

Path toward citizenship or legalization

By Alex Nowrasteh - 08/30/13

Controversy over a path toward citizenship is the most important roadblock to immigration reform. Many conservatives oppose a path to citizenship because it's unfair to reward law breakers with citizenship. Rep. Raul Labrador (R-Ida.) said, "People that came here illegally knowingly – I don't think they should have a path to citizenship." On the political left, Rep. Luis Gutiérrez (D-Ill.) said he, "is opposed to proposals that bar citizenship or create a permanent non-citizen underclass."

To Labrador's point, the heavy fines, fees and bureaucratic abuses that would prod every legalized immigrant on a path toward citizenship are hardly an award for legal behavior. And to Gutierrez, a legalization status less than citizenship is no more an underclass than the millions of green card or visa holders that currently happily live without becoming citizens.

There is a simple solution to this impasse that could satisfy both camps: Create two paths.

The first path should be toward a permanent work visa where the immigrant cannot apply for citizenship unless he or she serves in the armed forces or marries an American. This visa should be very cheap – hundreds of dollars – and granted quickly after national security, criminal, and health checks.

The second path should be toward a green card and eventual citizenship. This path should be more difficult and expensive, something similar to the Senate's path to citizenship. Those legalized unauthorized immigrants who want to become citizens should be able to do so.

For unauthorized immigrants uninterested in citizenship, who just want to work and live in the U.S. without fear of deportation, a simple and low-cost path toward a permanent work permit would save them headaches, uncertainty, and cash.

This would definitely be consistent with conservatives like Labrador who say that unauthorized immigrants do not want citizenship. "They're not clamoring for it," he said earlier this year. "It's only the activists here in Washington D.C. who keep clamoring for it."

If Labrador is right, most unauthorized immigrants would choose a more affordable and easier path toward legalization rather than a more expensive and difficult path toward citizenship – if they were given a choice.

A look at the polls, however, indicates that unauthorized immigrants do want citizenship. In fact, a recent Latino Decisions poll found that 87 percent want to become citizens. But if history is any guide, many of those respondents would choose a cheaper and easier form of legalization if it was offered.

The 1986 Reagan amnesty bill created an affordable and straightforward path to a green card and citizenship. But almost a generation later, only 45 percent of former unauthorized immigrants have naturalized. The 2013 bill would likely produce an even lower rate of naturalization, as the path to citizenship is much more arduous than the Reagan-era bill.

As a general rule, one-size fits all reforms rarely work well. A path to citizenship is not likely to be an exception, although it's better than the status quo. Allowing a second, simpler path toward a permanent work permit that won't lead to citizenship will allow otherwise law-abiding unauthorized immigrants, those who will be affected most, to choose their own level of legal status.

Conservatives can say that millions of unauthorized immigrants will be legalized and most won't choose citizenship, while leftists can say they created a path toward citizenship. Most importantly, the deportations can stop and immigration can be liberalized. All of these sides win.

Left-wing interest groups claim to know what's best for unauthorized immigrants, which is why many of them are pushing for a path toward citizenship. Conservatives claim that unauthorized immigrants don't want citizenship, so it shouldn't even be offered. Instead, there should be at least two paths toward legal status, one with citizenship and one without, and the immigrants themselves should choose which one they want to individually follow.

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