

DAILY NEWS

The cheap assault on the immigration visa lottery

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Congress is in the thick of another intense debate on immigration reform, which comes to a head on Feb. 8, the deadline by which lawmakers must pass a spending bill or the government shuts down again.

At center stage is what happens to Dreamers, illegal immigrants brought here as children, but Republicans have also thrown into the mix significant overhaul of legal immigration — including the total elimination of a program called the diversity visa, by which thousands of people come to America.

Trump has offered roughly this trade: Get rid of the diversity visa — and greatly restrict so-called chain migration while you're at it, while adding billions in funding for a border wall — or the Dreamers will be hung out to dry.

President Trump justifies his animus toward the diversity visa program by describing it this way: “They give us their worst people, put them in a bin . . . they're picking the worst of the worst.”

This is a gross mischaracterization.

Immigrants on the diversity visa aren't chosen randomly from the nearly 7.3 billion non-Americans in the world. Nor do corrupt governments in places Trump might call “shitholes” place names of people they'd like to see leave their country into a hat.

Instead, a foreigner has to choose to enter a lottery to gain one of the 50,000 diversity visas a year, as about 14.4 million did in 2015. And it's only available to those from so-called “low-admission” countries that send few immigrants here, like Egypt, Nepal and Ukraine.

Nor does winning the lottery guarantee them a green card and permanent residence status. It merely guarantees them a chance at getting through the rest of the immigration system which is, according to Rutgers law professor Elizabeth Hull, “second only to the Internal Revenue Code in complexity.”

To get a green card, they must have at least a high school education or demonstrate two years of work experience in a sufficiently skilled occupation. Then they must also pass the criminal, national security and medical checks that every immigrant must go through.

The diversity visa is the closest thing to an actual immigration line that moves. Immigrants in other green card categories can expect to wait decades or even a century to earn a green card.

Diversity winners can get theirs within two years of entering the lottery if everything goes smoothly, according to immigration attorney Matt Kolken.

The diversity visa certainly isn't a means to enter without vetting, so why are Trump and other Republicans targeting it? They claim it's about terrorism.

Trump said, "I am going to ask Congress to immediately initiate work to get rid of this program, diversity lottery," the day after Uzbekistan-born Sayfullo Saipov, who entered on a diversity visa in 2010, murdered eight people in a terrorist attack in New York City last Halloween.

Saipov's attack was ghastly, but his were the only victims of a terrorist attack on U.S. soil committed by an immigrant who entered on the diversity visa since the program's start in 1990. According to data I compiled on terrorism and immigration, the annual chance of being murdered on U.S. soil by a foreign-born diversity visa terrorist was about 1 in a billion per year.

Your annual chance of being murdered in a non-terrorist homicide during that time is about 62,207 times greater.

Trump's travel bans also used public safety rationales, including the danger from criminals, as justification to halt the issuance of visas to some immigrants.

Yet criminality isn't a concern for immigrants from diversity countries. The incarceration rate for foreign-born prisoners from countries that sent diversity immigrants in 2017 is 490 per 100,000, which is 68% below the native-born incarceration rate of 1,545 per 100,000.

The U.S. immigration system needs reform, and the diversity visa is no exception. But it doesn't deserve to be scapegoated by President Trump and congressional Republicans for so many problems that have nothing to do with it.

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