

# FWD.US Methodology for Assigning Immigration Status in the 2021 American Community Survey

## Overview

Immigration status of immigrant respondents in the 2021 American Community Survey (ACS) is unavailable. However, likely immigration status can be assigned using demographic, social, and economic characteristics of respondents. The methodology below describes how each individual respondent in the ACS is assigned an immigration status.

Immigrants are defined as individuals who were not born in the U.S. or its territories. Individuals born to U.S. citizens living abroad are not considered immigrants.

The 2021 ACS data were drawn from [IPUMS](#).<sup>1</sup> As immigrants can be undercounted in surveys, particularly surveys of undocumented status, the 2021 ACS data are reweighted based on [known 2020 Census undercounting](#) of certain groups, including ethnicity and race, age, sex, and housing status. Adding this adjustment to current ACS weights enlarges the total immigrant population slightly, to 46.6 million from 45.3 million, and reflects the likely undercounting of immigrant groups within the U.S.<sup>2</sup>

At times, the available population for particular immigrant groups in the ACS is larger than the known population size as based on administrative records. In these instances, a random selection of respondents is assigned the particular immigration status. At each juncture of the assignment process, a series of comparison checks with administrative data and other data estimates are performed to ensure that the best assignment possible is made.

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1 Steven Ruggles, Sarah Flood, Ronald Goeken, Josiah Grover, Erin Meyer, Jose Pacas, and Matthew Sobek. IPUMS USA: Version 10.0 (dataset). Minneapolis: IPUMS, 2020. <https://doi.org/10.18128/D010.V10.0>.

2 This reweighting approach at the beginning of the immigrant assignment process was selected instead of the undercounting adjustment typically made for undocumented immigrants (and conversely the overcounting adjustment among immigrants with lawful permanent residency) that other research organizations perform. The undercounting of undocumented immigrants in surveys has been established by a number of studies, including [Van Hook et al., 2014](#); [Bean et al., 1998](#); [Capps et al., 2002](#); and [Marcelli and Ong, 2002](#), and must be taken into account. However, these undercounting adjustments are based on studies from several years ago. We would expect that a number of factors (political, security, technology) may affect potential undercounting of undocumented immigrants in the U.S. differently since these studies were conducted. At the same time, we know there is a strong correlation between the undercounting of certain demographic groups (ethnic and racial minorities, younger age groups, renters) as found in the [2020 Census post-enumeration study](#) and the expected demographic characteristics of undocumented immigrants. Consequently, this immigrant assignment project uses the most recent data available to correct for possible undercounting of certain immigrant groups, of which undocumented immigrants are one of the largest.

## U.S. Naturalized Citizens

The identification of naturalized U.S. citizens is primarily based on the self-identification of U.S. citizenship among immigrant respondents in the ACS. However, the anticipated size of this population, as based on Department of Homeland Security (DHS) [reporting](#), is larger in the ACS data than would be expected. Consequently, some adjustments of respondents indicating naturalization are made.<sup>3</sup>

In ACS data, any married respondents entering the U.S. within the past three years are not considered U.S. citizens; unmarried respondents entering the U.S. within the past five years are also not considered U.S. citizens. These immigrants are mostly ineligible to apply for and receive U.S. citizenship given the short time they have lived in the U.S.<sup>4</sup> Similarly, individuals indicating a naturalization year in the ACS data that is earlier than their entry date into the U.S., or have lived in the U.S. less than 2 years before being naturalized, are not considered U.S. citizens.

Naturalization levels in [DHS data](#) among Mexican and Guatemalan immigrants in particular are lower than seen in ACS data. To correct for this issue, immigrants from these countries who came before the Great Recession of 2007-09 (the time when the bulk of currently undocumented immigrants from these countries entered the U.S.) and stated that they had recently acquired U.S. citizenship are considered to have not naturalized.

The remaining categories of immigrants identified below are non-U.S. citizens, either by self-identification or through the adjustments listed above.

## Lawful Permanent Residents (LPR)

Some immigrant groups, based on their entry date into the U.S., their social relationships, place of birth, employment in certain occupations, and use of public benefits, are likely to have lawful permanent residency.

For example, all immigrants in ACS data who arrived before 1982 and who are not U.S. citizens are assumed to have LPR status. It is assumed that this group of immigrants living in the U.S. for more than 40 years have found a pathway for lawful permanent residency, especially given the [1986 IRCA provisions](#) offering lawful permanent residency to undocumented immigrants entering the U.S. before 1982.

Immigrant spouses married to U.S. citizens (born in the U.S. or naturalized) for five years or longer are assigned LPR status, as most spouses of U.S. citizens would have had an accessible pathway to LPR status during this period.

Cubans entering the U.S. before 2017 are considered to have LPR status. According to the [Cuban Adjustment Act of 1966](#), immigrant Cubans were provided LPR until 2017 when President Obama [changed the conditions](#) for LPR adjustment.

Immigrants resettled as refugees from [top countries of birth](#)—Bhutan, Iraq, Afghanistan, Burma (Myanmar), Democratic Republic of Congo, Somalia, and Eritrea—who entered the U.S. since 2011 are assumed to have LPR status. A random selection of immigrants with populations in the ACS data greater than the number of resettled refugees from Iran, Syria, Ukraine, and Sudan entering the U.S. since 2011 was also assigned LPR status.

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<sup>3</sup> Reasons for incorrectly indicating U.S. citizenship are many, including confusion regarding the question and fear of apprehension when self-identifying one's immigration status.

<sup>4</sup> They would be eligible to apply three years after receiving legal permanent residency with a spouse as immediate relative, and five years without a spouse as immediate relative.

Non-U.S. citizens working in occupations that require lawful status due to official licensure, such as certain medical professionals, transportation workers (for example, railway engineers and pilots), and government workers, are considered to have lawful permanent residency. Non-U.S. citizen veterans and those using government health insurance and/or social welfare programs (for example, Medicaid and Medicare, Social Security, TANF, Supplemental Security Income) are also assumed to be lawful permanent residents.

After these assignments, spouses and children of adult family members with LPR are also assumed to have lawful permanent residency. The total number of respondents in the ACS with assigned LPR status is comparable to estimates of the LPR population [provided by DHS](#).

## **Nonimmigrants (temporary immigrants)**

*Diplomats.* Immigrant respondents in the ACS older than 21, holding a high school diploma or higher education, and working in international government service industries are considered diplomatic nonimmigrants. Diplomatic visa population estimates are similar to figures in [DHS estimates](#) and [Department of State](#) visa approvals for nonimmigrants with A, G, and N visas.

*F-1 and M-1 international students.* Immigrants in the ACS arriving in the U.S. up to 12 years earlier and attending school in a higher education institution are considered international students. The resulting population estimate for international students is similar to the number of international students recorded by [Open Doors](#).

*Optional Practical Training (OPT) participants.* [OPT](#) is a professional training opportunity for international students in the U.S. It offers those with F-1 student nonimmigrant status a job experience for up to three years. Immigrants in the ACS ages 22 to 30, who arrived in 2009 or earlier, who are employed and hold a bachelor's degree or higher education, are considered OPT holders. To differentiate this group from newly arrived immigrants starting their careers under a different, less-temporary visa, those assigned an OPT status in the ACS are further defined as not owning a home. The resulting OPT population estimate is similar to those published in [Open Doors](#).

*H-1B specialty occupation visa holders.* Professional, skilled workers with [H-1B](#) status can generally live and work in the U.S. for up to six consecutive years. Immigrants in the ACS older than 21 who hold a bachelor's degree or higher education, who arrived after 2007, and are working in a top occupation of H-1B visa holders according to [Department of Labor](#) data, are considered H-1B visa holders. H-1B population estimates are similar to [estimates](#) published by U.S. Citizenship and Immigration Services (USCIS).

*H-2A agricultural workers.* Immigrants in the ACS who were born in H-2A eligible countries, are ages 18 through 64, who entered the U.S. in 2017 or later, and who are working in agricultural occupations according to [Department of Labor](#) data, are considered H-2A agricultural workers. Resulting population estimates are similar to the annual number of H-2A workers certified to work in the U.S., with downward adjustments, as all workers do not remain in the U.S. for the entire year.

*H-2B non-agricultural workers.* Immigrants in the ACS from H-2B eligible countries who are ages 18 through 64, entered the U.S. 2017 or later, and are working in top, selected H-2B occupations, according to [Department of Labor](#) data are considered non-agricultural workers. Resulting population estimates are similar to the annual number of H-2B workers certified to work in the U.S., with downward adjustments, as all workers do not remain in the U.S. for the entire year.

*J cultural exchange visitors.* Immigrants in the ACS living in the U.S. as au pairs ages 19 to 25 who arrived within the previous three years, secondary school students ages 16 to 18 who arrived within the previous two years, and physicians

and professors who arrived within the previous three years, are all considered J visa holders. Resulting population estimate is considerably smaller than [DHS estimates](#); it is assumed that the majority of J visa recipients do not get captured in the ACS since they remain in the U.S. for a year or less.

*L intracompany transferees.* Immigrants in the ACS older than 21 who entered the U.S. in 2015 or later, who hold a high school diploma or higher education, and work in managerial/chief executive occupations according to [Department of Labor](#) data, are considered L visa holders. Resulting [L visa](#) population estimates are in line with [Department of State](#) visa approvals for nonimmigrant L visas.

*O extraordinary ability workers and P athletes.* Immigrants in the ACS who work in entertainment or professional sports industries who entered the U.S. within the previous six years are considered O or P visa holders.

*R religious workers.* Immigrants in the ACS working in religious professions with some college or higher education who entered the U.S. during the previous six years are considered R visa holders.

*TN NAFTA professionals.* Immigrants in the ACS working in professional occupations, holding a bachelor's degree or higher, who were born in Canada or Mexico, and entered the U.S. during the previous six years, are considered TN NAFTA visa holders.

*Nonimmigrant dependents.* Spouses and dependent children (ages less than 21 years) of nonimmigrant visa holders identified in the preceding list, according to similar conditions (for example, places of birth, year of entry) are considered nonimmigrant dependents, with the exception of H-2A and H-2B visa holders, who are not permitted to have dependents accompany them.

The resulting total nonimmigrant population estimate in the ACS is similar to that provided by [DHS](#).

## Undocumented Immigrants

The number of undocumented immigrants is the residual of *lawful* immigrants—U.S. citizens, LPRs, and nonimmigrants listed above—from the *total* number of immigrants living in the U.S., per the ACS. This method of estimating the number of undocumented immigrants is similar to other research and policy organizations, including [Pew Research Center](#), [Migration Policy Institute](#), and [Center for Migration Studies](#). Consequently, immigrant respondents in ACS not previously assigned an immigration status are considered undocumented individuals.<sup>5</sup>

Undocumented immigrants consist of immigrants susceptible to deportation, but include several immigrant groups that may have lawful protections but whose long-term status is precarious, such as Temporary Protection Status ([TPS](#)) holders, Deferred Action for Childhood Arrivals ([DACA](#)) recipients, people seeking asylum, and those in the process of adjusting to LPR status. When these additional groups are included in the estimate, the total number of undocumented immigrants estimated to live in the United States is comparable to the 10 million to 11 million undocumented immigrants living in the U.S. estimated by other policy and research organizations. Consistent with [reporting](#) by these organizations, the total number of undocumented immigrants has decreased in recent years.

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<sup>5</sup> Other research organizations estimate the size of the undocumented immigrant population by first calculating the total LPR and nonimmigrant populations. These estimates for the lawful immigrant population are computed using DHS data and employing demographic projection models, including varying emigration rates. A [recent study](#) indicates the resulting size of the undocumented immigrant population can vary considerably based on different emigration rate assumptions for the lawful immigrant population. Fortunately, the characteristics, rather than the trend in the total size, of the undocumented population, is the focus of FWD.us' policy research. Nevertheless, the resulting undocumented immigrant population estimate (9.8 million) using this assignment methodology is similar to that reported recently by other organizations. As an extra robustness test, characteristics of the undocumented population using this methodology is also very similar to the findings of other research organizations.

*Temporary Protected Status (TPS).* Several hundred thousand immigrants from countries including El Salvador, Honduras, and Haiti are protected from deportation based on natural disasters and security issues that do not permit immigrants to return safely to their home countries. Population estimates are based on annual [CRS reports](#) for the number of TPS holders for each country.

Undocumented immigrants eligible for this protected status by their country of birth and their entry date into the U.S. are assigned TPS status in the data. Since a larger number of immigrants in the data meet this group criteria than is indicated by the population estimate, immigrant respondents meeting TPS criteria are randomly assigned, with specific population targets for those from El Salvador, Honduras, Nicaragua, and Nepal. Spouses and children of adult TPS holders who also qualify for TPS are assumed to have this status.

*Deferred Action for Childhood Arrivals (DACA).* DACA is an executive order published by President Obama in 2012, allowing those with certain criteria who entered the U.S. as children, but have no current, lawful status, to apply for protection from deportation. The DACA population estimate is based on the annual number of valid DACA recipients from [USCIS](#). Undocumented immigrants in the ACS eligible for DACA status by their entry date (before 2008), age (less than 41 years old), education level (high school diploma or equivalent), or who are studying full time are assigned this status in the ACS data. Since a larger number of immigrants in the data meet this group criteria than is indicated by the population estimate, immigrants are randomly assigned, with specific population targets for Mexican DACA recipients, and top states of California and Texas. DACA spouses eligible for DACA are also assigned this status.

*Asylum seekers.* Undocumented immigrants in the ACS who entered the U.S. in 2016 or later from selected [top countries](#) of asylum seekers, including those from Honduras, Guatemala, El Salvador, Mexico, Venezuela, India, China, Ecuador, Cuba, Brazil, Haiti, Nicaragua, Nigeria, Colombia, Bangladesh, Russia, Nepal, Pakistan, Ukraine, Romania, and Cameroon. A random selection of undocumented immigrants in ACS from these countries was also assigned as people seeking asylum.

*Adjustment of status.* The residual method used to identify undocumented immigrants by methodological default also identifies immigrants living in the U.S. but waiting for an adjustment of status to LPR even though they are protected from deportation and have work authorization. This group of “undocumented” immigrants was based on those who arrived in the U.S. in 2005 or later, have a bachelor’s or higher education, and are in the labor force. Spouses and children (less than 21 years) of those assigned adjustment of status are also considered to have the same immigration status.

*Farm workforce.* The undocumented farm workforce is underrepresented in ACS data due to their transiency and group quarter dwellings. Consequently, the undocumented farm workforce is upwardly adjusted to approximate the range of undocumented farmworkers found in [agricultural surveys](#).

The remaining immigrants in the ACS are considered undocumented immigrants without protections.<sup>6</sup>

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<sup>6</sup> This remaining group of undocumented immigrants, however, includes a small number of individuals with limited protections, including those who may be living in the U.S. with [humanitarian parole](#) or [Deferred Enforcement Departure](#) (DED).