



The Stubborn Catch-22 of the U.S. Immigration Puzzle

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The surge in migrants attempting to illegally cross into the U.S. along its southern border reached an all-time high in May. The 239,416 reported arrests surpassed the previous record, set just two months earlier, by almost 20,000 people.

This chaos at the border isn't going away, says [Alex Nowrasteh](#), director of economic and social policy at the Cato Institute, a libertarian think tank, so long as workers are needed in the United States and prospective migrant laborers lack the means to legally enter the country easily and cheaply.

Officials struggle to increase the level of legal immigration without control over the border, but control over the border depends on expanding legal immigration. Our immigration system is indeed broken, Nowrasteh says, but history tells us that tighter controls and bigger walls are not the sort of fix that is called for. Only when we increase the flow for legal immigration, he suggests, will this swirling tide of illegal or nondocumented workers begin to ebb. Nowrasteh recently spoke with *Governing* Editor-at-Large Clay Jenkinson. This interview has been edited for length and clarity.

***Governing*: How broken is our immigration system?**

Alex Nowrasteh: It's largely doing what it was designed to do, which is to make it impossible for the vast majority of people who want to come here legally to do so. Within that context, there is an illegal immigrant population of 11 to 12 million people, and there are large numbers of people trying to cross the border unlawfully. These consequences are unintended, but they are foreseeable for any large restrictive system that prevents individuals from buying or hiring whomever they want. A number of breakage points have arisen in the last three years or so, and they've made the system more dysfunctional than usual. In terms of what's in the best interest of the United States, our immigration system is absolutely broken.

Governing: Where are the breakage points?

Alex Nowrasteh: To get a visa, there are numerous points where you need to get positive approval. There are vast numbers of visas that are not being approved for silly reasons that are not consistent with the rules. Wait times have blown up. The number of visas being wasted every year is very high. The number of government bureaucrats who have veto power in this process is much greater than it used to be, and they're exercising those powers more than they used to.

Governing: Why is this happening?

Alex Nowrasteh: This is partly a response to changing administrations. The Trump administration reduced the effectiveness of the bureaucracy, and the Biden administration has not prioritized fixing those difficulties. The pandemic made things worse because the Trump administration fired or reallocated lots of bureaucrats during COVID-19 to approve visas overseas. As far as we can tell, the Biden administration has been making moves to improve that, but they are not doing so quickly. It's not a priority for them. They view immigration as a political threat in a way. They think it animates the other side.

Governing: The dominant immigration narrative from the right is that illegals are a serious problem, significantly criminal and a drain on our economy, and that we need to build a wall to secure our borders. This narrative is not universally accepted, but no matter who you are, you have to answer to it.

Alex Nowrasteh: One event that helps them with that narrative is the large number of people coming across the border unlawfully who are apprehended. There's this perception of chaos. Most people react to chaos with the desire to crack down. They want more control, more border patrol agents, and a wall. Their reaction is emphatically *not* to liberalize immigration. But the only way to get operational control to reduce the chaos is through liberalization. It's a catch-22 for politicians. Even those who want to do the right thing can't until they get control over the border. But they can't get control over the border until they liberalize legal immigration. That's the political conundrum that we're in.

Governing: What's the fallacy of believing that a wall solves this problem?

Alex Nowrasteh: The fallacy is the same that we see in other areas of prohibition, such as alcohol or drugs. There's a black market. The fallacy is thinking that more enforcement and more government control will lead to less chaos. What we see again and again in areas where the government tries to control a market and prevent willing buyers from interacting with willing sellers is a deeper black market, followed by a push for more and more government oversight. It all accelerates chaos. It's a vicious cycle that we're not going to get out of so long as people want to come to the United States to work, and so long as Americans want to hire the folks who are coming. As long as it's advantageous for both of these parties, they're going to find a way to do it. If that means they have to break immigration or labor laws, that's what is going to happen.

Governing: 'Barbarians at the gate' is the narrative we hear. Are we actually being overwhelmed by caravans at the border?

Alex Nowrasteh: That narrative is a strong one. It evokes language of invasion and conquest. The first thing to realize is that folks are largely coming here to work. When I think about invasion, I think about the Nazis marching through Paris in 1940. They were in Paris at the head of an army. So that language leads to misunderstanding. These folks are coming for jobs.

The border situation is so chaotic and the government is so overwhelmed, so inflexible in its response, and so unwilling to let folks enter lawfully that going through Mexico in a caravan is probably the safest way for a lot of these people to come here from Central America. For a worker with just a high school degree coming to the United States from developing nations around the world, there's at least a fourfold increase in wages, and that includes the cost of living.

It's life changing for these people. They go from \$10,000 to \$12,000 a year or less in income to \$30,000 to \$40,000. That economic pressure is gigantic, and it's not going away anytime soon. Americans want to hire them, and they want to be hired. You are not going to stop that economic flow.

***Governing:* What are the practical steps you would take to liberalize the immigration system?**

Alex Nowrasteh: If you come to the border without a visa, you're not going to get in. But if you go to the embassy or consulate in your own country, the visa process will be simple and cheap. Then you can come to the U.S. lawfully. We'll give you a visa to work for a period of time. Then you go back to your own country. If you want to come back again, you can get another visa cheaply to go back and forth. I'd restart this circular flow and make it so that people are not coming to the border as unknown individuals. They're coming there with a visa in their hand. This would require putting more consular officials and government agents at embassies to review people, but it would make it easy.

***Governing:* Would people in Central American countries understand this and comply? And if it does work, aren't more still going to want to come than we're willing to take in?**

Alex Nowrasteh: First of all, people in Central American countries would be very willing to do this. Currently they're paying up to \$20,000 in smuggling fees. Secondly, a lot of people will apply, but there are currently about 11 million job openings in the United States. Many of them are in the low and middle sections of the labor market. These would mostly be temporary work visas. It's not like we're giving permanent residency to a lot of people. We're talking about maybe one to two million new temporary work visas to create a circular migration flow. It would be in the best interests of everybody to follow the rules of this system. Make it clear that if you follow the rules, you can come back in future years. And make it clear to American employers that if you follow the rules, you can hire these folks going forward and it'll be quick and easy and cheap.

***Governing:* What about the view that a substantial percentage of these people are criminals?**

Alex Nowrasteh: Evidence shows overwhelmingly that immigrants overall are much less likely to be criminals than native-born Americans. Illegal immigrants are half as likely to be convicted or incarcerated as native-born Americans are. And legal immigrants are half as likely again. Immigrants themselves, the individuals who decide to leave their home country, are thinking more about the long term. They don't want to commit a crime that gets them deported. The Mexican who's coming to the United States is upwardly mobile, has a bit more education than average and is less crime prone than average. They're someone who's really thinking about the future for themselves and their family.

***Governing:* There have been efforts over the years to legacy in illegals living in the U.S., but they've gotten derailed. How do we move beyond this impasse?**

Alex Nowrasteh: There have been about six amnesties in the 20th century in the United States. None of them increased legal immigration. If we make changes to increase legal immigration, and then if that removes the chaos along the border, then people will become much more amenable to legalizing people who are here unlawfully.

***Governing:* What about those who insist that they have to pay a price, that there has to be a penalty?**

Alex Nowrasteh: Give me what you got, right? A fine is appropriate. Maybe make it so that they have to go back, to touch base. But if you do that, there has to be a short application process so that they do follow those rules. Maybe make it so they have to be on a green card for an extra-long period of time before they become citizens. Maybe give them an option where one path leads to permanent residency, but you can't become a citizen. The other path would be more expensive, more arduous, but you could eventually become a citizen. But the important thing is that they can become legal.

***Governing:* Right now we have this population of illegals that's basically hiding. How does this affect community stability?**

Alex Nowrasteh: It reduces their cooperation with police officers and law enforcement. It reduces trust in their neighbors. It reduces civil society and engagement. What we see in areas with legalization of unlawful immigrants are declines in crime because people can get jobs more easily. They can trust their neighbors. They cooperate more with the police. We see more community engagement, with individuals starting more to call themselves Americans, to make investments in things like education, to make more investments in learning English. Learning English is the key to doing well in the long run in the United States.

Assimilation is not a decision that people make. They don't wake up one day and say, "All right, I'll become American now." It's a gradual process of meeting people, of interacting with them, moving gradually to the norms, and seeing that behaving in a more American way is better for you and your family. Being able to do that legally, without fear of government or that knock in the middle of the night or neighbors that might turn you in, makes it much easier and quicker. That's ultimately the long-run goal, making sure that immigrants who stay here become American, that their kids become Americans. They integrate, they assimilate, and ultimately, they form a part of this cohesive American community that we have.

