

# IMMIGRATION ENFORCEMENT HOW IT AFFECTS THE AAPI COMMUNITY

**Why should Asian Americans and Pacific Islanders be concerned about detention and deportation issues?** United States immigration laws have tremendously affected Asian Americans and Pacific Islanders. Beginning with the Page Act of 1875 and the Chinese Exclusion Act of 1882, the U.S. immigration system excluded virtually all Asians from the United States. The few Asians who could migrate to the United States were denied citizenship, and could not vote or own property as a consequence. National origin quotas that discriminated against Asians were not fully eliminated until 1965 with the Immigration and Nationality Act (INA). Asian Americans are now the fastest growing racial group in the United States, and, as a result, are impacted by various immigration laws.

▶ Approximately **1 in 10 undocumented youth is Asian American or Pacific Islander.**

Due to a number of barriers, including cultural, financial hurdles, and lack of clarity regarding the benefits of the program, far fewer AAPIs have applied for Deferred Action for Childhood Arrivals (DACA) than expected based on the estimated number of AAPIs eligible for DACA.



▶ DHS's most recent data estimates that **1.3 million Asian Americans are undocumented** out of 11 million undocumented immigrants, the vast majority of whom have lived in the United States for more than a decade.

The top states where they reside are California, New York, New Jersey, Texas, Illinois, Virginia, Georgia and Washington.

▶ A staggering **78 percent of adult Asian Americans are foreign-born**—more than any other racial or ethnic group in the United States.

Noncitizens are disproportionately incarcerated and receive longer prison sentences than their U.S. citizen counterparts.

▶ As of 2015, nationals from China, India, Bangladesh and Nepal are among the top ten nationalities for whom removal orders are sought in immigration court. Only a very small proportion of these filings seek to remove noncitizens on the basis of any alleged criminal activity, and most of these cases involve overstaying a visa.

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▶ **Immigration enforcement breaks up AAPI families.** Over half of the individuals deported to Western Samoa and Tonga report separation from their partners and children. A staggering 89% of Marshall Islanders who have been deported back to the Marshall Islands report that they are separated from their children.



▶ While Asian Americans and Pacific Islanders represent close to 6% of the total U.S. population, in 2010, 9.5% (23,402 of 247,301 cases) of cases in removal proceedings were from Asian or Pacific Islander countries. This means that almost 1 out of every 10 individuals in removal proceedings in 2011 was AAPI.

▶ Between 2002 and 2003, almost 14,000 Arabs and Muslims, including many South Asians, were detained and deported under the National Security Entry/Exit Registration System (NSEERS) program, primarily for immigration violations such as overstaying a visa. While DHS ended the program in 2011, individuals from the targeted countries continue to face negative immigration repercussions, and DHS continues to use the information gathered from the program.



▶ Between 2009 and 2015, more than 250,000 Asian Americans were deported (returned or removed) for old or minor criminal convictions, and many of these are refugees who fled to the U.S. after the wars in Laos, Cambodia, and Vietnam.

**Immigrants from these Southeast Asian countries are three times more likely to be deported for old convictions compared with other immigrants.** Over 13,000 individuals have received final orders of deportation to Cambodia, Laos, and Vietnam since 1998. They have little or no family connection to the countries they are sent back to.

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