



Dire need makes it hard to ‘just get in line’

Beverly Julal and Clair Davis

November 12, 2021

Ladies and Gentlemen, welcome back to Immigration 101. We “teach” it ever so often so that you can have the 411 or as we say, the real deal on how things are really breaking down for immigrants in this country.

As we all know, immigration is a work in progress and the laws are like a roller coaster. One of the Congressional sub-committees under the House Judiciary Committee, the Subcommittee on Immigration and Citizenship, is charged with overseeing issues on immigration and naturalization, border security, admission of refugees, treaties, conventions and international agreements, claims against the United States, federal charters of incorporation, private immigration and claims bills, and non-border enforcement. They hear many testimonies each year from witnesses to decide on the laws of the land. Witnesses can be experts on the subject-matter or a lay person who has suffered injustices or seen someone suffer because of an injustice.

On April 28, they heard testimony from David Bier, an Immigrant Research Fellow at the Cato Institute. He spoke on the topic, “Why Don’t They Just Get in Line?” It’s not that simple. Immigrants cannot ‘just get in line’ and wait their turn to be processed because their need is immediate. They are in dire straits when they travel for thousands of miles across South America

to the border between Mexico and Texas. They are running to escape hunger, political oppression, drug cartels, murdering gangs, they are running for their lives.

Bier's research found that in most cases, the immigration laws of the U.S. require aspiring immigrants to have a sponsor to apply. However, they often do not have anyone in this country to sponsor them — no immediate family members or spouse. According to Bair, the diversity visa lottery which does not require a sponsor has over 20 million applicants and only 50 are approved for a visa. The U.S. refugee program, he said is only open to a small class of refugees who qualify. The chance to be selected for it is about 0.4%. The employer sponsorship visa, Bair said “employers may sponsor their employees, but their employees have a hard annual numerical limit of 130,000 green cards — half of which go to the spouses and minor children of the workers. Before the pandemic, this backlog was growing at a rate of more than 10,000 applicants per month.”

The Subcommittee also heard the testimony of Preen Mhatre, student and member of Improve The Dream. She said that she was born in India and was brought to the U.S. by her parents at the age of 4 in 2000. Her mother was on a student visa and she and her father were on dependent visas. Her mother now has a degree in German, educational psychology, and business administration, while her father has his bachelor's degree and his master's degree in computer science from the University of Iowa. Both her parents were hired by the University of Iowa upon graduating. This is when her status changed to an H4 dependent visa in 2008. Her parents' employer filed for their green cards in 2012. When she turned 21 this year, her dependent status changed and she may be deported back to a country she does not know.

In desperation, many immigrants come up with their own unique solution to get to the U.S. One person who we interviewed, let's call him Stanley, came to this country as a child through unconventional means. “My parents told me that I was brought to the United States via Canada at the tender age of 3.” he said. “We traveled to Canada and was granted lawful entry and after a

few weeks my parents got on a bus that was headed to the United States. Believe it or not — my travel document was my cousin's Canadian passport. Since this occurred in the 80s, the border patrol folks were mainly looking for illegal drugs or guns and paid very little attention to the sleepy little boy. We connected with relatives in New York. My mom got a job as a live in Nanny and she took me with her. We lived here for years but it was when I graduated from high school that I learned of my immigrant status and the possibility of deportation.”

On Oct. 28, House Judiciary Committee Chairman Jerrold Nadler (D-NY) told the press that “After decades of inaction, the immigration provisions included in President Biden’s Build Back Better framework will provide a vital investment in human infrastructure that reflects our commitment to a stronger U.S. economy and a vibrant future for all Americans. Those provisions include advancing the registry date, a move last championed by President Ronald Reagan, to allow those who have lived and worked in service to our communities for more than 11 years an opportunity to apply for permanent residence. Nadler said that the immigrant workforce has played an essential role in the U.S., especially throughout the COVID-19 pandemic, and the economy cannot fully recover without their contributions.

Congress is taking a key step in the right direction to modernize our immigration system. Let’s hope that they put their money where their mouths are.