Congress is overlooking yet another crisis in our legal immigration system

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With so many immigrants crossing the border illegally, Congress is overlooking another growing crisis in America's *legal* immigration system. The central finding of a new study this week shows that legal immigrants are waiting longer than ever before for the chance to apply for green cards. If Congress wants immigrants to follow legal pathways, it should start by fixing the ones that already exist.

These waits were not caused by bureaucratic delays in processing applications and petitions, though such delays have worsened. Rather, the increasing delay is a result of the arbitrary annual limits on green cards that Congress last created in 1990 — 226,000 for close relatives of citizens and legal permanent residents, and 140,000 for workers and investors (as well as their spouses and minor children).

Even as the U.S. population has grown by a third and the economy has doubled in size, these limits have remained static. If the numbers run out during the year, immigrants must wait. This disconnect between a dynamic society and static immigration limits forces legal immigrants to wait longer and longer for the chance to apply for their green cards, as legal permanent residence is known.

In the three decades since the last reform, the average time that it took a legal immigrant to get to the front of the lines *doubled* from two years and 10 months to five years and eight months, according to a new analysis from the Cato Institute. The average disguises huge variation in the wait times because each line moves at different speeds. More than 100,000 legal immigrants (28 percent of the quotas) waited at least a decade — in some cases, two decades — to apply for a green card.

Contrast that with 1991, when the current quotas went into effect: Just 3 percent waited a decade or more. In fact, back then, nearly a third had no wait at all because of the quotas. By 2018, the share with no wait had fallen to just 2 percent.

But here's the thing: It's about to get much worse for legal immigrants. The waits have caused a massive backlog of nearly 5 million immigrants waiting behind those who applied for their green cards last year. In some categories, that means that new applicants will face astronomical waits of a half century or more if everyone sticks it out.

For example, it would take about a *century* to process all married adult children of U.S. citizens from Mexico. Obviously, that will never happen; 40 percent of those children will die before they can apply for a green card. Altogether, the new study projects that 675,000 would-be legal

immigrants will die waiting if everyone refuses to give up on the process. That's 14 percent of the backlog in 2018.

These waits are not in the national interest of the United States. Forcing legal immigrants to wait this long forces foreign talent to head for other countries, as one recent paper found. Immigrant workers from India wait the longest despite the fact that they have the highest wage offers . The waits also cost the United States tens of billions of dollars in foreign direct investment every single year.

This policy not only separates U.S. citizens from their adult children and siblings, but also keeps out legal immigrants who, contrary to misperceptions, are more skilled than the U.S. population. Ultimately, the arbitrary quotas suppress the U.S. immigration rate, which, as a share of its population, already ranks in the bottom third of wealthy nations .

With more job openings than job seekers , the United States needs immigrants to grow its economy. President Trump is right to want those immigrants to come legally, but most immigrants don't have an option for legal immigration. They don't have a U.S. citizen family member or a college degree and employer willing to spend thousands of dollars in fees to hire them.

The United States desperately needs new pathways for immigrants to enter legally, but if Congress moves to add categories, it should fix the ones that it already has. As the economy grows, the number of foreign workers made available to employers should grow. As the number of households grows, the number of family sponsorship slots should expand.

Before it demands harsher treatment of *illegal* immigrants, Congress should first consider how it is treating those trying to come the legal way. It can and should do better.

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