



Tough Decisions about Who America Lets In

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During the Cold War, the United States and other Western democracies decried Communist and authoritarian regimes that prevented their citizens from leaving by denying passports to travel or, in the case of East Germany, shooting people who tried to scale the Berlin Wall. American leaders joined other politicians across the West in trumpeting the right to exit as a fundamental human right.

The Central American children and family migrants arriving at the southern U.S. border are, in a very real sense, exercising their freedom to exit violent, economically depressed societies. But these migrants are not being extended a warm welcome to stay, because a right of exit does not guarantee a right of entry into the United States – at least not for Central Americans, unlike people who escaped Cuba, the Soviet Union or Vietnam during the Cold War.

The difference in treatment raises the two most difficult and critical policy questions in U.S. immigration politics: who do we let in, and on what basis? The current U.S. immigration system overwhelmingly prefers newcomers who are family members of those already living in the United States. In 2013, almost one million people secured legal permanent residence status, in two-thirds of the cases thanks to the sponsorship of family in the United States. Among the rest, 16 percent gained status based on employment or economic considerations, and another 12 percent were humanitarian migrants, people U.S. authorities deem refugees or asylum seekers.

Many Central Americans now trying to enter the United States have family members already in the country, potentially fitting criteria for family reunification in line with U.S. policy. Other arrivals who lack family ties could be considered humanitarian migrants, not much different from 19th century Irish fleeing famine or 20th century Cambodians fleeing horrific violence and economic disaster. But unfortunately for many Central Americans, compatriots who arrived earlier often lack documentation. During the Cold War era and beyond, foreign policy considerations welcomed almost any Cuban migrant as a refugee, but denied the asylum claims of most Salvadorians and Guatemalans. Cuban migrants thus gained permanent residency, and a path to citizenship, while many Salvadorans did not.

The consequences of earlier foreign policy distinctions continue to reverberate. Since family sponsorship for new arrivals requires citizenship or permanent legal status for the sponsor, differences in treatment years ago mean that Cubans – with many legal immigrants and naturalized citizens in their ranks – can bring family through the formal immigration system much more easily than others – such as Salvadorans and Guatemalans who often live in the United States as undocumented residents.

The current challenge of dealing with child migrants from Central America casts a harsh light on the persistent unwillingness of Congressional politicians to tackle comprehensive immigration reform. The status of some

eleven million undocumented immigrants needs to be addressed, and many adjustments need to be made in U.S. legal immigration policies. Instead of taking action on the full range of enforcement and legal issues, Congress and the White House are lurching from a short-term fix to one perceived crisis to another. Even if a patchwork bill to deal with the current situation is eventually passed, it will leave unresolved the economic and moral consequences of having eleven million people living and working in the United States without legal residency. The lack of reform also means that such residents, including many Central Americans who are fully part of the U.S. workforce, cannot use the immigration system to sponsor family members – a situation that will continue to encourage more attempts at unauthorized entry.

The immigration reform deadlock bodes larger ills for American society as well. Looking long-term, the impasse leaves the United States vulnerable to inadequate provision for a baby-boom generation starting to retire, while facing increased competition for high-skilled migrants from countries like Canada, Australia and even Singapore. Foreign-born residents have founded a disproportionate share of Silicon Valley companies and won Nobel prizes for the United States. Under current immigration law, such valuable skilled immigrants – as well as economic immigrants who could fill employment gaps in agriculture, elder services, childcare, and health care – have few legal pathways to permanent residence in the United States.

Deciding who to let in, and on what basis, is not easy. Such decisions flow from a country's interests – from foreign policy or labor market considerations – yet they also embody a nation's moral beliefs. Immigration policy compels politicians and ordinary citizens to designate some would-be migrants as lucky enough to come in, while labeling others as unworthy of entry. Making such choices can, in some cases, become a matter of life and death, especially if people knocking on our doors are returned to violent societies such as some in Central America.

Rather than stumbling from crisis to crisis, American citizens and politicians need to engage in a wide-ranging and thoughtful debate about who to let in and why, a debate that also requires a passionate discussion about the moral compass that should guide our immigration rules.