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MANY ILLEGAL IMMIGRANTS ARRIVE LEGALLY

The focus is often on those who enter illegally, but experts say more than 40 percent of the estimated 11 million undocumented people overstayed their visas

By Laura Meckler
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WASHINGTON – More than 700,000 foreigners who were supposed to leave the country last year stayed beyond the terms of their visas, though some of them subsequently departed, the Department of Homeland Security said Monday.

That figure represents a small slice – fewer than 1.5 percent - of the more than 50 million visitors whose visas directed them to depart in fiscal year 2016. Though the vast majority of visitors left on time, in conjunction with a similar report issued last year, it suggests that a substantial number of people are living in the U.S. illegally who arrived with legal papers.

Most of the attention around illegal immigration involves people who cross into the U.S. illegally, but experts say more than 40 percent of the [estimated 11 million undocumented people](#) overstayed their legal visas and that a majority of newly arrived illegal immigrants came legally and then stayed past their return dates.

Congress has long pressed for a biometric entry and exit system to track foreigners, but successive administrations haven't delivered. Proponents of such a system note that the terrorists who carried out the Sept. 11, 2001, attacks had come to the U.S. legally and overstayed their visas.

But only last year, for the first time, did the Obama administration feel confident enough in data available to create the first overstay report, based on information from fiscal year 2015. The report found that 527,127 of the people expected to depart in 2015 overstayed their visas, though officials said Monday that just 304,000 of them were still in the country in January 2017. That report didn't cover all visa types. Monday's report covered fiscal year 2016, which ended Sept. 30.

Biometric information is captured when people enter the U.S., but the exit data is currently based on manifests from airplanes and ships that must be cross referenced with other databases to ensure that visitors didn't obtain a new immigration status while they were in the U.S.

Meanwhile, land crossings generally aren't counted, even though they represent the plurality of arrivals. Efforts to track air exits using biometric data such as facial recognition software are still being tested.

The Department of Homeland Security said it is committed to completing a biometric system that would cover all visitors, as President Donald Trump ordered anew in an executive order early this year. The agency said it would expand biometric exit programs to seven additional airports in the coming months.

The list of people suspected of staying past their visas is shared with the Immigration and Customs Enforcement agency on a continuing basis, officials said. ICE officers target those deemed priorities for deportation, the agency says, such as [those with criminal records](#).

“To protect the American people from those who seek to do us harm, and to ensure the integrity of the immigration system, ICE has recently [increased overstay enforcement operations](#),” the department said in a statement.

As with last year’s data set, the new Department of Homeland Security report found many of those who stayed past their visa expiration dates subsequently departed. By the end of the fiscal year, the government counted 628,799 people it suspected remained in the U.S. without authorization and by January, the total had fallen to 544,000.

The report also tallied the number of visa overstays based on type of visa as well as country of origin. It found that rates were much lower for countries whose citizens don’t need a visa to come to the U.S. for a limited time. For instance, just 0.15 percent of visitors from Japan who came for business or pleasure stayed past their mandated exit dates. That compares with 13.71 percent of similar travelers from Afghanistan and 25.14 percent from Bhutan.