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Risk-Management Approaches in the Post 9/11 Era:

A Case Study of Security Provisions within the Context of the US

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Abstract

In the aftermath of 9/11, a heightened development of security provisions within the United States of America (US) has been observed. This thesis seeks to study how these security provisions have influenced the process of a securitization of migration and the conceptualization of migrants within the US. This research paper applies Foucault's notion of biopower to study this issue by examining risk-management approaches consisting of enhanced border security, public surveillance and the use of biometrics. A content analysis on post 9/11 security measures include the Homeland Security Act of 2002 and the United States Visitor and Immigrant Status Indicator Technology program in order to study the immense power these security provisions hold. Results show that these policies and programs have subsequently framed certain bodies, specifically individuals from Arab and Muslim states as a threatening Other. This is further highlighted after examining migration trends of nonimmigrant students and temporary visitors entering the US from Southeast Asia, South America and the Middle East. After 9/11 an observable decrease in admissibility is most notable in the Middle East in contrast to Southeast Asia and South America. This holds various ethical implications as it can lead to a cultural polarization within the society.

Key words: security policies, securitization of migration, risk-management, biopower, United States of America

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List of Abbreviations

Constitution – Constitution of the United States of America

DHS – Department of Homeland Security

National Consortium of the START – National Consortium for the Study of
Terrorism and Responses to Terrorism

NSEERS – National Security Entry-Exit Registration System

RMS – Risk Management Solutions

US – United States of America

US-VISIT – United States Visitor and Immigrant Status Indicator Technology

USA PATRIOT Act – Uniting and Strengthening America by Providing Appropriate
Tools Required to Intercept and Obstruct Terrorism Act of 2001

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1 Introduction

1.1 Topic background

Following the terrorist attacks on the United States of America (US) in 2001, commonly referred to as 9/11, the concept of migration has been developing into a security issue. This can be observed as migration has been placed on the security and foreign policy agenda (Rudolph 2006 cited in Lahav and Courtemanche 2011, p. 478). The “securitization of migration” refers to the regulation of migration for the protection of internal security (Huysmans 2000, p. 757). Migration can be defined as the, “permanent or semi-permanent change of residence, usually across some type of administrative boundary” (Wood 1994, p. 607). In this thesis, it will be understood more broadly as the movement of people both nationals and internationals within and entering a sovereign entity. In the aftermath of 9/11, the discourse surrounding terrorism has shifted the focus towards enhancing homeland security. The following concepts including, enhanced security policies, public profiling, increased surveillance, border control and the use of biometrics encompass the umbrella term, “risk-management”. Post 9/11 security provisions represent these risk-management approaches implemented by the American government.

After 9/11, the US immigration and visa policies came under criticism after it was known that the nineteen hijackers struck within the US after legally being admitted through temporary visitor and student visas (Ewers & Lewis 2006, p. 474). Stephen Camarota, Director of Research for the Center for Immigration Studies, testified before congress the following statement, “The current terrorist threat to the United States comes almost entirely from individuals who arrive from abroad. Thus, our immigration policy is critical to reducing the chance of future terrorist attacks” (cited in Ewers & Lewis 2006, p. 474). The role of foreign international visitors in the

terrorist attacks of September 11th demonstrates the unpredictable nature of migration threat.

1.2 Statement of the Problem

The phenomenon developing within the global war on terror can be seen in, “the proliferation of risk management techniques as a means of governing mobilities” (Amoore 2006, p. 337). Following the events of 9/11, the American government implemented a series of restrictive security policies. This includes the formation of the Homeland Security Act of 2002, the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), the National Security Entry-Exit Registration System (NSEERS), and the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) program instituted in replacement of the NSEERS. As of March 2013, the US-VISIT has been renamed, The Office of Biometric Identity Management; however, for the purpose of this thesis it will be continued to be referred to as the US-VISIT program. The phenomenon of study is how the increased series of security policies are turning towards the concept of risk-management approaches as a process of a securitization of migration. Furthermore, this thesis will investigate if these implemented policies influence the conceptualization and portrayal of migrants within the setting of the US.

1.3 Importance of Study

Louise Amoore and Marieke De Goede (2005, p. 150) argue that 9/11 represents a shift in which the practices of risk-management approaches become intensified. Whereby places including airports, ports of entry and exit as well as borders become recognized as “high risk” areas allowing techniques of governance to rely on

computer technology to gather data and distinguish suspicious behavior (Amoore & De Goede 2005, p. 151). This can foster a securitization of migration within the entity, of the sovereign state as well as migration into it.

The “War on Terror” is a phrase coined by US President George W. Bush as a response to the attacks on September 11th, 2001 to fight terrorist organizations. As the US represents a prominent figure in the global world, other countries may subsequently adopt similar risk-management strategies. It is important to highlight the ethical implications that can result from such risk-management approaches as it can hold both benefits and consequences to the country. The US exemplifies a leading actor in countering terrorism and this can be observed by studying the measures and resources used in order to protect the boundaries of the nation. The security policies within the US since 9/11 have the potential to hold far-reaching effects within a global scale. Therefore, the importance of this research study is to highlight these established security policies in order to further understand the influence they carry.

1.4 Key Concepts and Relation to Previous Research

1.4.1 Risk-Management Approaches

According to Gordon Woo (2004) principle analyst of the firm Risk Management Solutions (RMS), “Mathematics provides a whole new set of tools in the war on terror” (cited in Amoore & De Goede 2005, p. 149). Risk models developed by RMS enable the identification of vulnerable places and suspicious people (Woo, 2004, cited by Amoore & De Goede 2005, p. 149). The main aspect of risk assessment models is termed as, “dataveillance”, which is defined as, “the proactive surveillance of what effectively become suspect populations, using new technologies to identify

‘risky groups’” (Levi & Wall 2004, cited in Amoore & De Goede 2005, p. 151). “Discipline...governs individuals *individually* while simultaneously forming and normalizing populations. Risk management, by contrast, breaks the individual up into a set of measurable risk factors” (Amoore & De Goede 2005, p. 150). This can underline how security provisions within the contemporary war on terror are developing as a risk-based approach to deter terrorism. Terrorism in this research study is defined based on the following criteria by the National Consortium of the Study of Terrorism and Responses to Terrorism (National Consortium of the START, 2012) as an act that is: (1) aimed at attaining a political, economic, religious, or social goal, (2) includes evidence of an intent to coerce, intimidate, or convey a message to a larger audience other than the immediate victims, (3) the action is outside the context permitted by International Humanitarian Law.

It should be acknowledged that risk-management practices are not particularly new as there are various literature examining border control prior to 9/11 by scholar Didier Bigo (2001) and immigration control by Peter Andreas and Timothy Snyder (2000). Amoore and De Goede (2005, p. 168) highlight the issue of risk procedures as a method of, “governing contemporary society”; however, I argue they do not shed light on the ethical implications of these techniques. It should be acknowledged that risk-management strategies include the idea of profiling. In line with Professor Stephen Legomsky’s (2005, p. 178) definition, this term refers to, “targeting individuals who possess identifiable attributes that are believed to bear positive statistical correlations to particular kinds of misconduct - in this case, involvement in terrorism”. In examining the implications of risk-management approaches, problems arise when characteristics of risk turn to features such as ethnicity, country of nationality and religion.

1.4.2 Securitization Theory

The implementation of restrictive security measures and the impact on migration diffuses over the discussion of security. The central argument of the securitization theory put forth by the Copenhagen School is that security and threats are subjective and can be a way of framing an issue (Wæver 1996, p. 106). Security is seen as a speech act in which simply by labeling something as a security issue can subsequently make it become one (Wæver 2004, cited in Taureck 2006). The concept of securitization is defined as a process in which an, “intersubjective understanding is constructed within a political community to treat something as an existential threat to a valued referent object, and to enable a call for urgent and exceptional measures to deal with the threat” (Buzan & Wæver 2003, p. 491). With regard to the meaning of securitization, the referent object is a key concept in the Copenhagen School. The theory of securitization offers a valuable overview to the understanding of regulating migration; however, it does not highlight government control of migration in the way in which it relates to the justification of freedoms to certain identities and in turn, to bodies. For that reason, this paper will turn to Michel Foucault’s work on the notion of biopower.

1.4.3 Defining Biopower

The notion of biopower and a related term, biopolitics, was first introduced in Foucault’s (2003) lectures at the College De France titled *Society Must Be Defended*. Foucault (2003, p. 243) coined the term biopower to refer to the governing of human life, which operates on two levels; on the level of individuals, there is an, “anatomy-politics of the human body”, while on the level of social groups, there is a “biopolitics of the human race”. Therefore, biopower is seen as the control of human beings as an individual body but also within a collective population. In *Discipline and Punish*, Foucault (1995) examines the productive nature of disciplinary power as a means to produce structure and control. This is paralleled within modern society. This theory put forth by Foucault relates to the use of biometrics, risk-management approaches, and surveillance technologies that have now become used to help fight

the war on terror (Amoore 2009, p. 2). Amoore argues that these technologies have moved away from the military domain into the private commercial world suggesting an emerging securitization on everyday life. For example it is seen in, “remote sensing of bodies on a railway platform, to the securing of identity via biometric algorithms, or the profiling of risk at the airport” (Amoore 2009, p. 2). This has inevitably led to security decisions sanctioned by the state juxtaposed by the mobilized awareness of a fearful public (Amoore 2009, p. 2). For this reason, Foucault’s notion of biopower is the most relevant theoretical framework in order to problematize how post 9/11 US government policies hold an impact over the securitization of migration.

1.5 Objectives and Research Questions

The objective of this research study is twofold. First, I will study how US policies implemented post 9/11 has securitized migration by examining the establishment of the Homeland Security Act and the USA PATRIOT Act. Second, I will analyze the NSEERS and US-VISIT programs in order to examine the implications of risk-management approaches in the conceptualization of migrants in terms of how they are portrayed within the US. In studying the implications of post 9/11 security provisions, I will also analyze nonimmigrant flows of student and temporary visitors from Southeast Asia, South America and the Middle East to the US between 1997 and 2004. The aim of this thesis is to study the phenomenon of post 9/11 security polices and the influence on the process of a securitized migration and what the significance these policies hold on the conceptualization of migrants and their portrayal within the context of the US. The following research questions are what I will examine within this thesis:

- Following the events of 9/11, how has the increase of security provisions (the above mentioned policies and programs) influenced the process of a securitized migration within the US?

- What are the implications of risk-management approaches in the conceptualization of migrants and their portrayal within the context of the US?

1.6 Delimitations

There are number of delimitations within this research study. First, it is important to consider that the discourse surrounding migration includes threats to various social dimensions. For example, threat to the host countries' labor market or welfare system. Although it is recognized that these migration threats exist, they will not be discussed within this research study. A second delimitation is that this research study will focus on a process following the events of 9/11; however, it should be noted that there is no discussion regarding the specific acts of terrorism occurring on September 11th, 2001. Lastly, in examining this research problem, I will only study trends in nonimmigrant flows into the US from the regions of Southeast Asia, South America and the Middle East. Nonimmigrant flows are examined because it includes both student and temporary visitors for business and pleasure. In addition, these regions are selected since it would be rather challenging to compile data from all regions of the world within the boundaries of this research study while also offering an in-depth case study analysis.

1.7 Thesis Structure

This thesis has been structured into the four subsequent chapters. Chapter two presents the theoretical and conceptual foundations of Foucault's notion of biopower. This theoretical framework is applied as a lens in studying post 9/11 security policies on the securitization of migration and the influence on the conceptualization of migrants. Chapter three addresses the methodological considerations. It is here that I

outline the epistemological approach that guides this research study as well as the method of a content analysis within a single-case study. The research paper proceeds to chapter four, a research analysis integrated with a discussion on post 9/11 security provisions. This chapter will study the American government's implementation of various policies and programs after 9/11. Furthermore, this chapter will discuss how these provisions hold implications on the securitization and conceptualization of migrants within the US. Lastly, chapter five states the central conclusions and suggests potential areas for further research.

2 Theoretical Framework

The theoretical framework of this research study focuses on Foucault's notion of biopower. This theory will be used as an explanatory tool in studying the American government's implementation of post 9/11 security provisions. This theoretical framework can aid in the examination of the impact security policies hold on the process of a securitized migration and if these risk-management approaches influence the conceptualization and portrayal of migrants within the context of the US.

2.1 The Right of Death and Power Over Life

I will first introduce the discussion on the right of death and power over life as a starting point to conceptualize Foucault's theoretical notion of biopower. Foucault (1978, p. 138) states, "One might say that the ancient right to take life or let live was replaced by a power to foster life or disallow it to the point of death". In this quotation, Foucault looks at juridical power, or the right to death within classical sovereign power, which can be seen as the exercise of legal power by monarchs. The juridical system is described as a power that is centered primarily around deduction and death, as Foucault describes:

Whose operation is not ensured by right but by technique, not by law but by normalization, not by punishment but by control, methods that are employed on all levels and in forms that go beyond the state and its apparatus (Foucault 1978, p. 89).

This is observed as a means of deduction or a subtraction mechanism where power is, "a right of seizure: of things, time, bodies, and ultimately life itself; it culminated in the privilege to seize hold of life in order to suppress it" (Foucault 1978, p. 136). Thus, juridical power, the dominant political power, operates through prohibitions and punishment. This is enforced through official institutions, for example the law, the government, and the police. Therefore, this form of power is exercised upon the

individual who is both the subject and object of power. In other words, individuals exercise power and power is also exercised over them.

Foucault's (1978) notion of biopower is based on a new idea of the "power over life". This concept holds a positive influence on life creating people to be efficient while also enabling action. The disciplinary power over individual bodies and biopolitical administration is seen as a means of control that is regulated through data and statistics. This effectively creates distributions around averages that in turn shape societal norms. Foucault (1978, p. 144) states that the development of biopower is leading to a growing concern with the action of the norm at the expense of the juridical system of the law. Foucault further illustrates this idea:

Law cannot help but be armed, and its arm, par excellence, is death...But a power whose task is to take charge of life needs continuous regulatory and corrective mechanisms. It is no longer a matter of bringing death into play in the field of sovereignty, but of distributing the living in the domain of value and utility. Such a power has to qualify, measure, appraise, and hierarchize, rather than display itself in its murderous splendor; it does not have to draw the line that separates the enemies of the sovereign from his obedient subjects; it effects distributions around the norm...A normalizing society is the historical outcome of technology of power centered on life (Foucault 1978, p. 144).

The power over life becomes operated through unofficial institutions, for instance through unwritten rules or social norms, and is enforced everywhere. Disciplinary power is a means to normalize individual bodies in order to optimize capabilities and efficiency. Foucault (1978, p.117) argues that discipline is enforced through surveillance, which regulates the body to conform to social norms. Surveillance related to biopower leads to self-surveillance. Thus, biopower is the normalization of populations, a function of administering life to optimize the life of the population.

The Foucauldian view proposes that power is relational, suggesting that relations of power are, "directly productive", it is neither something that can be owned or exchanged, but is produced through particular forms of social relationships (Foucault 1978, pp. 94-95). The power of deduction shifts to what Foucault views as the power of production. This progresses through maintaining an average, which is

simultaneously connected to norms. Hence, biopower can be seen as regulatory controls through the use of statistics in order to obtain this average.

In Foucauldian terms, “power relationship and freedom’s refusal to submit cannot be separated”; therefore, the objective should not be to eliminate power relations as it is produced simultaneously with freedom and resistance (Foucault 2000, p. 342). Resistance shifts the way in which power is conceived and alters the understanding of the notion of power; therefore, the notions of disciplinary and biopower should be seen as complimentary to power. As a result, Foucault’s work suggests that power should not be abolished but resisted and contested in the social constructions of power that is produced within daily life.

Foucault (1995, p. 138) argues that discipline produces, “docile bodies”, therefore the body becomes subjected in order to be controlled. Essentially, Foucault argues that disciplinary power includes, “both technologies of domination and technologies of the self” (cited in Milchman & Rosenberg 2005, p. 338). To further illustrate this idea, Michael Clifford summarizes:

Disciplinary power can be said to proceed through techniques of domination and coercion since it manipulates bodies and controls them... These techniques are dependent on technologies of the self whereby individuals take on the norms and rules of discipline and make them part of the constitution of themselves (cited in Milchman & Rosenberg 2005, p. 338).

In understanding the concept of disciplinary power, it is important to account for the interaction between the individual and the techniques enforced upon them.

Foucault (1995) adopts Jeremy Bentham’s idea of the Panopticon, which was established within the context of prison reform in the late eighteenth century and is applied within the context of modern society. The Panopticon is a building with a central tower that enables a guard to see within each prison cell where inmates are detained; conversely, prisoners are unaware whether they are being observed (Foucault 1995, p. 200). Foucault (1995, pp. 200-202) states that, “visibility is a

trap”, the Panopticon is described as a, “machine for dissociating the see/being seen dyad”. This quotation demonstrates how the inmates within the peripheral ring are seen without ever seeing; meanwhile, the guard in the center tower sees everything without ever being seen. The concept behind this idea is a form of surveillance in which behavior is normalized through rules and social norms. Surveillance becomes a means to keep individuals in order and for one individual to hold power over many. The Panopticon although introduced as a means for social reform, converts into a proxy for social control as a result of the relationship between knowledge and power. Foucault extends this architectural idea as a foundation with regard to a disciplined society constructed on the application of power through surveillance.

2.2 Biopower and Governmentality

In examining Foucault’s (2007) notion of biopower, it is also important to address the concept of governmentality, or the rationalities of the government, which is an analytical approach for regulating people. Foucault states the concept of governmentality embraces the following three ideas: (1) it is formed through institutions and procedures allowing the exercise of power over the population, (2) it holds greater position over other types of power including sovereignty and discipline and (3) it includes the process of the governmentalization of an administrative state (Foucault 2007, p. 144). Foucault's idea of governmentality can be observed as a method of, “thinking about the nature of the practice of government (who can govern; what governing is; what or who is governed)” (Gordon 1991, cited in Henman, 2011, p. 289). Therefore, the idea of governmentality helps understand the notion of power in which it can be conceived as a form of social control that is embedded within norms and institutions.

Governmentality is described as the control of a population exercised over subjects that are free; however, “free in the sense that government entails a subject who is not simply the object of power, but who can both resist it, and reshape its modalities” (Milchman & Rosenberg 2005, p. 339). Foucault (2003, p. 40) argues, resistance towards this form of domination allows for a, “new right that is both antidisiplinary and emancipated from the principle of sovereignty”. Foucault’s idea of regimes of biopower and their disciplinary networks suggests that, biopower replaces sovereignty. This appears when technology allows, “man not only to manage life but to make it proliferate, to create living matter, to build the monster, and ultimately, to build viruses that cannot be controlled and that are universally destructive” (Foucault 2003, p. 254). The theoretical framework of biopower aids in studying the impact of post 9/11 security policies as it can create systems and institutions functioning as a process to govern mobilities.

Foucault (1976, p. 256) argues, “Once the State functions in the biopower mode, racism alone can justify the murderous function of the state”. In the context of the US, the concept of risk-management can be seen as a mechanism in which allows biopower to be exercised. Race, as explained by Foucault (1976, pp. 254-255) is a way of, “introducing a break into the domain of life that is under power’s control: the break between what must live and what must die”. Expanding on this idea, Alan Milchman and Alan Rosenberg (2005, p. 342) argue that the factors for such a, “break in the biological continuum” can be based on reasons such as ethnicity, religion, sexual orientation, deviation from society’s norms, mental illness, or even criminality. Therefore, Foucault’s idea of race would be defined as any deviance within the continuity of human beings, in other words, characteristics divergent of the norm. Foucault describes the organization of race as:

The hierarchy of races, the fact that certain races are described as good and that others, in contrast, are described as inferior: all this is a way of fragmenting the field of the biological that power controls... It is, in short, a way of establishing a biological-type caesura within a population that appears in the biological domain (2003, p. 255).

Foucault (2003) examines biopower as a mechanism where human biological features become the target of political strategies; this is a result of a development of governmental interest in the population through the technologies of statistics. These regulatory mechanisms establish, “an equilibrium, maintain an average, establish a sort of homeostasis, and compensate for variations within this general population” (Foucault 2003, p. 246). Biopower as Foucault (1978, p.143) argues is, “what brought life and its mechanisms into the realm of explicit calculations and made knowledge-power an agent of transformation of human life”. Furthermore, as Milchman and Rosenberg (2005, p. 336) contend, biopower refers to, “the various technologies through which not just the behavior of individuals is regulated, but through which life itself, in all its dimensions, is subjected to the exercise of power”. Therefore, this idea can be connected to the contemporary use of risk-management approaches including the use of biometrics.

The Enhanced Border Security and Visa Entry Reform Act of 2002, mandates the use of a biometric system for international visitors (US Department of State, 2013). A biometric is defined as an, “objective measurement of a physical characteristic of an individual which, when captured in a database, can be used to verify the identity or check against other entries in the database” (US Department of State, 2013). For instance, this includes fingerprints, facial recognition and iris scans. Accordingly, registered databases categorize individuals as: citizens/noncitizens or approved/denied or legal/illegal. As a result, Amoore (2006, p. 338) argues that the concept of biometric borders act as a risk-management technique to control and regulate the mobility of identities. Biopower may focus on improving the productive qualities of the population; however, “biopower also involves the capacity to take, or withhold, life” (Henman, 2011, pp. 73-74). In this case, the concept of biometric borders can be seen as a mechanism in which authorities exercise control over the regulation of specific bodies. Foucault’s notion of biopower will therefore be used as a theoretical framework for this study to examine how the American government’s increase of security policies influence the securitization of migration over nationals

and internationals. Furthermore, this theory will be used to study if post 9/11 risk-management approaches influence the conception of migrants and their portrayal within the US.

3 Methodology

This chapter will present the methodology and methods that will be applied in this research study. I will examine the methodology of a single-case study approach and use a content analysis as a method to present empirical material. This will be guided by a social constructivist epistemology in which knowledge is acquired through the interpretation of social interactions and experience.

3.1 Ontology and Epistemology

The ontology that guides this research study will adopt a relativistic approach, since knowledge is perceived as a social reality that is attained through individual interpretation. Relativism can be observed as a combination of views, “whose common theme is that the central aspect of experience, thought, evaluation, or even reality is somehow relative to something else” (Swoyer, 2003). Therefore, this approach is chosen because the justification of certain policies or the evaluation of the ethical implications that it may carry are relative to the standards within various societies or even culture. Absolute truth is then constructed and positioned within social contexts. In this research study, the examination of the influence that certain security policies hold (whether positive or negative), become morally or ethically justified within the particular context of the US.

The epistemology that will shape the practice of this research study will be guided by a social constructivist approach in which reality is formed through multiple interpretations. As Mark Bevir (2010, p. 1285) claims, this approach suggests that, “political life is a social construction. It arises out of particular traditions or particular regimes of knowledge”. Therefore, it can be seen that social actors do not react to

stimuli, rather, meaning is given to specific situations and behavior is adjusted accordingly to these understandings. As John Creswell (2007, p. 21) claims, subjective meanings become conveyed socially and historically, and are formed through interaction and cultural norms.

Social constructivism, centers on how the world is experienced proposing that, “reality is socially constructed” (Mertens 2005, p. 12). Therefore, the process of understanding reality is a result of interpreting information. Within the context of this research study, the understanding of security policies implemented within the US will be based on my analysis. Rather than starting with a theory, this study inductively develops a pattern of meaning through the interpretation of a content analysis.

3.2 Single Instrumental Case Study

A qualitative single instrumental case study approach will be applied for this thesis. In this type of case study, the researcher focuses on an issue and selects one bounded case to illustrate this issue (Stake 1995, cited in Creswell 2007, p. 74). Since the focus of this study is to examine post 9/11 security policies and the influence on the process of a securitized migration, as well as, the implications of these policies on the conceptualization of migrants, I have chosen to study this phenomenon within the context of the US. As previously stated, the importance of studying security policies is to underline the vast influence they may hold. Therefore, because the US is a leading actor within the global war on terror, the study of these security provisions in this particular setting can bring valuable insight.

The advantage of case studies is that the researcher can achieve, “high levels of conceptual validity, or to identify and measure the indicators that best represent the theoretical concepts that the researcher intends to measure” (George & Bennett 2005,

p. 19). As the variables that I am studying, for instance, power, identity and security are difficult to measure, case studies allow for, “consideration of contextual factors” that can lead to high levels of conceptual validity (George & Bennett 2005, p.19).

In a case study, a single person, program, event, process, institution, organization, social group or phenomenon is investigated within a specified time frame, using a combination of appropriate data collection devices (Creswell 1994, p. 12). The methodology of a single-case study is selected because this thesis examines post 9/11 security policies on the securitization of migration and if these risk-management approaches hold implications on the conception and portrayal of migrants within the US. In order to study this process, the following subsection will outline the method of a content analysis.

3.3 Content Analysis

Case study research is a qualitative approach exploring a bounded system known as a case, through detailed, in-depth data collection involving various sources of information (Creswell 2007, p. 73). In order to study the phenomenon of security policies on the process of migration securitization, the method will consist of a content analysis of post 9/11 security policies. As it would be challenging to outline every single security provision within the US post 9/11, while also offering a detailed in-depth analysis, I will specifically examine the establishment of the Homeland Security Act and the USA PATRIOT Act. The reasons for this choice are because the Homeland Security Act represents a vast restructuring of the US government following 9/11 in which an entire department is established for homeland security; and the USA PATRIOT Act enables the implementation of various risk-management approaches. In order to study how this phenomenon influences the conception and portrayal of migrants within the US, I will examine both the NSEERS and US-VISIT

Program. Data collection will involve resources from books, peer-reviewed journal articles and secondary resources. Additionally, information will be gathered from Acts of Parliament, US government documents, archives and websites. I will also examine nonimmigrant flows to the US between 1997 and 2004. Data will consist of visa statistics from the Yearbook of Immigration Statistics retrieved from the Bureau of Consular Affairs from the US Department of State.

I will examine the statistics of foreign visitors, particularly students and temporary visitors for business and pleasure from Southeast Asia, South America and the Middle East. The reason I have selected to study visa statistics obtained by students and temporary visitors is because this is the means in which the terrorists of 9/11 legally entered the US. The regions of Southeast Asia, South America and the Middle East are selected because they have been reported to hold the highest number of terrorism incidents in the world (National Consortium of the START, 2012). The examination of migration trends can demonstrate how the implementation of post 9/11 security policies has securitized migration, and the implications of risk-management approaches on the conceptualization and portrayal of migrants entering the US.

3.4 Limitations

A limitation of case studies is the lack of representativeness. Case study methods involve the goals of, “attaining theoretical parsimony, establishing explanatory richness, and keeping the number of cases to be studied manageable” (George & Bennett 2005, p. 31). Therefore, in order to explain in “rich detail” a particular case, the trade-off leads to less generalizability across other types of cases. The benefits of using a case study is, “finding the conditions under which specified outcomes occur, and the mechanisms through which they occur, rather than uncovering the frequency

with which those conditions and their outcomes arise” (George & Bennett 2005, p. 31). Although selected policies and programs have been chosen for closer examination, these security provisions are sufficient in investigating the research problem for this study.

Another limitation that can be addressed is the potential of indeterminacy within single-case research designs. Critiques of this method suggest that, “studies involving only a single observation are at great risk of indeterminacy in the face of more than one possible explanation”; however, at the same time single case studies have been observed to also, “involve many observations”, which reduces this problem (George & Bennett 2005, p. 32). As Alexander George and Andrew Bennett (2005 pp. 32-33) argue, the single-case study approach can be valuable in terms of, “theory development and testing using multiple observations from a single case”.

4 Research Analysis and Discussion

In this chapter of the thesis, I will present and discuss the policies and programs implemented in the US post 9/11. In order to examine how the increase of post 9/11 security provisions has influenced the process of a securitized migration, I will first analyze the implementation of Homeland Security Act and the USA PATRIOT Act. Second, I will look at the impact of these risk-management approaches in the conceptualization of migrants in terms of how they are portrayed within the US. This will be studied by analyzing the NSEERS and US-VISIT programs. Lastly, in order to further study this research problem, I will also analyze and discuss nonimmigrant flows into the US from Southeast Asia, South America, and the Middle East.

4.1 The Securitization of Migration

Scholar Peter Andreas (2003) examines the way in which border controls have become redesigned as part of a new and expanding war on terrorism. The immediate US response following the terrorist attacks on September 11, 2001, includes a, “dramatic tightening of border inspections and a toughening of the policy discourse about borders and cross-border flows” (Andreas 2003, p. 2). This suggests post 9/11 security provisions subsequently shaping migration as a security issue. In order to study how the increase of security policies has securitized migration, I will examine the development of the Homeland Security Act in the following subsection.

4.1.1 Homeland Security Act

In the aftermath of 9/11, a significant security provision is the Homeland Security Act that was created in 2002. This Act stands on a mission towards, “a safer, more secure America, which is resilient against terrorism and other potential threats” (US Department of Homeland Security, 2013). As stated previously, this Act has enabled the establishment of the DHS, which stands on the following principles: (1) prevent terrorist attacks within the US, (2) reduce the vulnerability of the US to terrorism and (3) minimize the damage, and assist with the recovery from terrorist attacks that do occur within the US. These core values demonstrate a focus on the prevention of acts of terrorism to the US. The creation of this department is dedicated to strengthen homeland security for a more secure America that is, “better equipped to confront the range of threats we face” (US Department of Homeland Security, 2013). This statement emphasizing the enhancement of security measures to confront threats raises the issue of *who* becomes portrayed as the threat to US homeland security. As scholar Bill Ong Hing (2006 p. 198) argues, visa issuance and immigration enforcement become, “screened through the lens of national security”. This is the result of the immigration department becoming integrated with the DHS suggesting the shift in which migration becomes an issue of homeland security.

The DHS includes, “all or parts of 22 federal agencies, with a combined budget of \$40 billion and 170,000 workers, representing the biggest government reorganization in 50 years” (Hing 2006, p. 198). This has created the US Citizenship and Immigration Services which handles immigrant visa petitions, naturalization, and asylum and refugee applications; and the Under Secretary for Border and Transportation Security, which includes both the Bureau of Customs and Border Protection and the Immigration and Customs Enforcement units (Hing 2006, p. 198). The restructuring of the entire immigration and naturalization services under a new department in order to strengthen homeland security highlights the nexus between immigration and security. Subsequently, it demonstrates how the increase of security

policies has influenced a process of a securitized migration. In the succeeding subsection I will study the USA PATRIOT Act in relation to this process.

4.1.2 USA PATRIOT Act

The Public Law 107-56, USA PATRIOT Act 2001 is an acronym that stands for, “Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism”. The following passage highlights this Act:

The Department of Justice's first priority is to prevent future terrorist attacks. Since its passage following the September 11, 2001 attacks, the Patriot Act has played a key part - and often the leading role - in a number of successful operations to protect innocent Americans from the deadly plans of terrorists dedicated to destroying America and our way of life. While the results have been important, in passing the Patriot Act, Congress provided for only modest, incremental changes in the law. Congress simply took existing legal principles and retrofitted them to preserve the lives and liberty of the American people from the challenges posed by a global terrorist network (US Department of Justice, 2013).

The Public Law is aimed to, “deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes” (USA PATRIOT Act, 2001). Particular features of this act that I will examine in greater detail are Title One - Enhancing Domestic Security Against Terrorism, Title Two - Enhanced Surveillance Procedures and Title Four - Protecting the Border. These titles have been chosen for greater attention as it depicts aspects of the USA PATRIOT Act that highlight various risk-management approaches. Therefore, the concepts in which embody the term risk-management will be deconstructed throughout the examination of this Act.

In Title One, Enhancing Domestic Security Against Terrorism, Section 102 includes, “Sense of congress condemning discrimination against Arab and Muslim Americans” (USA PATRIOT ACT, 2001, Section 102). This section of the USA PATRIOT Act particularly states that Arab Americans, Muslim Americans, and Americans from

South Asia are entitled to the full rights including the preservation of their safety as every American citizen. This section of the USA PATRIOT Act states:

(1) The civil rights and civil liberties of all Americans, including Arab Americans, Muslim Americans, and Americans from South Asia, must be protected, and that every effort must be taken to preserve their safety; (2) any acts of violence or discrimination against any Americans be condemned; and (3) the Nation is called upon to recognize the patriotism of fellow citizens from all ethnic, racial, and religious backgrounds (USA PATRIOT Act, 2001, Section 102).

The inclusion of specifying Arab Americans, Muslim Americans, and Americans from South Asia as holding the same rights as any American is a significant aspect to consider. The inclusion of specifying Arab and Muslim Americans as identities that should have as much security and freedom as the rest of American citizens suggest that they are framed as different to the American identity. This law specifically focuses on the notion of terrorism; accordingly, I find it problematic that a law closely related to the concept of countering terrorism would specifically recognize Arab and Muslim Americans as a distinctive group that ought to be treated as any American citizen. This recognition subsequently shape Arab and Muslim Americans as distinctive bodies. With an inclusion of a section that condemns discrimination against specifically Arab and Muslim American bodies, it indirectly connects these individuals to the notion of terrorism. As this Act is mainly focused on intercepting terrorism, it produces the awareness of the “Other” in which Arab and Muslim Americans are different to American citizens. This can consequently lead to an “us” versus “them” binary within the American society. Wherein American citizens constitute the “us” in contrast to Arab and Muslim Americans that become marginalized bodies identified as the “them”. This aspect of the USA PATRIOT Act appears to demonstrate a developing conceptualization of migrants and their portrayal within the context of the US.

In continuing the examination of the USA PATRIOT Act, a particular aspect to highlight in Title Two, Enhanced Surveillance Procedures is the authority granted to intercept wire, oral and electronic communication information relating to terrorism

(USA PATRIOT Act, 2001, Section 201). This also includes authority to share grand jury information for criminal investigations. As a result, information whether or not concerning a US person can be shared with any investigative or law enforcement of the government in order to protect against actual or potential attacks by an agent of a foreign power (USA PATRIOT Act, 2001, Section 203). This provision demonstrates a controversial aspect with regard to infringement on one's personal right to privacy meanwhile highlighting Foucault's notion of disciplinary power.

Foucault's notion of disciplinary power becomes an underlining feature with regard to the US implementation of enhanced surveillance over the population. This authorizes extensive access to intelligence of personal information. In order to explain this I turn back to Foucault's (1995, p. 202) conceptualization of the Panopticon as, "dissociating the see/being seen dyad". This notion suggests that an individual's behavior becomes disciplined through the awareness of surveillance while being unaware when he or she is being observed. Within the context of the US, the American government has put in place a law enabling access to private communications, which can invariably act as an approach in disciplining the population to conform to social norms. In other words, any behavior that is remotely related to terrorism is characterized as deviant and divergent from the norm of society. Therefore, the US government's operation of enhanced technological surveillance becomes embedded within the public sphere, which can act as a form of securitization. This aspect of the USA PATRIOT Act can also be reflective of Foucault's idea of governmentality. Through a Foucauldian lens, this Act demonstrates the American government's exercise of power over people within the border as well as people entering it.

Risk-management approaches, such as enhancing surveillance to counter terrorism raises the issue of the immense access to power US authorities hold over the population. This issue appears to be further highlighted in the examination of Title Four, Enhanced Immigration Provisions of the USA PATRIOT Act. This title of the

Act is divided into three subsections, however for the purpose of this thesis, only the first and second subsections will be analyzed and discussed. The following subtitles underline risk-management approaches used by the American government as a process to securitize migration within and entering the US.

The first subtitle emphasizes the protection of the Northern Border. This includes tripling the number of Border Patrol personnel, Customs personnel and immigration inspectors, as well as, an additional \$100 million for improvements in technology for monitoring the Northern Border (USA PATRIOT Act, 2001, Section 402). Furthermore, it also grants the Department of State and immigration services to access identifying information in criminal history records of visa applicants and applicants for admission into the US (USA PATRIOT Act, 2001, Section 403).

As Foucault explains, biopower is a form of management aimed to produce productive populations. For example, “if discipline is focused on epidemics”, for instance, containing temporary outbreaks that threaten life, then, “biopolitics is focused in a complementary manner on endemics” through regulating permanent threats against life throughout a population (Foucault 2006, p. 253, cited in Coleman and Grove 2009, p. 493). The combination of discipline and biopower is considered to take, “control of life in general - with the body at one pole and the population at the other” (Foucault 2003, p. 253). Therefore, in establishing increased security measures at the US Northern Border, it suggests that it is a method to produce continued productivity of American citizens by containing the threat in which could harm them. In this case, noncitizens entering the US become framed as the threat to US national security as security policies appear to be more restrictive on migration after 9/11.

The second subtitle concerns with enhancing immigration provisions broadening the grounds for exclusion. Section 411 of the USA PATRIOT Act expands the grounds of inadmissibility of terrorists and aliens with ties to terrorist organizations to include,

“the spouse or child of an alien who is inadmissible under this section, if the activity causing the alien to be found inadmissible occurred within the last 5 years”. As a result this Act imposes guilt by association on noncitizens. The DHS (2013) defines the term alien as, “any person not a citizen or national of the United States”. In addition, this law defines the term “terrorist activity” to include almost any use or threat to use a weapon, and defines the term “terrorist organization” as a group of two or more people that has used or threaten to use a weapon (Cole 2002, p. 966). Consequently, David Cole (2002, p. 966) argues, “it makes aliens deportable for wholly innocent associational activity with a “terrorist organization,” whether or not there is any connection between the alien’s associational conduct and any act of violence, much less terrorism”. This emphasizes the notion of guilty by association, for example if Person A had an innocent encounter with Person B (who has used or threatened to use a weapon), the mere chance their paths had crossed would in turn give grounds for Person A to be inadmissible into the country.

This subtitle also includes Section 412 the, “Mandatory Detention of Suspected Terrorists” (USA PATRIOT Act, 2001). This allows the Attorney General to certify any alien as a terrorist if there are reasonable grounds to believe the alien is affiliated to terrorist activities. In this case, the alien will be placed in removal proceedings, charged with a criminal offence, or released within seven days of custody (USA PATRIOT Act, 2001, Section 412). In addition, Attorney General is given authority to detain certified terrorists for up to six months if their release poses as a threat to national security or public safety (USA PATRIOT Act, 2001, Section 412).

Prior to this enactment, “aliens in removal proceedings were subject to preventative detention under essentially the same standards that apply to defendants in criminal proceedings: They could be detained without bond if they posed a danger to the community or a risk of flight” (Cole 2002, p. 970). This would be presented in a hearing before an immigration judge; otherwise the alien was entitled to be released on bond (Cole 2002, p. 971). However, the USA PATRIOT Act, gives the Attorney

General unprecedented power to, “detain aliens without a hearing and without a showing that they pose a threat to national security or a flight risk” (Cole 2002, p. 971). Furthermore, limitations are placed on the judicial review of such detentions (USA PATRIOT Act, 2001, Section 412).

It should first be noted that the Constitution of the United States of America (Constitution) is the supreme law guiding American political culture. Established in 1787, a chief purpose of the Constitution is to create a government with enough power to act on a national level, but without risking fundamental rights of the people; thus, the separation of the power of government into three branches involves checks and balances on those powers to ensure no one branch of government gains supremacy (The White House, 2013). However, the sweeping power of the US government is underscored within these policies, for example this Act gives the authorization for the Attorney General to potentially detain noncitizens under reasonable grounds for an indefinite period of time. As the USA PATRIOT Act places limits on the judicial review over detaining suspected individuals, it consequently becomes inconsistent with the principles of the Constitution because there is no judicial review to identify whether government actions are constitutionally acceptable. As a result, it eliminates the checks and balances previously given to courts in order to ensure power is not abused.

After reviewing the USA PATRIOT Act, it undoubtedly highlights how the American government’s implementation of security provisions is directed towards a process of a securitization of migration. The USA PATRIOT Act becomes a means of enforcement actions that hold implications, “not only for suspected terrorists but also for immigrants already in the United States and noncitizens trying to enter as immigrants or with nonimmigrant visas” (Hing 2006, p. 197). This is depicted clearly within Title Four concerning enhanced immigration provisions broadening the grounds for exclusion and inadmissibility. These security policies represent risk-

management approaches, which includes enhanced border security and public surveillance that have been used in order to securitize migration.

These applied provisions with the purpose of deterring acts of terrorism underline a threat or risk in which individuals outside of the border, otherwise seen as noncitizens, pose to US homeland security. However, following the examination of this Act, not all immigrants are recognized as a, “risk” to the American society, but as suggested by Title One, more specifically Arab and Muslims noncitizens. In the following subsection I will investigate the implications of these security risk-management approaches on the conceptualization of migrants as well as their portrayal within the US.

4.2 The Conceptualization and Portrayal of Migrants

4.2.1 The National Security Entry-Exit Registration System

The NSEERS or the “special registration” program was implemented in the US in 2002. The purpose of the special registration is to record the arrival, domestic stay, and departure of, “certain individuals from countries chosen based on an analysis of possible national security threats” (US Department of Homeland Security, 2013). Only the following countries are required to register in the NSEERS: Afghanistan, Algeria, Bahrain, Bangladesh, Egypt, Eritrea, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, North Korea, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates and Yemen (Federal Register, 2011). According to the US Department of Justice, “nonimmigrant aliens” are selected for registration consistent with the four criteria: (1) all citizens or nationals

of certain designated countries, (2) individual notification through a tracking database known as the Interagency Border Inspection System, (3) pre-existing criteria defined by the Attorney General and (4) officer discretion (cited in Shora 2003, p. 75). Registered persons would be, “questioned, fingerprinted, and provided with a special form complete with a fingerprint identification number” (Shora 2003, p. 75). This procedure requires a 30-minute secondary inspection per person at arrival and registrants must register upon departure at one of the 118 designated ports of departure (Department of Homeland Security). This program permits authorities to arrest, detain, fine, or remove individuals who fail to register regularly or meet the requirements of the NSEERS (Shora, 2003, p. 76).

After observing this list of twenty-five countries, it is clear that the program targets a minority of noncitizen visitors. The specificity of these selected countries targets ethnic groups, while simultaneously heightening profiling based on country of origin. Shora (2003 p. 76) states, “Initially, the only nationals subjected to such registration procedures were those of Iran, Iraq, Libya, Syria and Sudan”. This suggests an association of visitors specifically from these countries to be considered not only as, “high risk” but of the greatest risk, as it is not until later when additional countries are added to complete the list of twenty-five countries. It should be noted that of the twenty-five countries, twenty-four are Arab or predominantly Muslim states and North Korea; therefore, the program raises issues of discrimination, ethnic profiling as well as human rights violations. It is important to consider how this program was initially implemented for the purpose of protecting the people residing within the US. Consequently, it frames individuals from the list of 25 countries as bodies that threaten US homeland security. Examining this program highlights the ethical implications of risk-management approaches when profiling turns to characteristics of race, ethnicity, religion or other forms of discrimination.

As noted within the USA PATRIOT Act, the inclusion of a section condemning discrimination against particularly Arab and Muslim American bodies suggests a

distinction directed towards them. Furthermore, this special registration program focuses on, “a smaller segment of the nonimmigrant alien population deemed to be of risk to national security” (US Department of Homeland Security, 2003). As the 25 listed countries represent primarily people from Arab and Muslim origins, it then portrays these specific noncitizen migrants as ‘national security risks’. In consequence, as these individuals become conveyed as distinct, threatening or risky, they are portrayed as the “Other”. Hence, these bodies are different to the “Self”. Within this context, Arab and Muslim migrants become the “Other” in relation to the “Self” represented by the rest of the American population. Therefore, post 9/11 security provisions can influence an underlying cultural polarization fostering within the US.

In April 2011, the DHS announced that the special registration was no longer required (US Department of Homeland Security, 2013). Although travelers may still be subject to inspection, the list of countries whose nationals were required to special register is no longer mandatory. The DHS filed a notice in which stated, “Individuals from those countries will no longer automatically be referred for secondary inspection. In the future, such referrals are no longer a requirement for citizens of countries whose nationals had been subject to NSEERS registration” (Federal Register, 2011). As quoted by the DHS over the past six years of the registration program, “several new automated systems capture arrival and exit information on nonimmigrant travellers” to the US (Federal Register, 2011). In addition, the DHS has determined that, “recapturing this data manually when a nonimmigrant is seeking admission to the United States is redundant and no longer provides any increase in security” (Federal Register, 2011). This program has ended and has been replaced by the US-VISIT program. In essence, it is the same program with the exception that it no longer requires nationals from a list of countries to be inspected; rather it is now mandatory for all noncitizens visiting the US to register entry and exit information into a database. Although a new program has been implemented, it does not

necessarily indicate that the conceptualization or portrayal of migrants has changed. The following subsection will analyze the US-VISIT program in further detail.

4.2.2 The United States Visitor and Immigrant Status Indicator Technology

The US-VISIT is an acronym that stands for, “United States Visitor and Immigrant Status Indicator Technology”. In 2004, the DHS implemented the US-VISIT program, a technological database in which collects biometrics, digital fingerprints and photographs of international travelers holding a non-US passport or visa, in order to, “protect against identity theft and fraud” (US Department of Homeland Security, 2013). The four guiding principles of this is to: (1) enhance the security of our citizens and visitors, (2) facilitate legitimate travel and trade, (3) ensure the integrity of the immigration system and (4) protect the privacy of our visitors (US Department of Homeland Security, 2013). This system was created to protect the nation by, “providing biometric identification services that help federal, state, and local government decision makers accurately identify the people they encounter and determine whether those people pose a risk to the United States” (US Department of Homeland Security, 2013). Although this program has removed the special registration of certain nationals, it still functions as a method of risk-management to identify “high risk” individuals.

Amoore (2006) argues that the US-VISIT program represents a predominant development within post 9/11 in which risk-management techniques are a means of governing mobilities. Biometrics function as a form of power applied on, “live” bodies, which can be conveyed in the word bio, Greek word for “life” and metrics, “to measure” (Ashok, Shivashankar, and Mudiraj 2010, p. 2402). Therefore, biometrics is concerned with the identification and verification obtained by a persons’ physiological or behavioural features, this is often obtained from fingerprints and

facial or iris recognition (Ashok et al. 2010, p. 2404). Amoore and De Goede (2005, p. 160) state that risk management techniques manage migration at all US air, land and sea ports of entry to render the movement of people governable.

The concept of biometric borders signify what Amoore describes as, “virtual borders” that operate beyond US boundaries in order to, “assess the security risks of all US-bound travellers and prevent potential threats from reaching US borders” (Accenture digital forum 2004, cited in Amoore 2006, p. 337). As stated by Amoore (2006, p. 337) the use of risk-management techniques demonstrates, “the exercise of bio-power such that the body itself is inscribed with, and demarcates, a continual crossing of multiple encoded borders - social, legal, gendered, racialized and so on”. Therefore, as the shift focus towards the body as a means of regulation, “the biometric border signals a new and important geographical imagining of the border” (Amoore 2006, p. 338). Amoore develops this concept of biometric borders and states:

Under US VISIT, the management of the border cannot be understood simply as a matter of the geopolitical policing and disciplining of the movement of bodies across mapped space. Rather, it is more appropriately understood as a matter of biopolitics, as a mobile regulatory site through which people’s everyday lives can be made amenable to intervention and management (2006, p. 337).

The US-VISIT program can therefore highlight Foucault’s theoretical concepts of biopower and governmentality. In conceptualizing the notion of the biometric border, it can be seen to extend beyond governing mobility into the, “domains that regulate multiple aspects of life” (Amoore 2006, p. 338). The biometric border is paralleled as a, “portable border” that is not only limited to international boundaries, but divide bodies at airports, subways, or even city streets (Amoore 2006, p. 338). As a result, “immigration and the terrorist threat become combined as a problem ‘not because there is a threat to the survival of society’ but because ‘scenes from everyday life are politicized, because day-to-day living is securitized’” (Bigo 2001, p. 100, cited in Amoore, 2006, p. 338). This suggests that the US-VISIT program is not only used as

a means to govern mobility from threats but also becomes employed within the realm of social life.

With the formation of the USA PATRIOT Act, a set of risk-management approaches authorizes government agencies almost limitless use in the investigation and identification of terrorism. The US-VISIT program is a system in which categorizes individuals into, “degrees of riskiness” which is carried out through the integration of over 20 existing databases including police authorities, health and financial records (Amoore 2006, p. 339). As described by Amoore, the following databases are the most significant:

IDENT, a biometric database that stores and identifies electronic fingerprints on all foreign visitors, immigrants and asylum seekers; ADIS, storing travellers entry and exit data; APIS, containing passenger manifest information; SEVIS, containing data on all foreign and exchange students in the United States; IBIS, a ‘lookout’ watch list interfaced with Interpol and national crime data; CLAIMS3, holding information on foreign nationals claiming benefits; and an array of links to finance and banking, education, and health databases (Amoore 2006, pp. 339-340).

The US-VISIT uses these databases to check against integrated biometric identifiers to profile individuals according to the degree of riskiness (Amoore 2006, p. 342). Undoubtedly, this raises various ethical implications with regard to the potential of errors leading to false detentions and the violation of human rights.

Charlotte Epstein (2007, p. 153) argues that, “the site of identification has shifted to the body”; in turn, this indicates that documents in which individuals carry are not the subjects of verification, but their bodies. As a result, control is seen as exercised upon the individual body, “at the point of entry into the secured space, whether physical or logical” (Epstein 2007, p. 153). Epstein (2007, p. 153) connects this idea to Foucault’s notion of power in which at this point, “power “passes through” individuals rather than “is applied to” them”. This is important in relation to US security policies implemented after 9/11 to securitize migration. In this case, the

concept of biometric power can be seen as the regulation of mobilities through the function of statistics for the purpose of normalizing the population.

Biometric power can therefore be interpreted as an operation of surveillance focused on the body. Epstein (2007) argues that this raises important questions in terms of the type of surveillance that is involved. For instance whether it is surveillance utilized to keep individuals in line or on the contrary, surveillance to protect (Epstein 2007, p. 153). Although both exert forms of control, the first relates between the individual and the governing authority, while the latter focuses on the security of the people. The biometric system appears to integrate both forms of surveillance. The concept of biometric borders can be understood as the process of regulating the population between the undesirable from the desirable.

These biometric databases act as a mechanism to differentiate between what is termed as, “positive enrollment”, which accounts for individuals that willingly give personal information and fall into the category of “trusted subjects”; conversely, “negative enrollment”, is not voluntary and occurs when an individual violates the law accounting for “questionable subjects” (Bolle, R. M., Connell, J. H., Pankanti, S., Ratha, N. K., & Senior, A.W. 2004, p.159). Epstein (2007, p. 154) claims that if an individual must first be screened against the available data of questionable subjects before being considered a trusted subject, this organization relies on a, “fully operational disciplinary power”. This idea suggests that undisciplined individuals, that have been deemed “questionable”, have been filtered out by the process of negative enrollment, and assumes that “trusted” individuals are fully disciplined. Epstein (2007, 154) argues that, “A biometric system controls the movement of disciplined bodies in and out of a space, to protect both the space and the bodies within it”. This suggests biometric power as seen to promote both forms of surveillance. As Epstein (2007, p. 154) reasons, “it ultimately subsumes the punishing aspect of surveillance under the security objective, all the while relying centrally on the successful operation of discipline”. As a result, this demonstrates the

development of discipline into biopower where the technology of power, “does not exclude disciplinary technology, but it does...use it by sort of infiltrating it, embedding itself in existing disciplinary techniques” (Foucault 2003, p. 242).

The US-VISIT demonstrates a type of surveillance that subsequently categorizes individuals into divisions as what Epstein would describe as relying on the operation of discipline. The integration of biometrics and databases subsequently divide trusted and questionable individuals by lending, “authenticity and credibility to all of the data that are connected to that identity” (Valverde & Mopas 2004, cited in Amoore 2006, p. 343). This addresses the use of biometrics at borders holding immense control over identities. Approving what is seen as ‘legitimate’ mobilities for leisure and business and denying ‘illegitimate’ mobilities such as terrorism and illegal immigration (Amoore 2006, p. 336).

Foucault’s notion of governmentality act as an instrument in capturing the kind of state that biometrics is utilized. The concepts of biopower and discipline provide a theoretical framework in studying security policies that are focused on the idea of biometrics. The concept of biometric borders can be reflective of Foucault’s idea of governmentality within a post 9/11 era in the US, where the logic of the state is, “geared entirely toward securing the population in order to ensure its continued productivity” (Epstein 2007, p. 152). Therefore, risk-management approaches assumed by the American government highlight Foucault’s idea of the power of production in which the normalization of population is constantly regulated in order to maintain an average.

The process of a securitization of migration within the US as observed by the preceding security policies indicates the proliferation of risk-management strategies as a means to control people. In Foucauldian terms, the exclusion or elimination of certain bodies would be recognized as, “inferior” in contrast to the interest of the life of the, “superior” race. Within the context of this research study, the American

citizens would be seen as superior in relation to bodies such as: terrorists, illegal immigrants, asylum seekers or even to legal immigrants. This can be exemplified through policies enabling greater government power over the inadmissibility of certain identities suggesting subordination from the inclusion into the state. In addition, it can be attributed through the operation of biometrics that directly separates citizens from the noncitizens. As a result, bodies are divided and categorized on the basis of trusted or questionable individuals within a superior and inferior hierarchy. The Foucauldian understanding of the notion of race becomes related to processes separating the population through control within a bio-political regime. Therefore, the framework of Foucault's notion of biopower can show how security policies have controlled migration.

Although the new US-VISIT program no longer requires specific nationals to register, it continues to divide the population. The Foucauldian perspective suggests that the deviation of norms represent "breaks" within society. Therefore, as security becomes a means to protect against certain threats and certain people constitute such threats, a proliferation of "us-them" distinctions can be developed within the American society. The formation of the DHS and USA PATRIOT Act after 9/11 demonstrates the securitization of migration; however, it is also important to consider the implications and impact of these policies. As previously shown, enhanced security programs including the NSEERS and US-VISIT program disproportionately impact migrants particularly of Arab or Muslim origin. In turn, it effects how they become conceptualized and portrayed within the context of the US. In order to study the influence of post 9/11 security policies on the impact of securitization, the following subsection will analyze nonimmigrant flows to the US between 1997 and 2004.

4.3 Nonimmigrant Flows to the US

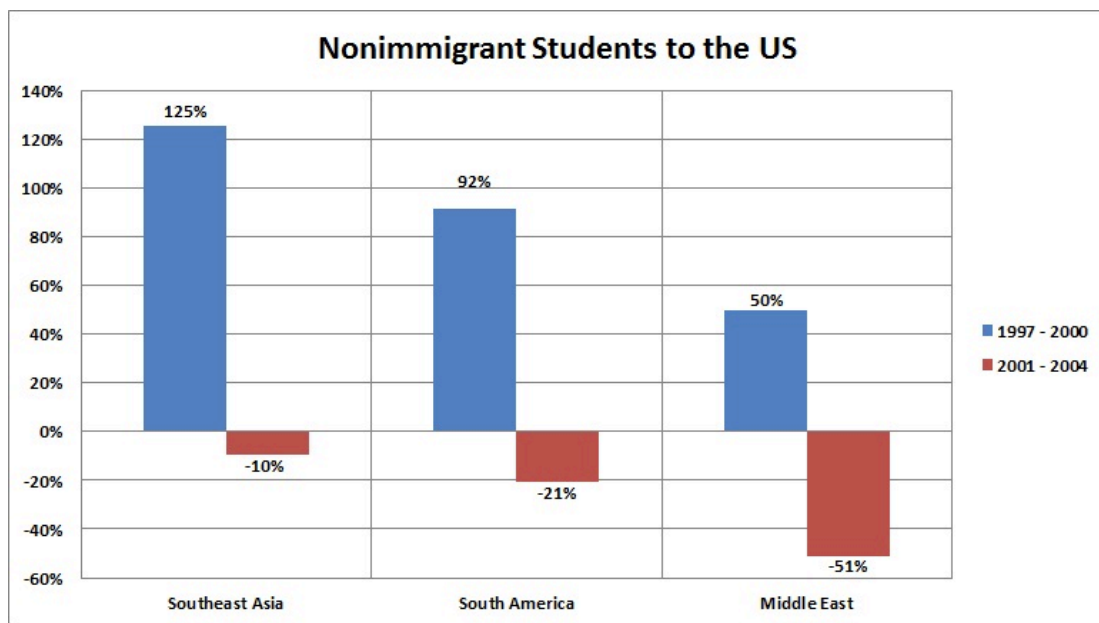
The following figures depict nonimmigrant visa statistics compiled from the DHS, Yearbook of Immigration Statistics from the selected years. These figures depict the number of students, as well as temporary visitors for business and pleasure into the US between 1997 and 2004. In relation to this research study, an emphasis will be given towards the discussion of trends post 9/11.

As it is difficult to map out the geographical countries that define the areas of Southeast Asia, South America and the Middle East the following countries are included to represent each region. Southeast Asia includes the following ten countries: Brunei, Burma, Cambodia, Indonesia, Laos, Malaysia, Philippines, Singapore, Thailand and Vietnam. The region of South America includes the following ten countries: Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay and Venezuela. Lastly, the countries which represent the area of the Middle East include the following thirteen countries: Afghanistan, Bahrain, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Morocco, Oman, Qatar, Saudi Arabia and United Arab Emirates. It should be noted that the countries selected to represent Southeast Asia, South America and the Middle East include some countries not conventionally seen as part of these areas, nonetheless, their cultures provide reason for their placement in these regions. In addition, for the purpose of this study, the heavily populated countries are selected for examination, as it is most applicable in observing migration trends; therefore, it should also be acknowledged that some countries have been excluded in representing these regions.

4.3.1 Nonimmigrant Student Flows to the US

The following figure depicts nonimmigrant flows of students compiled by region and country of citizenship to the US between 1997 and 2004. Figure 4.1 has been compiled by the data corresponding to the countries that comprise the geographical regions of Southeast Asia, South America and the Middle East (see appendices 1-6).

Figure 4.1 Nonimmigrant by Student Class Admission to the US from Southeast Asia, South America, and the Middle East, 1997-2004



Source: Compiled by data collected from the Department of Homeland Security, Yearbook of Immigration Statistics (See appendices 1 - 6 for tables showing data of the selected countries representing the geographical regions of Southeast Asia, South America and the Middle East)

After analyzing Figure 4.1, there are a number of observations to point out. A significant change can be seen in the variation between the flow of nonimmigrant students to the US before and after the events of September 11th 2001. The trend prior to 9/11 is representative of the years: 1997, 1998, 1999 and 2000 (see appendices 1, 3 and 5). This is presented by calculating the average difference between 1997 and 2000; and as not all countries are listed as early as 1997, the numbers in 1998 have

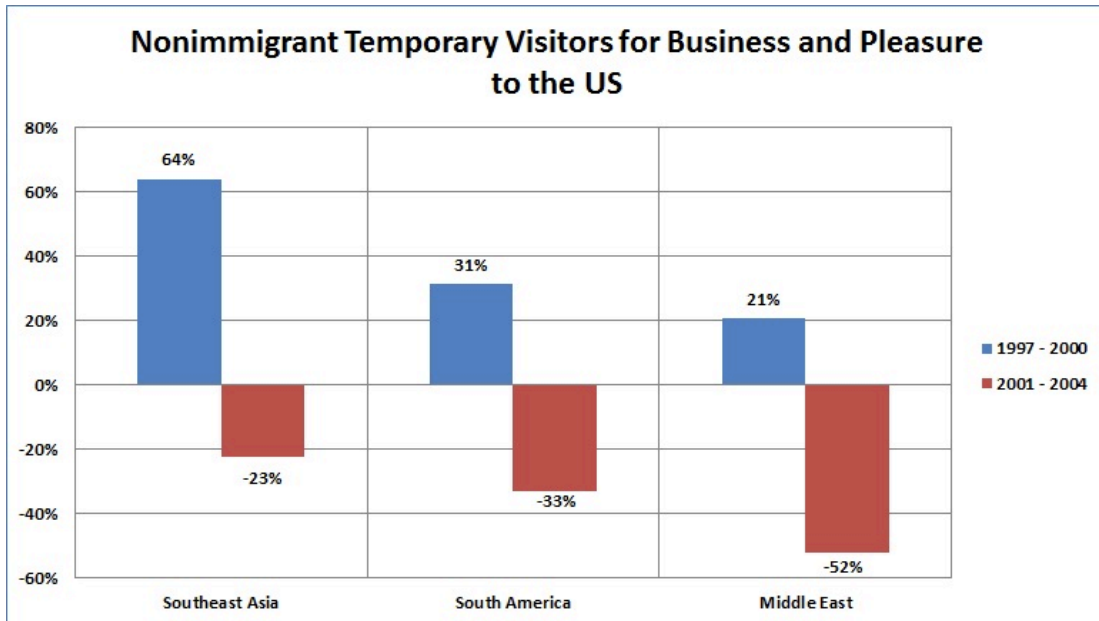
been used to calculate the percentage change. By looking at the data collected on the countries within the regions of Southeast Asia, South America and the Middle East, an observable increase in the admission of students can be noted prior to 9/11. Between 1997 and 2000 there is a drastic increase of 125% from Southeast Asia, 92% in South America and 50% in the Middle East of nonimmigrant students permissible into the US.

The figures collected on the countries within the regions of Southeast Asia, South America and the Middle East are considerably different post 9/11, which is representative of the years 2001, 2002, 2003 and 2004 (see appendices 2, 4, and 6). There is a slight observable decrease in the flow of nonimmigrant students permissible into the US that can be observed by a 10% decrease in Southeast Asia and a 21% decrease in South America. A noteworthy observation is the drastic decrease in the flow of nonimmigrant students particularly from the Middle East represented by a drop of 51%.

4.3.2 Nonimmigrant Temporary Visitor Flows to the US

Figure 4.2 depicts nonimmigrant flows of temporary visitors for business and pleasure compiled by region and country of citizenship to the US between 1997-2004. This figure has been produced by the data corresponding to the countries that comprise of the geographical regions of Southeast Asia, South America and the Middle East (see appendices 1-6).

Figure 4.2 Nonimmigrants Temporary Visitor for Business and Pleasure Admission to the US from Southeast Asia, South America, and the Middle East, 1997-2004



Source: Compiled by data collected from the Department of Homeland Security, Yearbook of Immigration Statistics (See appendices 1 - 6 for tables showing data of the selected countries representing the geographical regions of Southeast Asia, South America and the Middle East)

Figure 4.2 illustrates nonimmigrant temporary visitors showing similar results to the flow in migration as observed by nonimmigrant students entering the US. Prior to 9/11, there is a slightly less drastic increase in the admission of temporary visitors for business and pleasure as seen by the increase of 64% in Southeast Asia, 31% in South America and 21% in the Middle East. Following the events of 9/11, a decrease is observed by all three regions; however once again, the most prominent difference is seen in the Middle East with a substantial decrease of 52% in the flow of nonimmigrant temporary visitors into the US.

After analyzing the figures that have been compiled by the countries representing the regions of Southeast Asia, South America and the Middle East, there are various observations to address. These figures underline how post 9/11 security policies have effectively securitized migration at least in terms of nonimmigrant students and temporary visitors entering the US. This can be supported by observing the trends of

nonimmigrant flows observed between 2000 and 2004 with a decrease in admissibility in all three regions. The decrease in nonimmigrant flows post 9/11 can signify greater restriction of migration into the US.

These figures also portray a greater observable decrease in nonimmigrant admission for students and temporary visitors from the regions particularly of the Middle East. This apparent decrease is significant as it can reflect previous assessments of the implemented security policies after 9/11 holding greater ethical implications on a particular segment of the population. The selected countries of study that embody the Middle Eastern areas can be identified as being predominantly Arab or Muslim states. The risk-management approaches previously discussed including the Homeland Security Act and USA PATRIOT Act, as well as, the NSEERS and US-VISIT programs underline the impact of policies in the conceptualization and portrayal of particularly Arab and Muslim bodies. Both Figure 4.1 and Figure 4.2 further highlights the process of, “Othering” indicating that the security policies implemented after 9/11 are developing “us” versus “them” distinctions within the US.

Foucault’s theoretical notion of biopower becomes an illustrative tool in studying the research problem of US security policies in the securitization of migration as well as the implications of these security approaches. Foucault’s idea of biopower can be interpreted through the operationalization of statistics effectively normalizing the population. In relation to US risk-management approaches such as the use of biometrics seen in the NSEERS and US-VISIT programs, the migration of individuals are subsequently sorted into a distribution through the use of statistics. This becomes a process of control and constriction as the distribution of the average becomes a means of profiling individuals both within and entering the US in order to reduce risks.

5 Conclusions

Within the context of the US, post 9/11 security policies can represent a shift in which migration has developed into an issue of security. Various scholars examine this process of a securitization of migration, however less focus has been given towards the immense impact of these security provisions and the implication on the conceptualization of migrants. The importance of this research study is to highlight the extensive power post 9/11 security policies hold over the population of the US. This includes both bodies within the entity of the state as well as entering it. Foucault's notion of biopower offers a theoretical framework in studying this phenomenon. Within a Foucauldian lens, the American government's post 9/11 security policies can be seen as a means of control and regulation over bodies. The implementation of risk-management approaches has subsequently securitized migration within and entering the US through the exclusion of individuals attributed to undesirable or inferior characteristics. As a result, a normalization of the population is denoted which immensely impacts the conceptualization and portrayal of migrants within the US.

The results of my research analysis determine that US security policies after 9/11 represent risk-management approaches, including the increase of surveillance, border control and profiling to securitize migration. The establishment of the Homeland Security Act and the USA PATRIOT Act can exemplify this process. The DHS was founded in response to the acts of terrorism on the US and incorporated the immigration services within this department, moreover, a variety of security measures focused on migration on the basis of national security. Post 9/11 represents a shift in which migration is placed under the framework of security and foreign policies. Security policies implemented after 9/11 subsequently influence the process of a securitization of migration. Furthermore, various aspects of the USA PATRIOT Act

focus on broadening the grounds for inadmissibility implying such security policies act as a divider in limiting the flow of incoming migrants.

The USA PATRIOT Act enables the implementation of the NSEERS and US-VISIT programs which can also be an example of risk-management approaches taken by the American government. Results from my analysis underline the influence of such security provisions on the conceptualization of migrants, in particular Arab and Muslim bodies. As the special registration program excludes certain persons deemed at risk to the US national security, it suggests that the listed 25 countries that predominantly consist of Arab and Muslim states are framed as a threat. This means that not all noncitizen migrants into the US are portrayed as a risk, but particularly people from Middle Eastern areas. After analyzing nonimmigrant flows to the US between 1997 and 2004, a number of observations highlight a process of securitization occurring. Prior to September 11th, 2001 there is a growing trend in migration into the US observed by each of the three regions, Southeast Asia, South America and the Middle East in both the areas of nonimmigrant student and temporary visitor visa admissions. In contrast, post 9/11, there is a decrease in migration flow into the US observed from each region. A significant decrease is most notable from individuals originating from the Middle East for both nonimmigrant student and temporary visitor admissions. This signifies that post 9/11 security provisions have resulted in a process of securitization of migration; in addition, it also demonstrates how implemented risk-management approaches have influenced the conceptualization and the portrayal of migrants within the US.

This study has shown how US security policies and programs since 9/11 signify a heightened securitization of migration and a process of “Othering” taking place. The ethical implication of this is the widening gap between an “us” versus “them” polarization. Consequently, people from Arab or Muslim origins or appear to be from Arab or Muslim origins become segregated and excluded within and entering the US.

This can heighten xenophobic and discriminatory feelings as the proliferation of risk-management approaches become targeted towards a threatening cultural Other.

The US is primarily governed by the principles of the Constitution, which can be reflective of characteristics such as the foundation and premise of a collective identity including common ideas of equality and freedoms; this suggests principles consistent to cosmopolitan notions of togetherness. Cosmopolitan law can be related to, “individuals as human beings rather than as citizens of states” (Kleingeld 1998, p. 72). This perspective suggests that morality concerns both the domestic and global sphere and a core principle of cosmopolitanism is not making distinctions between the inside and the outside (Bergman –Rosamond & Phythian 2011, p. 57). Following the implementation of post 9/11 security policies within the US, an importance is emphasized on which bodies are part of a community in contrast with which bodies are not. This can influence the acceptance of norms leading to ostracism and hostility towards individuals outside any one community. This not only challenges integration and multiculturalism within a diverse nation such as the US, but it also holds various ethical implications within a global world.

There is a potential for further research in security policies on the securitization of migration within other regions of the world. For instance, a case study in the United Kingdom examining security provisions established as a response to terrorism could produce a comparative study within a greater geographical scale. These security provisions are important to study as it can contribute insight into ethical and moral considerations prior to the implementation of future security policies. Further studies within this area can then enable the development of policies and programs within the US that truly stand on notions of freedom and liberty that are strongly upheld within the American discourse.

Appendix 1 - Table of Visa Statistics from Southeast Asia (1997-00)

Table of Nonimmigrant Students and Temporary Visitors for Business and Pleasure
 from Southeast Asia into the US between 1997- 2000

Selected Countries in Southeast Asia	1997	1998	1999	2000	Change 1997-2000	% Change
Students						
Brunei	N/A	19	19	19	0	0%
Burma	N/A	43	354	461	418	972%
Cambodia	N/A	37	70	107	70	189%
Indonesia	10579	9046	7635	11736	1157	11%
Laos	N/A	60	60	69	9	15%
Malaysia	8580	6719	6749	6391	-2189	-26%
Philippines	1525	1940	2001	2393	868	57%
Singapore	3259	4376	4270	4979	1720	53%
Thailand	12259	10810	11330	12439	180	1%
Vietnam	N/A	1163	839	944	-219	-19%
Median of Southeast Asia	3620.2	3421.3	3332.7	3953.8	201.4	125%
Temporary visitors						
Brunei	N/A	903	846	757	-146	-16%
Burma	N/A	335	1274	1612	1277	381%
Cambodia	N/A	879	913	2233	1354	154%
Indonesia	66190	41435	57709	66746	556	1%
Laos	N/A	888	870	955	67	8%
Malaysia	79930	57753	64056	77943	-1987	-2%
Philippines	139421	139022	167268	191866	52445	38%
Singapore	93373	90704	83725	106364	12991	14%
Thailand	85370	46635	63495	74054	-11316	-13%
Vietnam	N/A	5296	5866	9299	4003	76%
Median of Southeast Asia	46428.4	38385	44602.2	53182.9	5924.4	64%

Sources: Department of Homeland Security, Yearbook of Immigration Statistics. Table 38 in 1997 and 1998; Table 36 in 1999 and 2000.

Appendix 2 - Table of Visa Statistics from Southeast Asia (2001-04)

Table of Nonimmigrant Students and Temporary Visitors for Business and Pleasure
 from Southeast Asia into the US between 2001- 2004

Selected Countries in Southeast Asia	2001	2002	2003	2004	Change 2001-2004	% Change
Students						
Brunei	16	12	8	13	-3	-19%
Burma	454	352	288	265	-189	-42%
Cambodia	190	168	192	265	75	39%
Indonesia	11727	8937	7285	7330	-4397	-37%
Laos	76	39	32	27	-49	-64%
Malaysia	6225	4943	4504	4931	-1294	-21%
Philippines	2550	2424	2373	2441	-109	-4%
Singapore	5299	5163	4995	5116	-183	-3%
Thailand	13146	11727	10433	9890	-3256	-25%
Vietnam	1268	1793	1705	2295	1027	81%
Median of Southeast Asia	4095.1	3555.8	3181.5	3257.3	-837.8	-10%
Temporary visitors						
Brunei	712	417	421	516	-196	-28%
Burma	1643	1300	1223	1091	-552	-34%
Cambodia	3608	2495	2739	3406	-202	-6%
Indonesia	66805	42518	39509	49200	-17605	-26%
Laos	1947	1298	1085	1282	-665	-34%
Malaysia	77791	43745	39558	54855	-22936	-29%
Philippines	213584	203684	167267	178518	-35066	-16%
Singapore	95404	65482	67871	84365	-11039	-12%
Thailand	70588	20420	47250	57379	-13209	-19%
Vietnam	14971	12938	9220	11610	-3361	-22%
Median of Southeast Asia	54705.3	39429.7	37614.3	44222.2	-10483.1	-23%

Sources: Department of Homeland Security, Yearbook of Immigration Statistics. Table 36 in 2001; Table 25 in 2002; Table 23 in 2003 and 2004.

Appendix 3 - Table of Visa Statistics from South America (1997-00)

Table of Nonimmigrant Students and Temporary Visitors for Business and Pleasure
 from South America into the US between 1997- 2000

Selected Countries in South America	1997	1998	1999	2000	Change 1997- 2000	% Change
Students						
Argentina	3101	5516	5902	6565	3464	112%
Bolivia	677	1150	1221	1308	631	93%
Brazil	11286	19712	18904	18535	7249	64%
Chile	1159	1885	1971	2395	1236	107%
Colombia	4412	8911	9672	11705	7293	165%
Ecuador	1999	3227	2978	3208	1209	60%
Paraguay	364	579	564	604	240	66%
Peru	1734	2878	2946	3558	1824	105%
Uruguay	260	472	427	469	209	80%
Venezuela	5661	8649	8445	9178	3517	62%
Median of South America	3065.3	5297.9	5303	5752.5	2687.2	92%
Temporary visitors						
Argentina	406421	518770	511726	516072	109651	27%
Bolivia	22618	29689	35378	47339	24721	109%
Brazil	830178	862392	725420	676739	-153439	-18%
Chile	158400	179584	176581	189745	31345	20%
Colombia	250442	365123	409956	417894	167452	67%
Ecuador	97366	138705	119040	117700	20334	21%
Paraguay	18108	17239	16829	16338	-1770	-10%
Peru	133141	154657	156251	190272	57131	43%
Uruguay	49032	57452	55942	65392	16360	33%
Venezuela	436863	500608	531858	532542	95679	22%
Median of South America	240256.9	282421.9	273898.1	277003.3	36746.4	31%

Sources: Department of Homeland Security, Yearbook of Immigration Statistics. Table 38 in 1997 and 1998; Table 36 in 1999 and 2000

Appendix 4 - Table of Visa Statistics from South America (2001-04)

Table of Nonimmigrant Students and Temporary Visitors for Business and Pleasure
 from South America into the US between 2001- 2004

Selected Countries in South America	2001	2002	2003	2004	Change 2001-2004	% Change
Students						
Argentina	7161	5825	5442	4982	-2179	-30%
Bolivia	1381	1332	1236	1177	-204	-15%
Brazil	18852	14017	12047	10623	-8229	-44%
Chile	2625	2292	2134	2118	-507	-19%
Colombia	11758	10383	8852	7924	-3834	-33%
Ecuador	3610	3634	3376	3254	-356	-10%
Paraguay	625	545	513	416	-209	-33%
Peru	3925	4019	4246	3903	-22	-1%
Uruguay	594	622	666	626	32	5%
Venezuela	11257	10485	8003	8024	-3233	-29%
Median of South America	6178.8	5315.4	4651.5	4304.7	-1874.1	-21%
Temporary visitors						
Argentina	505629	201732	174743	189942	-315687	-62%
Bolivia	38899	29111	25641	27145	-11754	-30%
Brazil	639810	423907	368066	424736	-215074	-34%
Chile	168668	131877	116110	119301	-49367	-29%
Colombia	412820	358947	324148	339681	-73139	-18%
Ecuador	144193	148990	127328	137875	-6318	-4%
Paraguay	16340	12440	11174	10861	-5479	-34%
Peru	198820	178422	177579	182173	-16647	-8%
Uruguay	67572	54401	47412	33898	-33674	-50%
Venezuela	557543	437022	295997	209376	-348167	-62%
Median of South America	275029.4	197684.9	166819.8	167498.8	-107530.6	-33%

Sources: Department of Homeland Security, Yearbook of Immigration Statistics. Table 36 in 2001; Table 25 in 2002; Table 23 in 2003 and 2004.

Appendix 5 - Table of Visa Statistics from the Middle East (1997-00)

Table of Nonimmigrant Students and Temporary Visitors for Business and Pleasure
 from the Middle East into the US between 1997- 2000

Selected Countries in the Middle East	1997	1998	1999	2000	Change 1997- 2000	% Change
Students						
Afghanistan	N/A	25	20	17	-8	-32%
Bahrain	N/A	706	755	852	146	21%
Egypt	1286	1637	1646	1926	640	50%
Iran	405	356	401	624	268	54%
Iraq	N/A	34	36	35	1	3%
Jordan	1625	1966	1968	2253	628	39%
Kuwait	3009	4279	4374	4445	1436	48%
Lebanon	855	1298	1443	2015	1160	136%
Morocco	1031	1788	1913	2455	1424	138%
Oman	N/A	564	702	824	260	46%
Qatar	N/A	609	686	761	368	25%
Saudi Arabia	4816	7329	7356	8286	3470	72%
United Arab Emirates	3096	4484	4015	4528	1432	46%
Median of Middle East	1240.2	1928.8	1947.3	2232.4	863.5	50%
Temporary visitors						
Afghanistan	N/A	1443	1661	1607	164	11%
Bahrain	N/A	3597	2858	3523	-74	-2%
Egypt	31131	41151	47092	48904	17773	57%
Iran	18593	17952	18205	19109	1157	3%
Iraq	N/A	1682	1609	1960	278	17%
Jordan	17605	18117	20946	22857	5252	30%
Kuwait	15291	14548	14544	14061	-1230	-8%
Lebanon	15171	17849	20447	23302	8131	54%
Morocco	13122	17747	21392	21512	8390	64%
Oman	N/A	1925	2163	2293	368	19%
Qatar	N/A	2559	2320	2392	-167	-7%
Saudi Arabia	41936	44859	48704	49784	7848	19%

United Arab Emirates	11404	11084	12350	12725	1321	12%
Median of Middle East	12634.8	14962.5	16483.9	17233.0	3785.5	21%

Sources: Department of Homeland Security, Yearbook of Immigration Statistics. Table 38 in 1997 and 1998; Table 36 in 1999 and 2000

Appendix 6 - Table of Visa Statistics from the Middle East (2001-04)

Table of Nonimmigrant Students and Temporary Visitors for Business and Pleasure
 from the Middle East into the US between 2001- 2004

Selected Countries in the Middle East	2001	2002	2003	2004	Change 2001- 2004	% Change
Students						
Afghanistan	31	16	28	35	4	13%
Bahrain	808	589	477	431	-377	-47%
Egypt	1796	1137	979	911	-885	-49%
Iran	852	295	255	329	-523	-61%
Iraq	36	10	13	28	-8	-22%
Jordan	2522	1670	1492	1421	-1101	-44%
Kuwait	41146	3110	2434	2202	-38944	-95%
Lebanon	2709	1740	1437	1391	-1318	-49%
Morocco	2668	1982	1826	1449	-1219	-46%
Oman	906	685	466	424	-482	-53%
Qatar	844	515	363	258	-586	-69%
Saudi Arabia	8765	5080	2869	2340	-6425	-73%
United Arab Emirates	3957	2408	1578	1171	-2786	-70%
Median of Middle East	5156.9	1479.8	1093.6	953.1	-4203.8	-51%
Temporary visitors						
Afghanistan	1666	797	831	822	-844	-51%
Bahrain	3452	1240	1431	1687	-1765	-51%
Egypt	50260	29211	23124	23742	-26518	-53%
Iran	16974	9502	4766	5835	-11139	-66%
Iraq	2263	1163	650	1273	-990	-44%
Jordan	26826	15582	14677	15755	-11071	-41%
Kuwait	14060	6713	7289	8870	-5190	-37%
Lebanon	26155	17084	15201	18066	-8089	-31%
Morocco	20369	13822	12261	13181	-7188	-35%
Oman	2226	946	612	877	-1349	-61%
Qatar	2344	756	800	964	-1380	-59%
Saudi Arabia	48661	10399	7876	9255	-39406	-81%

United Arab Emirates	11759	2542	2639	3352	-8407	-71%
Median of Middle East	17462.7	8442.8	7089.0	7975.3	-9487.4	-52%

Sources: Department of Homeland Security, Yearbook of Immigration Statistics. Table 36 in 2001; Table 25 in 2002; Table 23 in 2003 and 2004.

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