



## Trump Wants to Crack Down on Immigration, but His Hands Are Tied

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**On Tuesday**, Sayfullo Saipov, a 29-year-old who immigrated to America from Uzbekistan in 2010, allegedly rammed a rented truck into cyclists and pedestrians in Manhattan, leaving at least eight dead and a dozen wounded in an attack **for which ISIS claimed responsibility**. Just **six hours after the attack**, President Donald Trump took to Twitter to denounce the tragedy, but also to politicize it as fuel for his nativist agenda. Since then he's used it to justify calls for the rapid imposition of further restrictions on and scrutinization of legal immigration.

"I am calling on Congress to TERMINATE the diversity visa lottery program that presents significant vulnerabilities to our national security," he **tweeted** Thursday.

That marked a break from Trump's attitude after the white nationalist attack in Charlottesville this August, when he said he liked to **wait for all the information** before making a statement. **It's also different** from his insistence that suffering should not be politicized after the mass shooting in Las Vegas. Still, his response wasn't exactly surprising.

"We've been expecting that any isolated terrorist incident" committed by an immigrant "would be used as an opportunity to make the case to slash immigration and increase immigration enforcement," said Ali Noorani of the pro-immigration National Immigration Forum. "If there's one thing he's good at doing, it's taking advantage of an opportunity."

Trump's rhetoric has succeeded in bringing his anti-immigration agenda back into the spotlight. **A number of conservatives** have gotten on board with his calls for a rapid crackdown on immigration in the name of national security. But policy experts don't think big changes are coming anytime soon.

Trump has made three proposals in the wake of the attack. Firstly, he wants to kill the **diversity visa lottery program**. Created via bipartisan legislation **in 1990**, it offers just 50,000 green cards a year to individuals from countries that do not send many immigrants to America under other programs. Originally intended to benefit Irish and Italian immigrants, the plurality of the approximately 1.5 million who've come to the US on these visas over the last 27 years have been from Africa or Eastern Europe. The program accounts **for less than 5 percent of green cards**

**issued** every year, but it is how Saipov came to the country, and the Trump administration contends that recipients undergo little vetting.

Secondly, Trump wants, for similar reasons, to end "chain migration," a term right-wingers often use to describe the process by which immigrants can sponsor the immigration of their family members. Trump claims that Saipov **had brought in 23 other immigrants**. His White House has proposed replacing both of these programs with "merit-based" immigration, and would limit them to sponsoring immigration by their spouse and dependent children.

Finally, Trump has called for more "extreme vetting" of immigration applications to block entry to future versions of Saipov. However he has provided no details to date on what that could entail. None of these proposals are new. According to Theresa Cardinal Brown, once part of George W. Bush's Department of Homeland Security and now the immigration policy director at the Bipartisan Policy Center, the diversity program has been a focus for immigration reform debates for about a decade. Moving to a merit-based system **is a big part of the Reforming American Immigration for Strong Employment (RAISE) Act**, which was introduced by immigration hawks in the Senate in February and gone nowhere since. It was also at the heart of Trump's big list of asks, **issued in early October**, for inclusion in any legislation that would renew protections for Dreamers, undocumented immigrants who came to America as children. And "extreme vetting" was one of the vague buzzwords that defined Trump's 2016 presidential campaign.

It's also not unusual, said Brown, for immigration hawks to seek a crackdown on any program they can link to a terrorist or criminal in the wake of a violent incident. "No matter who is president," she said, "it becomes part of the immigration policy debate."

But Trump and his nativist allies will have trouble, the experts I've spoken to believe, using this incident to build momentum for these old ideas. For starters, said Alex Nowrasteh, an immigration policy analyst at the libertarian Cato Institute, the national reaction to Tuesday's attack has been fairly measured. "There is, at least so far," he said, "not the pressure that we've seen for reform in the past," when the public has sought rapid crackdowns after terrorist attacks.

As Brown pointed out, there's really no connection between immigration policy and this attack that would gin up popular support for action, either. Despite Trump's claims, diversity visa applicants get just as much vetting as any other prospective immigrant, including "chain migrants." **Reporters have been unable to substantiate** Trump's claim that Saipov helped 23 people to immigrate, and even anti-immigrant advocates say that claim makes no sense. Finally, **early indications suggest** that Saipov radicalized after coming to America, so it is unlikely more extreme vetting would have helped. "He's conflating things in a really bizarre and incorrect way," said Brown.

There's also no will in Congress to tackle immigration reform right now, even among Trump's allies. The legislative fix for Dreamer protections is the nearest vehicle for negotiations on immigration. **Yet while Democrats want** to hash this out by mid- December, **Republican leaders this week indicated** they may not get to this legislation until January or February, just before the March deadline Trump set for the Obama-era policy protecting them to sunset, both **because they're focused on tax reform** and because don't want to bog down a December government

funding bill with this hot-button issue. Although Democrats have been open **to putting the diversity program** on the table in immigration reform negotiations, it's unlikely, most of the experts I've spoken to agree, that anything more than some extra border security funding will make it into Dreamer-related legislation. **Even some nativist lawmakers** seem to accept this limitation. Trump's rhetoric in the wake of this attack will do nothing to change that timeline. And by the time a post-Dreamers fix 2018 vote on comprehensive immigration reform rolls around, if it does, it's possible this rhetoric won't factor in much. "The outrage over the diversity visa" program, said Nowratesh, "is going to fade fairly rapidly. It has a short half-life."

The administration has more juice when it comes to cranking up immigrant vetting, though, **and has shown in recent weeks** that it can and will act unilaterally on this issue. Notably, in late September, **Trump expanded baseline vetting standards** for green card applicants. Nowrasteh speculates that he could impose the same level of scrutiny refugees face on all immigrants, "which would be an onerous and expensive process that would not turn up many terrorists" and would drastically cut immigration.

But **no one in the administration has been able to say** what Trump is specifically considering. "I don't know that he knows," said Brown. "My guess is that he put out a tweet and now a lot of people in the White House and" the Department of Homeland Security "are scrambling to figure out what he did mean. 'What does he want? What more can we do? Let's put some options on the president's desk and see what happens.'"

All of which is to say that Trump's reaction to this attack has been so much sound and fury signifying nothing. It'll score him some nativist cred, and it allows him to return to a campaign favorite issue that has been out of the spotlight for a while. But there's not much, practically, that the administration can do to act on Trump's shrill and knee-jerk reaction to this tragedy.