



Commentary

Four Steps To Fix Immigration

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What if by passing a law Congress could make American companies more competitive, produce stronger families and reduce illegal immigration? One would think members of Congress would jump at passing such a law. Well, if you think that, then you may not be familiar with the politics of immigration.

In 2006, 2007 and, so far, in 2010 a sufficient number of Democrats and Republicans have failed to join together on a series of reforms to improve America's immigration system. Whether or not to legalize the status of the estimated 11 million people now living in the country without legal status has remained the flashpoint in the debate. However, there are at least four reforms Congress could make either separately or as part of a comprehensive reform bill that would help the economy, aid families and address concerns about illegal immigration.

First, [a recent report](#) released by my organization, the nonpartisan [National Foundation for American Policy](#), concluded the absence of a way to enter the U.S. legally to work at lower-skilled jobs has contributed both to illegal immigration and to more than 4,000 men, women and children dying while attempting to cross to America. More immigrants, over 400, died in 2009 than the year before, even though the slower economy contributed to less illegal entry. The loss of life will almost certainly continue unless more paths are open to work legally in the U.S.

Research shows that between 1953 and 1959 illegal entry dropped by 95% when Mexican migrants had the legal option of utilizing the Bracero program, which allowed them to enter the U.S. temporarily as contract workers in agriculture. In contrast, the U.S. increased the Border Patrol from 3,733 in 1990 to approximately 20,000 today. And over the past two decades the illegal immigrant population in the U.S. rose from 3.5 million to about 11 million because, without a legal safety valve, entering the U.S. has become more hazardous, encouraging people to stay once they are here. The only plausible way to eliminate immigrant deaths at the border, as well as reduce illegal immigration in the long term, is to institute a new program of temporary visas or portable work permits for foreign workers, potentially in conjunction with a bilateral agreement on enforcement with Mexico and Central American countries.

Second, [another report our organization recently released](#) found family immigration quotas for legal immigrants are inadequate and result in separation and long waits for Americans, lawful permanent residents and close family members. The wait time for a U.S. citizen petitioning for a brother or sister from the Philippines exceeds 20 years. A U.S. citizen petitioning for a son or daughter (21 years or older) can expect to wait 6 to

17 years, depending on the country of origin. Concerns that new immigrants will be a burden are misplaced. Research shows legal immigrants experience faster wage growth than natives, and are more likely to start businesses and have higher median years of schooling. Eliminating the family immigration backlogs and/or raising the quotas would serve both the humanitarian and economic interests of the U.S.

Third, in a global economy American employers need access to talent to grow in the U.S. H-1B temporary visas, which generally can be renewed up to 6 years, are the primary means of hiring outstanding international students off U.S. campuses or talented individuals who were educated abroad. Limited to an annual quota of 65,000, plus 20,000 for those completing a graduate degree from a U.S. university, the supply of H-1B visas has been exhausted during or before each of the past seven fiscal years. This has often left employers with no choice but to hire skilled foreign nationals outside the U.S. or see these scientists, engineers and professionals lost to competitors overseas. (Half to two-thirds of graduate students in key technology fields on U.S. campuses are foreign nationals.) The availability of H-1B visas is crucial, otherwise skilled foreign nationals, particularly graduates of U.S. universities, generally cannot work or remain in the U.S. At minimum, Congress can eliminate the current cap of 20,000 for international graduate students and prevent new efforts at "reform" designed to make it more difficult for employers to utilize the visas.

Fourth, the current wait for employer-sponsored green cards (used to stay in the U.S. permanently) is 6 to 20 years, depending on the country of origin. This time frame is unrealistic for hiring new employees and a related reason why H-1B visas are important. The problem is particularly acute for would-be immigrants from India because of the per country limits, which restrict the number of green cards awarded from any one country. Two good reforms would be to eliminate the per country limit for employment-based immigrants and to allow international students who complete a degree at a U.S. university and have a valid job offer to obtain a green card outside the current low quotas.

Congress could make the reforms discussed here either individually or as a legislative package combined with legalization and new enforcement measures. In one fell swoop members of Congress could make American companies more competitive, produce stronger families and reduce illegal immigration. What are they waiting for?

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