



Statement for the Record

House Judiciary Committee Subcommittee on Immigration Policy and Enforcement

Hearing on H.R. 704, the “Safe for America Act”

April 5, 2011

The National Immigration Forum works to uphold America’s tradition as a nation of immigrants. The Forum advocates for the value of immigrants and immigration to the nation, building support for public policies that reunite families, recognize the importance of immigration to our economy and our communities, protect refugees, encourage newcomers to become new Americans and promote equal protection under the law.

We are submitting our views about the subject of this hearing, to eliminate the Diversity Visa Lottery Program.

The Diversity Visa Lottery Program was established by the 1990 Immigration Act to ensure that our legal immigration system would be open to nationals from countries that send relatively few immigrants to the U.S. Because the U.S. immigration system is primarily family-based, the limited number of immigrant visas available annually can be quickly consumed by the close family members of persons from the relatively few countries that currently dominate our immigration stream. Family-based visas are not available to persons whose family ties to the U.S. are more distant than the immediate family—spouses, children, parents, brothers and sisters. So, for the Irish, for example, there are few opportunities to immigrate legally, because family ties to the U.S. are more distant. Nationals from Ireland do have an opportunity to apply for an immigrant visa through the diversity lottery.

The subcommittee proposes to eliminate this important avenue for legal immigration. At the same time, it does not propose to re-allocate these visas to relieve backlogs elsewhere in the legal immigration system.

It is hard to understand arguments that claim the Diversity Visa Lottery is a threat to this country, since any immigrant who is chosen to apply for a visa must go through the exact same screening that anyone obtaining an immigrant visa must submit to. That screening is much more rigorous than screening for the millions who come to the U.S. each year as visitors.

With Congress’ repeated failure to update our immigration laws over the last 10 years, the number of immigrant visas available (a number set more than 20 years ago) is not sufficient to meet demand in 2011. There are backlogs for both family-based and employment-based visas, and long waits serve as an incentive for illegal immigration. What the Subcommittee is proposing is to *reduce* the number of legal visas available, a move that will likely *increase*

incentives for illegal immigration. It is hard to understand how creating a greater incentive for illegal immigration is something that will keep America safe.

We hope that the committee does not act to reduce legal immigration and create even greater incentives for illegal immigration.