

Jordan's modest proposal

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Amid a downpour, why do people not simply open an umbrella? Is it because they're lazy? Or because they don't have an umbrella, thus making it tough to open one?

It's a question that — like President George W. Bush's famous "Is our children learning?" — is rarely asked. Another uncommon question was posed Monday during the state Senate's debate on the so-called "Green Light" bill, which in six months will make undocumented immigrants eligible to receive driver's licenses if they're able to provide proper documentation from their country of origin.

One of the most memorable exchanges in the floor debate was initiated when Republican Sen. Daphne Jordan of Halfmoon asked the bill's sponsor, Sen. Luis Sepulveda of the Bronx, why undocumented immigrants don't simply show a little initiative and, y'know, get documented.

Jordan opened her questioning by asking Sepulveda why the legislation was needed. The Democrat responded with a long explanation of the perilous existences of undocumented people, who fear seeing their families separated and face the danger of deportation whenever they go to work or handle mundane tasks such as taking their children to the doctor or parent-teacher conferences, even as they take on jobs "that nobody else wants to do" in fields such as elder care and agriculture. Sepulveda noted that it was Gov. George Pataki who ended the practice of making licenses available to undocumented immigrants in the aftermath of 9/11 by requiring applicants to provide a valid Social Security number.

When Sepulveda had concluded, Jordan asked, "Given the difficulties you've just described, why do these immigrants choose to remain undocumented?"

The question prompted enough laughter to require a call for order in the chamber, which was packed with advocates.

After the pause, Sepulveda said, "I'm sorry, Senator Jordan — could you repeat your question?" with the air of a golfer trying to steal a moment of time while he tries to decide between a three wood and a driver.

She repeated it. Sepulveda pursed his lips in a hoo-boy expression and began.

"Some of these immigrants have come to this country because they fear for their lives," he said. "Many of them come to this country because they're looking for a better life for their children. Many of them are children ... who are here through no fault of their own — many. They remain in this country because they know that despite what's happened here, life would be 10 times worse where they came from. And so ... they are willing to take the risk."

Jordan complained that she still didn't hear an answer to her question — why don't these undocumented people just get documented?

"The process for them to become citizens, naturalized, is very difficult," Sepulveda said. "And I'm sure that most of them, or many of them, are here hoping that the federal government can resolve a lot of these issues so that then they can go through the process. But again: Life for them, despite this difficulty, is better ... in this country. And to be honest, it is for us — they make our lives easier."

Jordan next wanted to know if the bill applied to all undocumented immigrants or only those "on the pathway to citizenship."

"I have read accounts of undocumented immigrants stating that they have had all the difficulties that you described before, yet they've remained undocumented for 10 years or more," Jordan said. "And certainly in that time frame, they've had the opportunity to start on the pathway of citizenship. My question is, why would the bill pertain to people who have no thought of gaining citizenship?"

Look, it's easy to laugh at Jordan's initial question, but ... well, actually I don't have a "but" to go with that one, because it's a pretty laughable question.

It is, however, worth examining a few of the reasons why that's so. Our nation has two principal routes for immigrants seeking to remain here legally, family sponsorship and employment, and both of those lanes are hopelessly backed up and getting worse.

As David Bier of the Cato Institute noted in a policy paper released just last week, since the current set of nation-based immigration quotas went into effect when George H.W. Bush was president, the average wait time for a green card — the principal document guaranteeing legal permanent residence — has doubled for applicants immigrating through the family-sponsored and employment-based quota categories, from 34 months to 68 months.

Bier wrote that the number of people who wait for a green card 10 years or more — the span referenced by Jordan — has not doubled or tripled, but increased tenfold.

In the Senate debate, Sepulveda repeated his earlier point that the current immigration system is broken, which is generally accepted by responsible politicians in both parties.

It's accepted, indeed, by most people who are not politically invested in keeping the system permanently broken because of the way it handily generates the specter of a menacing group of foreigners who are breaking the law merely by existing.