



## Biden's pro-immigration agenda is more expansive than Obama's, but it has drawbacks

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The new Biden administration has the most expansive pro-immigration agenda of any president in decades. In the wake of Donald Trump — the most anti-immigrant president in modern times — it was inevitable that any Democratic successor would change course. But the scope of Biden's agenda goes well beyond merely reversing Trump's more egregious policies. If fully implemented, it would have enormous benefits for both potential migrants and current U.S. citizens.

It is especially notable that Biden is pursuing this agenda amidst the COVID pandemic. Historically, economic crises tend to promote nativism. The last year has been a rare exception, as public attitudes have continued become more pro-immigration.

Biden's otherwise admirable policies do have two drawbacks: heavy reliance on executive actions, and his proposal for a \$15 minimum wage that would shut many recent immigrants out of the labor market.

### Ending Trump's damaging immigration policies

Some of Biden's initiatives terminate Trump policies, such as reversing the anti-Muslim "travel bans" forbidding entry by residents of many nations with large Muslim populations, ending the "remain in Mexico" policy (though those previously subjected to it will not immediately be released), which forced asylum applicants to remain in dangerous conditions in Mexico for months on end, ceasing construction of Trump's border wall, and terminating Trump's efforts to pressure "sanctuary cities." Biden has also ordered a full restoration of the DACA program, which protects undocumented immigrants brought to the US as minors by their parents. The repeal of the travel bans is especially laudable, because that policy was motivated by anti-Muslim bigotry and cruelly separated many thousands of people from their families. Some other Trump policies are likely to take more time to wind down. But the administration still intends to ultimately reverse them.

Biden's immigration liberalization initiatives go well beyond undoing Trump's work. The new administration plans to raise the annual ceiling for refugee admissions to 125,000, which is not only a sea change from Trump's near-total gutting of the refugee system, but also a higher figure than even the peak number under the Obama administration (110,000). It also has imposed a 100-day moratorium on most deportations, and is likely to cut back on many even after.

The immigration reform bill Biden will submit to Congress would legalize nearly the entire population of undocumented immigrants currently in the United States — some 11 million people — and give them an 8-year pathway to citizenship. That goes beyond any previous presidential initiative. The bill would also expand legal immigration in a variety of ways, including dropping per-country quotas for employment visas, raising them for family reunification migration, and making it easier for family members of employment and H-1 B visa holders to get green cards and work authorization.

All told, Biden's agenda would expand legal immigration by up to hundreds of thousands of people per year, and enable many millions of undocumented migrants already here to "come out of the shadows" (as Barack Obama put it), and begin to live normal lives, fully integrated into our economy and society. These changes would transform the lives of vast numbers of migrants fleeing poverty and oppression. For many, it could literally mean the difference between life and death.

The Biden policies would provide major benefits to American society. Bringing undocumented immigrants out of the shadows would increase their productivity and facilitate assimilation. Increasing employment visas and other migration would further expand immigrant contributions to America's economy. Immigrants contribute disproportionately by starting new businesses at higher rates than natives, and making major contributions to scientific and other innovation. Immigrant scientists and medical workers have played a major role in improving health care, including being responsible for both of the new COVID-19 vaccines approved by the U.S. government.

*Lingering trauma: Families separated at border suffer long-term mental health challenges*

Curbing deportations would also protect the civil liberties of current U.S. citizens by reducing racial profiling, and the all-too-common detention and deportation of citizens by immigration enforcement agencies. Reducing deportation can also help combat the COVID-19 pandemic by incentivizing undocumented immigrants to get tested and vaccinated, which many now hesitate to do, for fear of being deported. America's often-unsanitary immigration detention facilities also help spread COVID and other diseases. Less deportation means less detention.

Biden's proposed immigration legislation is likely to face an uphill struggle in a closely divided Congress. But even partial passage could make a big difference. Moreover, the very fact that the president is proposing this law and making it a major initiative can help shift the "Overton Window" of political discourse. Even if these ideas are not enacted anytime soon, they will now be part of mainstream political debate.

Pass Biden's immigration reforms, but not \$15 minimum wage

One key weakness of Biden's immigration agenda is the heavy — even if sometimes unavoidable — reliance on executive actions. What one president does with a "pen and phone" can often easily be reversed by the next, as Biden himself is doing with many Trump initiatives. Some of the new policies are susceptible to legal challenge. The 100-day moratorium on deportations has been temporarily blocked by a federal court, for example.

Sadly, Biden's laudable immigration initiatives could also be undercut by his proposal for a nationwide \$15 minimum wage. If enacted, it would price millions of workers out of the job market by making it unprofitable for employers to hire them, and would have a disproportionate

negative effect on recent immigrants. This would both reduce immigrant workers' ability to contribute to the economy and impede their assimilation and social mobility (both of which are furthered by participation in the job market). These negative effects may be delayed, but not avoided, if the minimum wage increase is phased in over several years, as Democrats propose. Hopefully, Congress will reject this idea.

To make his immigration reforms more effective, Biden would do well to push Congress to enact as many as possible in legislation. He should also drop the ill-conceived minimum wage increase.

Despite some limitations, this is the most impressive immigration-reform agenda put forward by any administration in many years. If it is even partially realized, it will do much to restore what Ronald Reagan called America's role "as a beacon of freedom and opportunity that draws the people of the world."

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