



The New Dreamers Democrats Can't Agree On

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April 23, 2019

Sid has lived nearly his entire life in the United States and is headed to both the national world history and world geography bees this year. The 12-year-old from Massachusetts wants to become a scientist and use his research to help America live up to its reputation as a land of ideas and innovation. The only problem? He isn't a U.S. citizen: Sid's parents moved to the U.S. with him when he was 1, and when he turns 21, he doesn't know whether he will even be allowed to stay in the country.

For the Democratic caucus, his sounds like the quintessential story of the DREAMers, the undocumented, mostly Hispanic youths who grew up in America but face unique challenges around citizenship and education. But Sid is Indian, the son of Durga Nirgudkar, a health care worker, and Shailesh Nirgudkar, an information technology professional. He is part of a different set of DREAMers — young people who came here legally (mostly from India, but also some from China) yet are on decades-long wait lists for green cards due to visa caps on the countries of their birth. And that difference is splitting Democratic leaders — including the sprawling field of 2020 presidential contenders — on what to do with them.

Some politicians support processing green card applicants on a first-come, first-served basis that levels the playing field for those trying to become American citizens. Kamala Harris, the first Indian-American elected to the Senate and a White House contender, is the lead Democratic cosponsor of the Fairness for High-Skilled Immigrants Act. Unveiled in February, the bill would eliminate the country cap for employment-based applications and raise the cap from 7 percent to 15 percent on family-based ones. Other likely presidential candidates who've signed onto the bill include Beto O'Rourke, Sens. Amy Klobuchar of Minnesota and Michael Bennet of Colorado, as well as Reps. Tulsi Gabbard (Hawaii), Tim Ryan (Ohio), Eric Swalwell (California) and John Delaney (Maryland).

But many other Democrats oppose eliminating caps because it will cause significant delays for immigrants from other countries. Experts forecast that the average wait for all applicants could be anywhere between three and seven years if country caps are revoked. The majority of those receiving green cards the first few years in a first-come, first-served system would be Indians, since they have been in line the longest. Plus, easing visas for high-skilled immigrants — a strategy conservatives from Paul Ryan to Donald Trump have supported — would take a bargaining chip off the table for Democrats hopeful of forcing Republicans to consider a broader comprehensive immigration bill in the future (or at least a revamped DREAM Act).

When Sid and a dozen other activists with the nonprofit Immigration Voice approached Massachusetts Sen. Elizabeth Warren at a campaign stop in Nashua, New Hampshire, in February, the presidential candidate told them she would address the problem — but only as part of a larger immigration package. Warren's team confirmed that position to OZY.

“We all know in this political climate that will never happen,” gripes Joel Gonsalves, an activist working with Immigration Voice, which seeks the lifting of country caps. Indeed immigration reform has been a difficult lift, politically. The campaigns for Bernie Sanders, Pete Buttigieg and Kirsten Gillibrand did not respond to requests for comment.

The 2.8-million-strong Indian-American community at the heart of this debate is a crucial political constituency for Democratic leaders seeking to gain an edge over competitors before 2020. In an October survey ahead of the midterms, 50 percent of Indian-American respondents said they identify as Democrats, and only 18 percent as Republicans, with the rest either undecided or independent. Indian-Americans also have the highest median income among all ethnic groups in the country, giving the community influence beyond its size.

Right now, Indians with bachelor’s degrees are waiting 17 years for an employment-based green card, while advanced degree-holders face a backlog of up to 151 years, according to estimates by immigration expert David Bier. Primary applicants sometimes are barred from changing jobs or starting their own businesses while awaiting green cards, while their children are ineligible for most college scholarships, medical schools and professions (and risk being deported when they “age out” at 21), but they are able to work and stay in the United States. While applicants from China, the Philippines and Mexico also face delays, albeit much shorter ones, those from other countries have almost no wait at all.

“Indians are taking the bullet for wait times for all other people,” says Bier, of the libertarian Cato Institute, a Washington think tank. “It’s noxious to the fundamental principles of America that we are taking into account people’s nationality as more important than their economic contribution or individual characteristics.”

The debate impacts other Democratic-leaning communities too. Latin American countries have a number of immigrants waiting for their green cards, including 7,252 from El Salvador, 6,027 from Guatemala, 5,402 from Honduras and 700 from Mexico, according to U.S. Citizenship and Immigration Services data released in May 2018. Countries that hit their caps will see their wait lists grow longer until the issue is resolved.

But if country caps are ended, other countries — including many Latin American ones — will experience longer delays than they are used to. Upsetting Latino voters, who dominate the immigration debate, could hurt Democratic candidates. In the 2018 midterms, 69 percent of Hispanic voters picked Democrats, while 29 percent chose Republicans. With a population of 58 million, the Latino community is 20 times larger than its Indian-American counterpart.

“The reason the Trump administration talks about high-skilled immigration is less that they are excited about a merit-based system and more because they are fascinated by the idea of portraying all other immigration as not meritorious,” says Tom Jawetz, vice president for immigration policy at the left-leaning Center for American Progress, which has not officially taken a position on the bill.

This dilemma over balancing demands from different voter blocs — both important to the Democratic Party — is spawning a range of political positions. On the extreme ends are Warren’s insistence on a larger immigration deal and Harris’ bill that seeks to “eliminate discriminatory backlogs.” The bill would likely end the current backlog within seven years, most

immigration experts believe, though immigrants who don't face a wait now could be waiting for at least a few years in the aftermath.

Though he backed Harris' bill, Delaney is taking a more nuanced position. "He believes that a comprehensive immigration reform bill is the best approach, but that the perfect shouldn't be the enemy of the good," says Will McDonald, communications director for Delaney's campaign.

Meanwhile, others are exploring more creative solutions. The Economic Innovation Group, a Washington-based think tank launched in 2015 by mostly left-leaning tech entrepreneurs, released a report in April suggesting that the U.S. should create a new "heartland" visa. Similar to the current visa attracting doctors to rural areas, the EIG proposes a program whereby highly skilled immigrants of varied professions agree to settle in areas facing long-term demographic concerns in exchange for U.S. residency and a path toward citizenship.

The technology industry, with its Silicon Valley roots and large demand for Indian workers, has been especially active in lobbying for the Fairness for High-Skilled Immigrants Act. More than 100 lobbyists worked on the original House bill, according to an OpenSecrets analysis, representing companies like Microsoft, Texas Instruments, IBM and Amazon. With Democrats already striking an uneasy alliance with the predominantly liberal tech world, the country cap issue is bound to flare up intraparty tensions. As the presidential debates begin this summer, those tensions could soon be blowing up on the national stage.