Misstatement of the Union: What Trump Got Wrong on Immigration

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American immigration law and policy were featured heavily in Tuesday night's State of the Union, President Donald Trump's first since his election. But his rhetoric, which included a flippant and backhanded rejection of DREAMers—high-achieving immigrant young people most often brought to the United States as children—and empty promises that "no matter where you have been, or where you come from, this is your time," was deeply problematic and inconsistent. In fact, his comments about family reunification, crime, purported immigration "loopholes" and the visa lottery were plagued by dishonesty, misrepresentation, and omission. I was particularly bothered by these four parts of his speech:

Family Reunification

In Tuesday's speech, Trump continued to use derisive terminology like "chain migration" to repeatedly misrepresent family reunification through immigration, a pillar of American immigration policy. The notion that immigrants can sponsor "virtually unlimited numbers of distant relatives" is plainly false, and it's both disingenuous and irresponsible to suggest otherwise. In fact, the only family members who can be sponsored this way are parents, children, spouses, and siblings, and even those categories are limited by age, marital status, and the immigration status of the petitioner. Moreover, even eligible immigrants often have to wait upwards of a decade—or even two decades—to lawfully immigrate through the family-based system. What's more, when they do arrive here, these immigrants fill essential jobs not filled by Americans and pay taxes. And let's not forget that they built the America we know today.

Immigrants and Crime

Trump's State of the Union address was so peppered with examples of violent, dangerous immigrants that viewers may have left believing that Central American teenagers are the biggest threat to our nation. Of course, they'd be wrong. By continuing to equate immigrants with criminals and criminality, Trump perpetuates a reckless myth that has been proven wrong again and again. In fact, the Sentencing Project and the more conservative Cato Institute have, among others, concluded that foreign-born residents of the United States commit crime less often than native-born American citizens.

"Immigration Loopholes"

Last night, Trump also called on Congress to "fix the loopholes" that have apparently allowed MS-13 gang members to infiltrate our nation's high schools. The "loophole" Trump is likely referring to is actually the Trafficking Victims Protection Act (TVPA), a vital piece of legislation that protects victims of human trafficking and ensures that persecuted child migrants are given an opportunity to make their claims for protection. In fact, Trump's talking points on this are a continuation of false, and deeply radicalized, themes raised by those around him. In a speech to local and national law enforcement in Boston on September 21, 2017, Attorney General Jeff Sessions warned that unaccompanied immigrant children may actually be "wolves in sheep's clothing." But suggestions by Trump and Sessions that Central American children who come to the U.S. seeking safety from devastating violence are actually gang members is preposterous. In fact, the UN Refugee Agency surveyed these children and found that nearly two-thirds qualifiedas bona fide refugees, having suffered severe gang violence and family/domestic violence in their home countries.

The Visa Lottery

Finally, Trump's assertions that the visa lottery hands out green cards "without regard to safety" is patently untrue. The Diversity Visa Program is designed to bring immigrants to the United States from countries that have typically had low levels of migration. This annual lottery system sets aside 50,000 green cards for underrepresented immigrants and since the program began in 1994, more than one million immigrants and their families have benefitted. Notably, this program is a mainstay for African and Caribbean migration, and eliminating it will mean a significant decrease in lawful migration from those regions. It is important to note that all recipients of green cards through the visa lottery must be—like all immigrants—thoroughly vetted by multiple agencies before being issued a visa and before being permitted to enter our country.

Trump's statement that "Americans are Dreamers too" was chilling. It was a rebuke of the hardworking immigrant young people who have made their lives in the United States. But Trump's takedown last night of immigrants and our immigrant heritage, law, and policy was much more profound. He lashed out at several of the core pillars of U.S. immigration law and policy, made disturbing misrepresentations about the impact of immigrants on our country, and threatened to do away with what has made this country great in the past and will continue to keep it strong going forward.