

Congressional Testimony

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Hearing “Security Risk: The Unprecedented Surge in Chinese Illegal Immigration”

The House Committee on Homeland Security Subcommittee on Oversight, Investigations, and
Accountability

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Thank you to the subcommittee for the invitation to share my knowledge of this situation. My name is Meredith Oyen. I am an associate professor of history at the University of Maryland, Baltimore County. At UMBC, I am also the director of the Asian Studies Program. My research centers on the role that migrants play in the relationship between the United States and China, with particular focus on the period since the founding of the People’s Republic of China in 1949. Today I am happy to be here to offer some historical context for the issue of Chinese nationals crossing into the United States on the Southern border, a topic I have recently written about for the online publication *The Conversation*.¹

As with many other nationalities, there is a long history of unauthorized Chinese migrants coming to the United States. What has drawn significant attention recently is the extent to which this migration is coming over the Southern border, and coming via a route that begins in South America and continues through the Darien Gap. This route for entry into the United States is dangerous for the migrants undertaking it. But in 2023 there was a marked increase in the numbers of Chinese nationals coming this way. In this statement, I hope to address some of the reasons for this increase, as well as offer some context for it in the larger patterns of Chinese migration.

According to Pew Research, as of 2021 there were approximately 375,000 unauthorized Chinese immigrants in the United States.² That is a small percentage of the more than 5 million ethnic

¹ “Chinese Migration to US is Nothing New – But the Reasons for Recent Surge at Southern Border Are,” *The Conversation* (March 11, 2024), <https://theconversation.com/chinese-migration-to-us-is-nothing-new-but-the-reasons-for-recent-surge-at-southern-border-are-223530>.

² Jeffrey S. Passel and Jens Manuel Krogstad, “What we know about unauthorized immigrants Living in the U.S.,” Pew Research Center (Nov. 16, 2023), <https://www.pewresearch.org/short-reads/2023/11/16/what-we->

Chinese who reside in the United States. The most common paths for unauthorized Chinese immigrants to enter the United States in recent decades has been by overstaying a lawful tourist, business, or student visa. Visa approval rates for Chinese nationals applying to visit the United States temporarily have been high in recent decades.³

For some migrants, however, the wait for a visa can be long, or the outcome uncertain. In these cases, there is a clear upward trend of Chinese nationals following many other nationalities in making use of the established routes through the Americas to reach the Southern border of the United States.

Based on recent media reports, motivations for Chinese migrants crossing the southern border include the slowing Chinese economy and tightening political control under President Xi Jinping. The pandemic and China's lengthy "Zero-Covid" policy had important effects on the Chinese national economy that has led to slower growth and increased.⁴ Migrants who have talked to reporters at the border have cited the difficulty finding jobs and the impact of the

know-about-unauthorized-immigrants-living-in-the-us/#:~:text=The%20largest%20increases%20were%20from,India%20(725%2C000).

³ In FY23 a total of 417,008 Non immigrant Visas were issued to nationals from China. In the same year, the B visa refusal rate was at 26.62%, down from FY22 and the FY21 spike of 79.09%. That said, the current refusal rate is much higher than it was a decade prior, when it was 8.5% in FY13. See Visa Waiver Program Refusal Data at U.S. Department of State – Bureau of Consular Affairs, <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-statistics/nonimmigrant-visa-statistics/nonimmigrant-b-visa-adjusted-refusal-rates-by-nationality.html>.

⁴ Elaine Kurtenbach and Zen Soo, "China's Economy is forecast to Slow Sharply in 2024, the World Bank says, calling recovery fragile," AP (Dec. 14, 2023), <https://apnews.com/article/china-economy-property-adb-791934f7f9b83de455e8f8aa7178b628>; Haizheng Li and Xiangyuan Li, "The Covid-19 Pandemic's Impact on the Chinese Economy," China Currents 22.1 (2023), <https://www.chinacenter.net/2023/china-currents/22-1/the-covid-19-pandemics-impact-on-the-chinese-economy/#:~:text=The%20unprecedented%20pandemic%20hindered%20consumer,dropped%20into%20the%203%25%20range..>

pandemic on small businesses.⁵ The tightening political control by President Xi Jinping is visible both through the unprecedented third term for Xi as Party Secretary that was decided in the Twentieth Party Congress in October 2022 as well as the recent sessions of the National People's Congress.⁶ Migrants often cite political repression, police visits after making critical statements of the CCP or Chinese government, and a lack of freedom as reasons for leaving China.⁷

The trip to the United States via the Southern Border is expensive for Chinese migrants. They must pay for air travel, often routing through countries like Thailand, Turkey, and Ecuador that do not require Chinese nationals to obtain visas prior to arrival.⁸ The trip often also involves paying local cartels or people smugglers known as “snakeheads” to arrange for safe passage through the Darien Gap and/or to an entry point on the Southern U.S. border.⁹ As a result, many of the migrants apprehended in the last year have come from China's expansive middle class.

Though Chinese migrants have long come to the United States, the growth in numbers on the southern border particularly is unusual, and the timing has raised questions about the reasons for the sudden increase. There are several reasonable explanations for why the numbers might have

⁵ Sharyn Alfonsi, “Chinese Migrants are the Fastest Growing Group Crossing from Mexico into U.S. at Southern Border,” CBS News (Feb. 4, 2024), <https://www.cbsnews.com/news/chinese-migrants-fastest-growing-group-us-mexico-border-60-minutes-transcript/>.

⁶ Simone McCarthy, “‘Two Sessions’: China scraps a decades-long political tradition as Xi tightens control amid economic woes,” CNN (Mar. 4, 2024), <https://www.cnn.com/2024/03/04/china/china-two-sessions-xi-jinping-economic-challenges-intl-hnk/index.html>

⁷ Elieen Sullivan, “Growing Numbers of Chinese Migrants Are Crossing the Southern Border,” New York Times (Nov. 23, 2023), <https://www.nytimes.com/2023/11/24/us/politics/china-migrants-us-border.html>

⁸ “Which Countries can Chinese passport holders visit without a Visa?” Reuters (Jan. 29, 2024), <https://www.reuters.com/world/china/which-countries-can-chinese-passport-holders-visit-without-visa-2024-01-29/>.

⁹ Maryann Martinez, “Chinese ‘Snakehead’ gangs Are Working With the Cartel to Bring Migrants into the U.S. – as others walk in Legally with Help of CBP One app,” The Daily Mail (Feb. 24, 2024), <https://www.dailymail.co.uk/news/us-border-crisis/article-13141787/chinese-migrants-snakeheads-gangs-cartel-flights-border.html>.

increased when they did. The first is the end of the Zero-Covid policy in 2022, which permitted more Chinese nationals to travel abroad than had been able to since the beginning of the pandemic. Online discussions have referred to “*runxue*” or “run philosophy” as a way of talking about emigrating from China after harsh lockdowns in 2022.¹⁰ The decision to undertake this route is also a product of modern information sharing through social media and online platforms. Many migrants who felt an urgency to leave China cited videos on the Chinese version of TikTok called Douyin, or on TikTok itself, as well as other social media outlets, as having provided the information they needed to undertake the journey.¹¹ As the number of people who cross successfully into the United States increases and they share their experiences, more individuals looking for a viable path follow in their footsteps.

A further motivation comes from the fact that Chinese nationals who enter the United States and apply for asylum have also been more successful than many other nationalities, given the valid concerns they express about political repression or the lack of freedom to practice Christianity in China.¹² The lack of cooperation between the United States and China on effecting deportations – something that was endemic to the relationship in the 1950s through 1970s and has ebbed and flowed in the years since – has ensured that even those not granted the right to remain in the

¹⁰ Vincent Ni, “Run Philosophy’: The Chinese Citizens Seeking to Leave Amid Covid Uncertainty,” *The Guardian* (Jul. 20, 2022), <https://www.theguardian.com/world/2022/jul/20/run-philosophy-the-chinese-citizens-seeking-to-leave-amid-covid-uncertainty>.

¹¹ Echo Wang and Mica Rosenberg, “Migrants Find Tips on Chinese Version of TikTok for long trek to U.S.-Mexico Border,” *Reuters* (Apr. 28, 2023), <https://www.reuters.com/world/migrants-find-tips-chinese-version-tiktok-long-trek-us-mexico-border-2023-04-28/>.

¹² Anugrah Kumar, “China ‘Escalated persecution’ against Christian Churches in 2022, watchdog warns,” *The Christian Post* (Feb. 20, 2023), <https://www.christianpost.com/news/china-escalated-persecution-against-christian-churches-in-2022.html>.

United States would not be able to be returned to China. That situation is starting to change, and as deportations increase, they might begin to affect the numbers of people arriving.¹³

Recent reports have highlighted the demographics of the Chinese migrants. Most of the unauthorized migrants crossing the Southern border have been single adults traveling alone, and although public statistics do not account for gender, many who have been interviewed have been men. This is one area in which knowledge of history and culture can provide some reassurance. Before 1965, migration to the United States was dominated by men traveling alone. Very often they have not been single men, but men with families who travel first, undertaking the greater dangers of the trip with the hope of bringing family members to join them once established. This pattern was established in the earliest days of Chinese migration to the United States beginning in the 1850s:

Chinese American communities were predominately made up of men – more than half of them married – during the late nineteenth and early twentieth centuries.... Chinese women did immigrate to the United States, but their numbers were small. During the nineteenth century, the traditional Chinese patriarchal family system discouraged and even forbade ‘decent’ women from traveling abroad. The harsh living conditions in California, high levels of anti-Chinese violence, expensive transpacific transportation, and the lack of available jobs for women were also factors that discouraged Chinese women from immigrating.¹⁴

Since the 1965 Immigration and Nationality Act did away with National Origins quotas and gave preference to family reunification and skill-based visas, legal migration from China has

¹³ Didi Tang, “China and U.S. Resume Cooperation on Deportation as Chinese Immigrants Rush in from Southern Border,” AP News ((May 9, 2024), <https://apnews.com/article/china-immigration-border-deportation-mayorkas-514f42ee56e80fe7eb7f9fcc71c4d55c>).

¹⁴ Erika Lee, *The Making of Asian America: A History* (Simon & Schuster, 2015), 67.

skewed female, with the result of the overall demographics of Chinese immigrants in the United States trending majority female.¹⁵

However, just as in the earliest periods of migration, dangerous routes for unauthorized migrants are dominated by men. In the 1990s there were many concerns about unauthorized Chinese migrants arriving in the United States after being smuggled into U.S. ports via shipping containers on cargo ships. In 1993, the cargo ship *The Golden Venture* ran aground outside the Port of New York, and 286 undocumented migrants from China's Fujian Province who had been aboard were discovered, some swimming for their lives for the U.S. shore. The survivors numbered 262 men and 24 women.¹⁶ Overwhelmingly, the migrants seeking refuge in the United States after undertaking an arduous voyage to get there were men traveling alone. It would not be surprising that Chinese migrants undergoing the route through the Darien Gap to the United States would be majority male, if in fact they are.

History also demonstrates that there is precedent to fearing Chinese migrants. The Chinese became the first and only nation to be singled out in U.S. immigration law with the 1882 Chinese Exclusion Act, which banned the migration of Chinese laborers to the United States. The Exclusion Act was extended several times and made "permanent" until its ultimate repeal in 1943 in recognition of Chinese cooperation as an ally in World War Two. The Anti-Chinese Movement that precipitated the act cited Chinese migration as a unique threat to the United States through both the entry of a "degraded and inferior race" incompatible and unassimilable

¹⁵ Jan Ryan, "Chinese Women as Transnational Migrants: Gender and Class in Global Migration Narratives," *International Migration* 40.2 (2002): 1.

¹⁶ *Golden Venture: A Documentary About the U.S. Immigration Crisis*, (2015), <https://www.goldenventuremovie.com/facts.htm>.

with the existing white and Western European population and the “economic danger” of migrants who worked hard and fast for lower wages than could sustain a Euro-American man.¹⁷ These fears led to extreme violence against Chinese immigrants, including mob violence and the burning of Chinatowns before the passage of the first of the acts that collectively became the Chinese Exclusion Acts.

Those acts in turn resulted in rising levels of unauthorized Chinese migration, as migrants sought ways around the discriminatory measures. During the decades of Exclusion, a black market of Chinese-American identities emerged that allowed individuals to circumvent immigration laws. Additionally, Chinese migrants during this period sometimes crossed the southern U.S. border to enter the United States.¹⁸

After the People’s Republic of China was established in 1949, direct migration between the Chinese mainland and the United States was severely curtailed until the reopening of relations in the 1970s. During that period, though, Chinese nationals in the United States faced suspicion and harassment from U.S. authorities concerned about the national security risk they posed. Whereas Eastern European defectors were often assumed to be freedom seeking, Chinese nationals with families still in China behind the “bamboo curtain” came under intense scrutiny. The history of unauthorized migration and forged documentation during the Exclusion Era created the impetus for FBI raids on Chinatown organizations, arrests, and harassment of Chinese migrants who did not support Chiang Kai-shek’s Republic of China regime. Sending

¹⁷ Lee, 89.

¹⁸ Erika Lee, “Enforcing the Borders: Chinese Exclusion along the U.S. Borders with Canada and Mexico, 1882-1924,” *Journal of American History* 89.1 (June 2002): 54-86.

remittances home to family was criminalized under the Trading with the Enemy Act, and Chinese scholars and scientists in the United States when the Korean War broke out came under suspicion as potential spies.¹⁹ Most famously, Chinese scientist Qian Xuesen was harassed enough to decide to return to China, despite earlier plans to remain permanently in the United States, and once returned he became an important public figure in support of Chinese leader Mao Zedong and in the development of the Silkworm missile.²⁰

Even after normalization of relations and the reopening of regular paths of immigration, Chinese migrants have been repeatedly brought under suspicion of threatening national security and economic strength for little reason other than their ethnicity. In 1982, Chinese immigrant Vincent Chin was murdered in Detroit by two unemployed auto workers after getting into an altercation at a bar. The men who attacked him were heard to invoke fears of Japanese economic success to the detriment of the American worker.²¹ During the 1990s, Taiwanese American scientist Wen Ho Lee was arrested and held for over a year over espionage charges that never had enough clear evidence to try, much less convict him.²² During the Covid Pandemic, there were many documented instances of suspicion, harassment and violence against Chinese Americans, as their race and ethnicity became associated with the source of the pandemic that caused such significant economic and personal harm.²³

¹⁹ Detailed in my book, *The Diplomacy of Migration: Transnational Lives and the Making of U.S.-China Relations in the Cold War* (Cornell University Press, 2015).

²⁰ Kavita Puri, "Qian Xuesen: The Man the US Deported – Who Then Helped China into Space," *BBC* (Oct. 26, 2020), <https://www.bbc.com/news/stories-54695598>.

²¹ Harmeet Kaur, "Vincent China was beaten to death 40 years ago. His case is still relevant today," *CNN* (Jun. 23, 2022), <https://www.cnn.com/2022/06/23/us/vincent-chin-death-40-anniversary-cec/index.html>.

²² "The Wen Ho Lee Case," *Science* 290.5500 (Dec. 22, 2000), <https://www.science.org/doi/10.1126/science.290.5500.2224b>.

²³ Sungil Han, Jordan R. Riddell, and Alex R. Piquero, "Anti-Asian Hate Crimes Spike During the Early Stages of the COVID-19 Pandemic," *Journal of Interpersonal Violence* 38.3-4 (Feb 2023), 3513-3533.