Meiji Institute for Global Affairs

MIGA COLUMN GLOBAL DIAGNOSIS

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Short Curriculum Vitae – Xiaoyan Liu

Born: Shanghai, China. 2005: Entered the Graduate School of Public Policy, University of Tokyo. March 2007: Conferred the title of Master of Business Administration and Public Policy by the Graduate School; April 2007 - March 2009: Employed at the Research Department, Development Bank of Japan. From August 2009: Majored in East Asian Studies at Washington University in St. Louis, USA, and conferred the title of Master of Arts in 2011. From April 2012: Entered the doctoral course at the University of Heidelberg, Germany, specializing in Chinese Studies. July 2015: Conferred doctorate. From September 2015: Current post.

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Latest Trends in Immigration Policy
Under the Trump Administration

   Beginning with the days of the election campaign, President Donald Trump has been pushing for tighter controls, both quantitative and qualitative, on immigration. Following his inauguration, he did not soften his tough stance of firm adherence to the "America First" line, and embarked on various specific measures in the aspect of immigration policy. On August 2 of this year, he proclaimed his support for the Reforming American Immigration for Strong Employment (RAISE) Act, a bill proposed by two senators from

the ruling Republican Party (Tom Cotton of Arkansas and David Perdue of Georgia). The opposition Democratic Party and groups supporting immigrants are staunchly opposed to the RAISE Act, and the consensus is that it will face rough going in the coming deliberations on it.[1] Perhaps because it is not expected to be passed into law, the proposed RAISE Act has not been received much treatment in news reports worldwide. Under the Trump administration, nevertheless, policy on immigration is certain to be revised. The trend on this front in the United States, an immigration giant, will probably have tremendous repercussions for the future shape of globalization. This article therefore examines the details of the proposed RAISE Act and considers the impact, both inside and outside the United States, in the event of its passage into law.

Proposal of a US version of the point-based immigration screening system

The following may be cited as four main features of the RAISE Act bill. 1) It gives priority to the spouses and unmarried children of US citizens or permanent residents who invite them to immigrate. 2) It would reduce the number of immigrants accepted into the United States to no more than 50,000 per year. 3) It would abolish the Diversity Visa Lottery Program for issuance of permanent residency visas (green cards).[2] 4) It incorporates a point-based system for green card application.

The most noteworthy of these features is the merit-based immigration system, which is patterned after the point-based systems in Australia and Canada. Under this system, immigration applicants are allocated points based on values in categories such as age, formal education, English language proficiency, and income. For the yearly green card issuance cap of 140,000, the bill proposes a scheme for issuance to those applicants with the highest scores on the point-based score cards. (See Table 1.) Senators Cotton and Perdue, who introduced the bill, asserted that workers with a low level of skills have accounted for the majority of immigrants accepted to date, and that immigration has consequently been pushing wages for US citizens down and hindering their attainment of

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[1]Tal Kopan, a political reporter for CNN who first reported this story, used the expression "a heavy lift" in reference to the prospects for Congressional approval of the bill.
(August 3, 2017 -
http://edition.cnn.com/2017/08/02/politics/cotton-perdue-trump-bill-point-system-merit-based/index.html)
[2] Under the Diversity Visa Lottery Program, 50,000 permanent residency visas are issued to persons from countries with low rates of immigration to the United States.

the American dream.

Table 1 Immigration Plan Under the Trump Administration
– Tentative Point-Based Score Card

Category	Standard		Point allocation
Age	18 - 21		6
	22 - 25		8
	26 - 30		10
	31 - 35		8
	36 - 40		6
	41 - 45		4
	46 - 50		2
Formal education	High school degree (US or foreign)		1
	Bachelor's degree	US educational institution	6
		Foreign educational institution	5
	Master's degree in a STEM field	US educational institution	8
		Foreign educational institution	7
	Professional degree or doctoral degree	US educational institution	13
		Foreign educational institution	10
English language proficiency Based on a standard exam	Level of proficiency	60% - 80%	6
		80% - 90%	10
		90% +	11
		1	12
Annual income	As percentage of the median household income in the state of employment	150% +	5
		200% +	8
		300% +	13
Extraordinary achievement	Nobel laureate		25
	Individual medal in the Olympics or comparable international sporting event		15
Investor/amount of investment	1.35 million dollars		6
	1.8 million dollars		12
Total required for application eligibility			30+

As for application eligibility, even people aged over 50 may apply, although they are not allocated any age points. In the category of formal education, the system clearly gives precedence to applicants with a degree in science, technology, engineering, or mathematics (STEM). It should be noted that it has been US policy since the days of the Obama administration to develop capacity in STEM fields through an all-out national effort. To apply for an immigration visa requires a score of at least 30 points. A check of the various items reveals that, unless the applicant is a Nobel Prize laureate or a medalist in an international sports tournament such as the Olympics, the 30-point hurdle is definitely not low. Concerning the hurdle for application eligibility, some representatives of the mass media ridiculed Mr. Trump, pointing out that, if the system were applied to him, he would be awarded only 18 points and not even be eligible to apply.[3]

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[3] The Washington Post, "Based on the immigration system he endorsed, Trump would not get a green card," 3rd August 2017

This system for immigrant screening based on point allocations came in for criticism as soon as it was announced. In response to Mr. Trump's endorsement of the bill, House Minority Leader Nancy Pelosi offered strong criticism, insisting that the proposed legislation was part of "a hateful, senseless anti-immigrant agenda that instills fear." An executive of a concerned organization also voiced strong opposition, calling the bill "decidedly un-American" and adding, "This isn't about making America great again; it's about making America white again."[4] What must not be overlooked, however, is that the establishment of an immigration screening program based on a point system was also proposed by the Democratic Party beginning several years earlier. The immigration-related bills proposed in 2007 (under the Republican Bush administration) and 2013 (under the Democratic Obama administration) likewise contained abolition of the aforementioned visa lottery program. Commenting on the Democratic opposition to the bill, Mark Krikorian, an expert in immigration studies, observed, "anything Trump is for, they have to be against."[5]

Influence outside the United States

The prevailing view is that there are not good prospects for the start of deliberation on the RAISE Act before the end of the year. For the time being, there is not likely to be any need for apprehension about the risk of an impact on immigration applicants because of a legislative amendment. Meanwhile, screening of foreign nationals in possession of specialized skills for issuance of the H-1B temporary employment visa, which allows them to work at companies in the United States, is becoming increasingly strict, although there have not yet been any related official changes or limitations.[6]

Under the influence of the financial crisis that broke out in 2007, the annual number of

(https://www.washingtonpost.com/opinions/if-trump-were-an-immigrant-hed-probably-be-deported/2017/08/03/50a8
4702-7889-11e7-9eac-d56bd5568db8_story.html?utm_term=.65f8832b5e5b : Date of last confirmation: November 24, 2017)

[4] Washington Times, "Democrats turn against immigration point system when Trump gives support," 7th August 2017
(https://www.washingtontimes.com/news/2017/aug/7/donald-trump-endorses-immigration-point-system-dem/ :Date of last confirmation: November 24, 2017

[5]Ibid.

[6] According to statistics released by the United States Citizenship and Immigration Services (USCIS), more than one-fourth of the persons who filed H-IB visa applications from January to August of this year were asked to submit additional documents.
https://www.wsj.com/articles/trump-administration-tightens-scrutiny-of-skilled-worker-visa-applicants-1511114338:
Date of last confirmation: November 24, 2017

H-1B visas issued steadily decreased until 2010. With subsequent economic recovery, however, it started to increase again, and reached 180,057, a record-high level, in fiscal 2016. The breakdown of the fiscal 2016 H-1B visa issuance by recipient country of origin shows that India ranked first at 126,692 visas, or about 70 percent of the total number. This was far higher than the corresponding figure for China, which ranked second, but the figure for second-ranked China was also much higher than that for third-ranked Mexico. (See Table 2.) The people who will be most affected by a tightening of conditions for issuance of H-1B employment visas under the Trump administration will presumably be workers with special skills from India and China.

Table 2 Breakdown of Fiscal 2016 H-1B Visa Issuance by Recipient Nationality

Nationality of Recipient	Number of visas issued / only countries with at least 1,000 citizens who were issued visas
India	126692
People's Republic of China	21657
Mexico	2540
South Korea	2377
UK	1769
France	1479
Philippines	1455
Brazil	1253
Germany	1061
Japan	1011
Worldwide	**180057**

Source: "Nonimmigrant Visa Issuances by Visa Class and Nationality," FY2016 prepared by the US Department of State

Favorable for Japan's project to attract highly-skilled foreign professionals?

In Japan, a point-based system has also been adopted for the program to attract "highly-skilled foreign professionals," which is likewise in effect part of larger policy to counter the population decrease. The declaration last year to make the period of residence required for acquisition of the right to permanent residency to the shortest anywhere in the world has attracted much attention.

If immigration policy along the lines of the aforementioned RAISE Act is smoothly

deployed under the Trump administration, it may, on the contrary, be a favorable turn of events for Japan, which is endeavoring to attract highly-skilled foreign professionals. This is because Japan could possibly become the preferred destination for visa applicants who have a high level of education and skill but are not favored under the US point-based immigration policy with its high hurdles.

As of June 2016, Japan had accepted a total of 4,732 foreign nationals certified as highly-skilled foreign professionals. Those from China accounted for the overwhelming majority at 65 percent of the total. Once certified as high-level human resources, these foreign nationals are eligible for several privileges in addition to the aforementioned short-cut to acquisition of permanent residency. One interesting perk is the program for toleration of residence with parents, which permits a foreign national who has been certified as a high-level human resource and has a child under age 7 to invite parents from the home country to Japan for the purpose of caring for the child. In the United States, applications for non-immigration visas for the purpose of looking after grandchildren are rejected. This is because, in Western countries, it is not customary for grandparents to take care of grandchildren for their children. This system therefore seems very compassionate to people from China, where it is the tradition for children to care for aged parents and to leave young children of their own to the care of the children's grandparents. From now on, more and more people from China with specialized skills may be expected to abandon ideas of emigrating to the United States, which is no longer friendly to immigrants, and instead come to Japan, where their own sense of values is accepted.