



## Tied Up in Chain Migration

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There's been a lot of rancor in Washington over immigration this past month—you may recall President Trump's concern about immigrants from s—hole countries, the ensuing s—storm in the media, and the less-memorable government shutdown. Four separate immigration bills were shot down in the Senate on February 15. Yet on another level, there is a surprising degree of agreement on immigration policy.

President Trump has agreed to provide amnesty, including a path to citizenship, to 1.8 million immigrants who entered the country illegally as minors—more than double the number of people granted temporary work permits under Barack Obama's Deferred Action for Childhood Arrivals (DACA). Trump's concession on a path to citizenship has rankled some conservatives in Congress like Texas senator Ted Cruz.

In exchange, Trump wants \$25 billion for “border security” (aka “the wall”), and an increasing number of Democrats have said they'd concede border funding in order to protect the so-called “Dreamers.” “I'll take a bucket, take bricks, and start building it myself,” Congressman Luis Gutiérrez of Illinois told reporters on January 20.

So if Democrats say they're willing to let Trump fulfill one of his biggest campaign promises, and Trump is willing to concede one of the Democrats' top priorities on immigration, why isn't there a deal?

A big part of the answer is chain migration. One condition of the White House plan is that legal immigrants would only be able to sponsor their spouses and minor-age children. Under current law, they may sponsor their parents and siblings, which creates a “chain” that can lead to the aunts, uncles, cousins, etc. of the original immigrant also entering this country legally. The Trump proposal—which would grandfather in people who have already applied under the chain-migration rules—would cut overall legal immigration numbers in half once the chain-migration backlog (applying often involves a wait of years) has been cleared, according to the libertarian Cato Institute. (Another part of the White House proposal is an end to the diversity lottery visas, but that's a much smaller change than curtailing chain migration.)

Many Democrats portray Trump's demand to limit chain migration as racist because it would eventually reduce legal immigration from places like Mexico and the Dominican Republic. Chuck Schumer rejected the White House proposal immediately. One immigrant-rights group called it a “white supremacist ransom note.” Democratic representative Michelle Lujan Grisham

of New Mexico said: “The White House is using Dreamers to mask their underlying xenophobic, isolationist, and un-American policies, which will harm millions of immigrants living in the United States and millions of others who want to legally immigrate and contribute to our country.”

But the White House proposal struck some liberals as a politically savvy move. *New York Times* columnist Thomas Edsall titled a February 1 column “Trump Has Got Democrats Right Where He Wants Them.” Princeton political scientist Nolan McCarty told Edsall: “Blocking [the White House plan] would allow the Trump administration to suggest that the Democrats were willing to trade Dreamers for ‘lottery’ and ‘chain’ migration.”

How committed is Trump to curtailing chain migration? It’s hard to know given his shifting comments. On January 9, he suggested he’d sign whatever deal Congress came up with. But then there was the infamous January 11 Oval Office meeting in which Trump trashed immigrants from “s—hole countries.” On January 25, the White House unveiled its plan, and Trump outlined it in detail in his State of the Union address.

What is equally unclear is why Democrats have decided to make chain migration a sacrosanct issue. As the *New York Times*’s Linda Qiu pointed out on January 11, the 2013 “Gang of 8” immigration bill sharply curtailed chain migration. “In 2013,” she wrote, “the Senate passed a bill that also eliminated visas for siblings and married sons and daughters over 31, and instead established a point-based system for their immigration. No Democrat voted against it.”

“In the Gang of 8 bill, we took family visas from 75 percent of the total down to 50 percent of the total,” notes Arizona GOP senator Jeff Flake, a member of the Gang of 8. “We did that by not allowing adult siblings to be sponsored. We still allowed parents to be sponsored.”

“The way the White House views it, it’s not an equivalent trade” providing a path to citizenship for 1.8 million people in exchange for \$25 billion in border funding, Flake says. The White House’s position, he goes on, is that “as soon as you involve a path to citizenship, then that triggers a need to change, you know, family reunification or chain migration, and therein lies the rub.”

On February 14, eight Republican senators and seven Democrats unveiled a bill that included amnesty for the Dreamers and \$25 billion for border security, and stipulated that the parents of Dreamers could not get citizenship because of the legal status of their children. But it made no other changes to chain migration and kept the diversity lottery visa program.

The bill got 54 votes on February 15—six short of the 60 needed to advance in the Senate. Only 39 senators voted for Trump’s plan, which was sponsored by Iowa senator Chuck Grassley. “If a solution is developed in the future that can pass both the House and the Senate and be signed into law by the president, it should be considered,” Senate majority leader Mitch McConnell said after both measures failed. “But for that to happen, Democrats will need to take a second look at these core elements of necessary reform.”

If Democrats’ main objection to the White House plan is that it would eventually reduce legal immigration numbers, there would seem to be a fairly obvious compromise: Keep immigration numbers about the same, but curtail chain migration and move toward a merit-based or employment-based system. The Cato Institute’s Alex Nowrasteh, who favors a more permissive immigration policy, says that the White House proposal was never “very serious” because it will

“drastically cut family-sponsored immigration at some point in the future” when the chain migration backlog is cleared. But “if [family-based] visas were, say, put into a brand new merit-based system,” says Nowrasteh, “then I think that would be a fine compromise and trade.”

“A lot of Democrats voted for the Gang of 8 bill, and I’m not sure they wouldn’t go for one that didn’t allow parents as long as legal immigration ticked up,” Flake said on February 8.

Asked how such a deal would fly with immigration restrictionists, the Center for Immigration Studies’s Mark Krikorian says: “I don’t know. Probably not. But I can’t speak for everybody.”

Krikorian, who wants a more restrictive immigration policy, says that the White House has privately portrayed its plan as Trump’s “final offer” and not an opening bid in a negotiation. But Trump has not publicly said that. “The nightmare scenario for immigration restrictionists is that the president is so desperate to be able to say he got the wall built that he would be willing to amnesty the DACAs in exchange for nothing but wall funding,” Krikorian says. But he thinks the president is now dug in on curtailing chain migration: “I’m increasingly of the opinion that nothing’s going to happen. I don’t see how the Democrats could agree to the least the president could accept.”

Krikorian also suggests Democrats may not feel any pressure to compromise on chain migration for two reasons. One, “they don’t believe the president will actually pull the trigger” and begin to target people covered by DACA for deportation when their permits start to expire likely sometime this spring or summer. And two, Democrats don’t want to lose the leverage the Dreamer issue provides to enact a broader amnesty. Another issue for Democrats is whether they could convince their own voters a compromise they made with Trump was a good thing.

Who’s to blame for this impasse—the White House for prioritizing curtailing chain migration over “the wall” or Democrats for prioritizing some of the relatives of future legal immigrants over Dreamers? It’s a question that may ultimately have to be decided by the voters.