

Americans in waiting

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In his State of the Union address, President Obama claimed correctly that the economy will benefit when undocumented immigrants are enabled to participate in it fully. In 1995, President Clinton used the same occasion to bemoan “the large number of illegal aliens” taking American jobs. Democrats have come a long way on the subject of immigration reform.

Recently, so have some Republicans. While Senator Marco Rubio’s SOTU rebuttal touched only briefly on immigration, the rising GOP star from Florida has been hard at work selling conservatives on reform. Rubio is part of the bipartisan group of senators that presented a framework for an immigration bill in late January. Meanwhile, former secretary of state Condoleezza Rice is cochairing a new task force of high-profile citizens formed to pressure Congress to pass immigration reform. If these bipartisan efforts lead to serious legislation, the economy will be better for it—as will many people’s lives.

But what constitutes serious reform? Obama focused on steps that he and the Senate group agree on: strengthen border security to keep undocumented people out and create a path to citizenship for the millions already in. Yet much remains to be hashed out, especially the specifics of the path to citizenship. How arduous a path will this be? And when can people get started?

Both the president and the Senate group have emphasized that a path to citizenship should entail paying back taxes and fees, undergoing a background check, learning English and “going to the back of the line” in the immigration queue. The question is whether these hurdles will be set at realistic, reasonable levels. If people have to wait for years and years—as they do now—this won’t serve to encourage undocumented immigrants to enter the process, nor future immigrants to enter legally.

As for when the process begins, the Senate plan would delay the path to citizenship and other provisions until a commission of southwestern officials certifies that border enforcement is working. But working how well exactly—and according to whom? If the law lets officials in the region decide when reform can proceed, it effectively gives them a veto over federal legislation that some of them will dislike anyway.

The ideal immigration reform bill would be less hawkish about border security—which has already been largely achieved (at great expense). It would address issues of trade policy that contribute to the root causes of mass emigration from other countries. It would give same-sex couples the same access to visas that other couples enjoy. And if it introduced any new visas for guest workers, it would give these workers job flexibility and the full protection of federal labor standards.

It was disagreement over guest worker programs that helped derail bipartisan immigration reform in 2007. As important as that issue is—as are many other details of reform—what matters most is that Congress and the president create a way for millions of people to step out of the shadows of American life and become citizens.