by obtaining an immigrant visa overseas or adjusting to LPR status while in the U.S. U.S. Citizenship and Immigration Services also uses the terms “permanent resident alien” and “immigrant.” The term “LPR” is used here interchangeably with the U.N.’s “migrants for settlement.”

Long-term migrant: defined by the U.N. as a person who moves to a country other than that of his or her usual residence for a period of at least a year, so that country of destination effectively becomes his or her new country of residence.

Migrant workers: defined by the U.N. as persons admitted by a country other than their own for the explicit purpose of exercising an economic activity remunerated from within the receiving country.

Migrants for family reunification or family formation: category used by the U.N. to include foreigners admitted because they are immediate relatives or the fiancé(e)s of citizens or other foreigners already residing in the receiving country. Foreign children adopted by citizens or foreign residents and allowed to enter the country are also included in this category.

Migrants for settlement: foreigners granted the permission to stay for a lengthy or unlimited period, who are subject to virtually no limitations regarding the exercise of an economic activity. Used interchangeably here with the term “LPRs.”

Migrants having the right to free establishment or movement: category used by the U.N. that includes foreigners who have the right to enter, stay and work within the territory of a State other than their own by virtue of an agreement or treaty concluded between their State of citizenship and the State they enter.

Naturalization: the conferring of U.S. citizenship, by any means, upon a person after birth.

Naturalized citizen: any international migrant in the U.S. who earned U.S. citizenship through naturalization.

Non-citizen: any international migrant in the U.S. who is not currently a U.S. citizen.

Nonimmigrant: a term used by U.S. CIS to mean a person admitted to the U.S. for a specified purpose and temporary period but not for permanent residence. Used interchangeably here with the term “temporary migrant.”

Parolee: a person allowed to enter the U.S. temporarily for urgent humanitarian reasons or significant public benefit. There are several types of parolees, but for this project, parolees only include individuals admitted for overseas parole. Most overseas parolees arrive in the U.S. under special legislation or international migration agreements, where they are granted parole overseas after their refugee applications have been denied, and are allowed to become LPRs after one year.

People granted Temporary Protected Status: non-citizens in the U.S. who have registered for Temporary Protected Status (TPS). TPS is provided by the Attorney General to citizens of designated countries who are temporarily unable to return to their homeland because of ongoing armed conflict, environmental disasters, or other extraordinary and temporary conditions

Persons admitted for other humanitarian reasons: defined by the U.N. as foreigners who are not granted full refugee status but are nevertheless admitted for humanitarian reasons because they find themselves in refugee-like situations. Used interchangeably here with “parolees.”

Principal migrant: in a family, the person who is granted admission into the U.S. and from whom their immediate family members (usually only spouses and children) may also be granted admission as dependents.

Refugee: a person outside of his or her country of nationality (citizenship) who is unable or unwilling to return because of a well-founded fear of persecution on account of race, religion, nationality, membership in a political social group, or political opinion. The 1951 United Nations Convention Relating to the Status of Refugees established this definition. The U.S. Immigration and Nationality Act and the Refugee Act of 1980 further distinguish between refugees, who are outside of the U.S. when they apply for refugee status, and asylees, who are already in the U.S. For this project, asylees are classified separately from refugees.

Short-term migrant: defined by the U.N. as a person who moves to a country other than that of his or her usual residence for a period of at least three months but less than a year except in cases where the movement to that country is for purposes of recreation, holiday, visits to friends or relatives, business, medical treatment or religious pilgrimage. The country of usual residence of short-term migrants is considered to be the country of destination during the period they spend in it. For this project, short-term migrants are those in the U.S. for at least two months, but less than one year. Those people in the U.S. for less than two months, or who are here for purposes of recreation, holiday, etc. are considered “international visitors.”

Temporary migrants: non-citizens lawfully admitted to the U.S. for a specific purpose and time, but not for permanent residence. Used interchangeably here with the term “nonimmigrant.”

Unauthorized migrants: international migrants who are illegally present in the U.S., either as a result of unlawful entries into the country or violations of the terms of their legal admissions. Used interchangeably with the U.N. term “foreigners whose entry or stay is not sanctioned.”

Voluntary migrants: international migrants who have moved as a result of their own desires and motivations.