6/4/2024; Our immigration identity crisis

[HALF SECOND OF SILENCE]

[BILLBOARD]

SEAN RAMESWARAM (host): Remember just a few days ago when, for the first time ever, a United States president got convicted of a felony? Of 34 felonies? The first thing he said was, of course, the whole trial was rigged.

*<CLIP> TRUMP’s remarks outside courthouse: I’m a very innocent man.*

SEAN: But the second thing he said was:  
  
 *<CLIP> TRUMP: Our country’s gone to hell.*

SCORING IN <Nevertheless (knocking drums, prepared, warble synth, lofi, bright melody, relaxed, melancholy, pensive)-01.A1>

SEAN: He was weirdly talking all of a sudden about immigration.

*<CLIP> TRUMP: Millions and millions of people pouring into our country right now, from prisons and from mental institutions, terrorists.*

SEAN: The next day he spoke about his guilty verdicts again. This time immigration was the *first* thing he wanted to talk about.

*<CLIP> TRUMP’s “speech” from TRUMP TOWER: When you look at our country what's happening where millions and millions of people are flowing in from all parts of the world -- not just from South America -- from Africa, from Asia, from the Middle East.*

SEAN: It’s an election year and the leading Republican candidate, maybe the leading candidate period, wants to make it all about immigration. So we’re gonna talk about our options on *Today, Explained*.

[THEME]

SEAN: *Today, Explained.* Sean Rameswaram.

Former president Donald Trump only wants to talk about immigration. He’s promising mass deportations. He wants to end birthright citizenship for people who are here unlawfully. He’d like to deny entry to *legal* immigrants, depending on their ideological beliefs. He’ll be the first to tell you immigrants are:  
  
 *<CLIP> TRUMP STUMP SPEECH: … they’re poisoning the blood of our country.*

SEAN: Biden’s platform on the other hand is … evolving? He came into office big on being humane. But then he started breaking records. In a bad way. Illegal border crossings are averaging two million a year under his watch. That’s the most ever – the worst this problem’s ever been. And it’s starting to affect his approach.

Today he announced he wants to close the Southern border with Mexico and suspend asylum protections. It’s a pretty Trumpy policy position to take. And without a doubt he’s taking it because the crisis at the southern border is shifting American attitudes on this issue. Just ask Gallup!

LYDIA SAAD (Director of U.S. Social Research, Gallop) : I'm Lydia Saad, not Lydia Sadd, director of U.S. social research at Gallup.

SEAN: For decades, Gallup’s been asking Americans one big huge question:

LYDIA: Yeah. So that's our “most important problem facing the country” question. And that one actually goes back 65 years. And in April, which is our latest reading on that, immigration was the most often mentioned problem, mentioned by 27% of Americans. The next most often mentioned problem was the government itself. At 18%.   
  
SEAN: <laughs> Immigration is a huge issue and we’d get rid of that. Get rid of the government.

LYDIA: Yeah, yeah, that's a popular one.

SEAN: But just because Americans increasingly think immigration’s our biggest problem, doesn’t mean they want to shut it all down like Donald.

LYDIA: Overall, the public thinks immigration is a good thing. They welcome immigration in concept, but they're concerned about illegal immigration. And so at the border they want to see basically a process put into place so that people are processed correctly without all of this chaos, basically, that's happening at the border. And then all of this sending migrants to blue cities and all of that, that just doesn't make sense to people. Like, there's something broken, right?

SEAN: Americans aren’t asking for much. For the most part, they simply want an immigration system that works. One that lets people who wanna make this country better in, and keeps people who don’t out. And this is something of a shift from, say, thirty years ago.

LYDIA: Back in the 90s, when immigration was a lot less popular than it is today, there was much broader concern about immigration. People wanted it decreased, didn't think it was a good thing. Since then, Republicans have continued to see immigration as a net negative for the economy, even more so today. But Democrats have really switched and now see immigration as a positive for the economy.

SEAN: And it’s worth thinking about where Americans were on this issue thirty years ago, because, according to Vox alum Dara Lind, it was thirty years ago that Congress last managed to do something on this issue.

DARA LIND (Senior Fellow, American Immigration Council): When we're talking about the kind of broader issue and it's not just legal immigration, but also enforcement, you have to look at 1996 …

SCORING IN <Bees - Marble Beat NO SYNTH>

*<CLIP> Bill Clinton on Illegal Immigration at 1995 State of the Union*

*CLINTON: All Americans not only in the state's most heavily affected but in every place in this country are rightly disturbed by the large numbers of illegal aliens entering our country*

DARA: … when Congress passed a fairly broad bill that stepped up immigration enforcement in the United States and narrowed ways for people who were here without authorization to get legal.

*<CLIP> Bill Clinton on Illegal Immigration at 1995 State of the Union*

*CLINTON: that's why our administration has moved aggressively to secure our borders more by hiring a record number of new border guards by deporting twice as many criminal aliens as ever before by cracking down on illegal hiring by borrowing welfare benefits to illegal aliens. In the budget I will present to you we will try to do more*

DARA: So the political context of 1996 is really important, right? If you're familiar with political history, you know, 1996 as, you know, not just a presidential election year, but the year that president Bill Clinton signed welfare reform and the Antiterrorism and Death Penalty Act and signed this immigration bill, IIRAIRA.

*<CLIP> Bill Clinton on Illegal Immigration at 1995 State of the Union*

*CLINTON: We are a nation of immigrants but we are also a nation of laws it is wrong and ultimately self-defeating for a nation of immigrants to permit the kind of abuse of our immigration laws we have seen in recent years and we must do more to stop it. <applause>*

DARA: And all of those were part of this post 1994 pivot to the right that the Clinton administration did to make the case to voters that they were governing in a centrist fashion, and that required working with Republicans in Congress to demonstrate that the Clinton administration could be trusted to keep the country's best interests at heart and not just govern from the left.

SCORING OUT

SEAN: And it’s not like the left and the right haven’t tried to pass immigration reforms since then. They’ve tried and failed over and over and over again.

SCORING IN <Strega Nona (banger, west coast, hip hop, synth, pizzicatos, guitar mute, head nod)>

DARA: When President Obama tried to pass a bipartisan immigration bill in 2013. It was, like, you know, negotiated with like four Republicans and four Democrats in the Senate.

*<CLIP> Gang of Eight Presents Immigration Bill, PBS NewsHour*

*Schumer: We are here to announce that eight senators, from opposite sides of the political aisle are coming together on a common sense immigration reform proposal that we believe can pass the Senate.*

DARA: Very old school. Let's all work together.

*<CLIP> Gang of Eight Presents Immigration Bill, PBS NewsHour*

*McCain: The legislation isn’t perfect. There are provisions most, if not all senators can support. Some will appeal more to one side than the other. No one will like every provision in the bill. Nor should anyone oppose every provision*

DARA: There was polling at that time that showed that Republicans supported the bill until you told them Obama supported it. Immigration was an issue that resisted polarization for a long time. And then that stopped.

SCORING PAUSE

DARA: And Donald Trump took that trend. And actually …   
  
 SCORING COMES BACK BUT FASTER   
  
DARA: … he accelerated it to the point that immigration was the point of the spear for his argument about why he should be president, that immigrants were bad people, that they were committing crimes against U.S. citizens, and that what you needed was a tough guy who was willing to say you're a bad person, and that would fix the problem. So, you know, the Trump administration had this huge decrease in numbers in 2017 when Trump was inaugurated, which then increased through 2018, fall of 2018 into 2019, into what were then numbers that we hadn't seen in seven, eight years. And the Covid pandemic was the best thing that could ever happen to them, because a they used this obscure public health policy to start expelling people without even giving them the chance to seek asylum in the United States. But also, nobody was moving in spring of 2020. And so the numbers went down again. And it allowed them to obscure the fact that nothing in immigration crackdowns works forever.

SCORING OUT

DARA: But on the flip side, you know, immigration doesn't just encompass immigration enforcement, but also legal immigration and the Trump administration's efforts to impose extreme vetting and to slow the process and to make it really, really hard for people to immigrate legally, did create the situation where the agency that deals with legal immigration, USCIS, is still really struggling from backlogs, from the one two punch of Trump and the Covid pandemic. And, you know, again, this isn't a thing that Americans are usually thinking about when they think about immigration. Immigration and the border are kind of synonymous. But in terms of what the Trump administration was really enthusiastic about, even more so than the border, where they really distinguished themselves from previous administrations, was that it wasn't a legal immigration good, illegal immigration bad. It was all immigrants should be held to a higher degree of scrutiny.

SEAN: Biden wins the election in 2020. Famously.

DARA: Mm-hm.

SEAN: Undisputed win.   
  
DARA: <chortles>  
  
SEAN: He comes in and says he's going to turn the page on immigration. But here we are, four-ish years later, and he's adopting many of the policies that Trump promoted.

*<CLIP> The Biden administration flip flops on Title 42, MSNBC*

*Mehdi Hasan: The Biden Administration reversed course and announced that they were planning to expand Title 42.*

SEAN: Does that mean that Donald Trump was on to something?

DARA: I think it's a partisan polarization of this can imply that Democratic elected officials have a totally different strategy than Republican elected officials in terms of what a border solution would look like. Unfortunately, we haven't seen that. What we've seen is that the idea that the solution to the border is to stop people from trying to come in to begin with is a really, really seductive one, because that's the only way you get apprehension numbers down. The way we measure border security isn't the number of people who are getting through, it's the number of people who are getting caught.  
  
SEAN: Hm.   
  
DARA: And so even in a world where a ton of people are getting caught and all of them were getting deported, you would still have these numbers going up. So it makes sense in that framework that the solution people seize on is, ‘Well, we got to stop them from wanting to come.’ The problem is that the US doesn't control the world …   
  
SEAN: <chortles>  
  
DARA: … and it can't stop people from needing to flee their home countries, and it can't force them to stay places where they can't make a living or where they're unsafe.

SCORING <cellocel (sad, fast)>

DARA: So the Biden administration has been struggling because they don't particularly want people to be able to come to the US, who, you know, may not have strong asylum claims and ultimately be allowed to stay.

*<CLIP>Kamala Harris tells migrants 'do not come', Guardian News*

*Kamala Harris: Do not come. Do not come.*

DARA: And what that's meant has been that they've done some stuff to increase alternate legal pathways – to allow people to come to the US temporarily without requiring them to just present themselves at the US-Mexico border – but they've tried to make it harder for people who present themselves at the US-Mexico border to ultimately get asylum in the United States. I mean, Trump didn't invent that approach. Obama was doing some kind of border crackdowns in 2014, but it demonstrates just how narrow the solution space is that instead of letting go of the fantasy that you can just stop people from coming, there is this persistent, ‘Oh, we just haven't tried the right combination of buttons to press to unlock the deterrence cheat code.

SCORING BUMP

SEAN: Dara Lind is a senior fellow at the American Immigration Council, and a former reporter for Vox. Dara is hinting at a bit of an identity crisis we’ve got here in the United States. We’ve never believed in immigration more, but also it’s our biggest problem. And we gotta do something about the border. But do we have the stomach for it? Up next on *Today, Explained*, we’re gonna hear from an arch-conservative on this issue, who thinks we do. And he says we’ve gotta have the stomach to keep out most everyone else who wants to come.

[BREAK]

[BUMPER]

SEAN: For this show, we wanted to get at the heart of Donald Trump’s immigration philosophy, so we reached out to Stephen Miller – the guy who basically wrote it, but Stephen didn’t reach back. So we settled for Mark Krikorian – the guy whose work Trump and Miller are always citing.

*<CLIP> NPR REPORT: PRESIDENT DONALD TRUMP: The Center for Immigration Studies estimates that 62 percent of households headed by illegal immigrants …*

SEAN: Mark Krikorian is the executive director of the Center for Immigration Studies in Washington, D.C. If you’ve never heard of it, think of it more like the Center for ANTI-immigration studies. He’s been called the “Leading theorist of immigration *restriction* in America,” and our “Chief nativist.” And we wanted to know what our country’s nativist-in-chief would do if he were in charge. And he had two answers: One for if he were president and one for if he were some kind of all-powerful emperor.

MARK KRIKORIAN (Executive Director, Center for Immigration Studies): If I were emperor. Well, first of all, legal immigration, I would reduce to the spouses and minor children of U.S. citizens.

SEAN: Hm!. So you would reduce legal immigration to to essentially, you know, what, what's that? What's that, like, a 90% reduction? 95?

MARK: No, no, no, that's, spouses and minor children, are like 400,000 people a year.

SEAN: Okay.

MARK: And that's just something that, you know, I think is inarguable, frankly, as long as it's legitimate. I mean, there are always there's always fraud and everything. But if it's legitimate spouses, the Americans actually married somebody abroad and brought them here or adopted a baby, which almost never happens anymore. You know, that's legitimate. But you're limited to that. And then a handful of Einsteins.  
  
SEAN: <giggles>  
  
MARK: Real Einsteins and a handful of genuine humanitarian cases who literally have nowhere else to go …  
  
SEAN: Hm.  
  
MARK: … which is not a very large number. But it's, you know, 60, 70% less than we take now.

SEAN: Now, I want to ask you what you would do if you were president…

MARK: [laughs]

SEAN: … and you had to deal with Congress. You had to deal with a divided Congress.   
  
MARK: Sure.   
  
SEAN: You had to deal with Democrats, who have fundamentally different opinions on you and how many people we should be letting into this country. What would you do then?

MARK: Obviously, a harder nut to crack. It's always easier to, to imagine what you're going to do when you have unlimited power.

SCORING IN <Locrian - Snails Attack!>

MARK: In the real world, the first thing that has to be done is we need to regain control over who's coming into the country. That is the prerequisite for even discussing what legal immigration should be.

*<CLIP> U.S. border crisis divides the country, CBS Sunday Morning Reporter: Since the Biden Administration took office in 2021 there have been at least 6.3 million migrant encounters at us borders 2.4 million of those people have been let in mainly Asylum Seekers apprehended then turned loose to wait for their court dates and eligible for work permits after 6 months*

MARK: You stop releasing people. That means you're going to need to detain people who come across. For that, you're probably going to need DoD resources because they can set up holding facilities quickly and large scale. It's going to cost a lot of money for a couple of months. But once people get the message that you're not going to just be let go, the flow dramatically is reduced. The reason people are coming, and we've talked to them before they get lawyered up in the United States, and they just freely say, well, it's because they're letting everybody go. And, that's why we're coming. So that's the first thing you do. But sort of to kind of map out what I would do. Let's say I'm president over two administrations, I get reelected. The first term would be all enforcement. Seriously, no, B.S. would mean deporting everybody because the resources don't exist for that, but it would mean deporting a lot of people, sending the message that the party was over and through attrition, shrinking the illegal population significantly. That is a realistic goal. Once we have tamed the idea of sanctuary cities, then in my second term, my proposal would be now let's legalize the illegal aliens who were left in exchange for dramatic reductions in legal immigration. Those people get a quick rip off the Band-Aid amnesty, no 13 year path to citizen– that’s all B.S. Get it over with quickly, in exchange for immigration, legal immigration, coming down by, let's say 60 or 75%.

SCORING OUT

SEAN: There are two guys running for the big job. Neither one of them is proposing what you're proposing. But as we established, Americans choose immigration as the biggest problem facing this country right now, more than any other issue, what would you have them vote for? Who would you have them vote for?

MARK: Look, the center for Immigration Studies is a 501c3 nonprofit. We don't engage in electioneering. I can only tell you who I would vote for as a citizen. And I'm going to be voting for Trump. Um, look, the guy's got lots of baggage.

*<CLIP> TRUMP’s remarks outside courthouse: I’m a very innocent man.*

MARK: But he's the closest thing we have to somebody who is willing to address the immigration issue. And I mean, not just in his, you know, usual way of, you know, build the wall and all that stuff. But even when you look at the legislative proposal the white House put forward in 2018 that almost passed the House, it actually would have amnestied, probably between 2 and 3 million illegal aliens – ‘Dreamers’, so-called – in exchange for serious legislative fixes and a reduction in certain categories of legal immigration. So that approach is, I think, the way to square this circle, the way to get to more of a stable consensus on immigration policy.

SEAN: Do you think Americans have the stomach for cruelty? Because I think what came out of the Trump administration was that a lot of Americans didn't want to see kids in cages, and then you had Biden come in and say, ‘No more kids in cages.’ And I don't think a lot of Americans would argue that he's done a great job on immigration, but he did try to reset the tone to something that felt more American in nature, at least to himself, perhaps to the Democratic Party, perhaps to a majority of Americans. Whereas Trump took the, the hard approach; ‘Build the wall!’, put the kids in cages. ‘Mexicans are rapists’. Barack Obama is a Kenyan. There are shithole countries, and they are good countries. They happen to be brown versus white. Do you think that Americans have the stomach for four more years of that?

MARK: Yes. Especially after four years of seeing what the consequences of not turning people away are. Much of the world is a unfortunate and broken place. Just because you can sneak across our border doesn't mean you get to stay here. You know this idea that, that it's somehow virtuous for us to break the rules for those who manage to get here – even though there are people much worse off elsewhere in the world – is, kind of juvenile. It's not a mature way of making policy. So to answer your question, yes, I think it is politically sustainable. Now, will Trump talk about it in a way to make it harder to support real enforcement of immigration laws? Maybe. That's, you know, yet to be seen, but it's entirely possible. But to the question of … are … will the American people support enforcement of immigration laws? The answer is yes, especially because Biden has shown them what the consequences are of not enforcing immigration laws.

SEAN: There is a legal pathway for, you know, a woman fleeing gang violence, the threat of murder in a Central American country to enter the United States, yes?

MARK: No.

SEAN: There's not any legal pathway?

*<CLIP> NPR*

*MARY LOUISE KELLY: Survivors of domestic and gang violence have better odds of getting asylum in the U.S. after a move today from the Biden administration. The Justice Department says it's vacating several controversial decisions from the Trump administration that sharply limited who is eligible for asylum.*

MARK: Gang violence is not a basis for asylum, and it shouldn't be a basis for asylum. And if she wants to flee, and I can see why you might want to flee. Mexico is right next door or right nearby. And you don't get to come here just because you don't like where you live and you prefer the United States. Sorry, but there's 7 billion plus people in the world who don't live in the United States, and they don't all get to move here. We are the ones who get to decide who comes here and who doesn't.

SCORING IN <An Egg Shaped Room>

MARK: There are going to be people who we're going to kind of be stuck with, as it were. But genuine asylum seekers actually are going to grab whichever life preserver is closest at hand. And if people are asylum shopping, as it were, using it as a gambit to enter the United States, they can't be allowed to do that.

SCORING BUMP

SEAN: Mark Krikorian runs the Center for Immigration Studies in Washington, D.C.

Tomorrow on the show, we’re gonna kick things off with someone who’s maybe on the polar opposite of the ideological spectrum from Mark – maybe the most impossibly optimistic individual on immigration in the United States. And he happens to be running a city that most anyone would agree is experiencing a crisis. The mayor of Denver, Colorado; Mike Johnston.

Our show today was produced by Hady Mawajdeh and edited by Matthew Collette. We were fact checked by Laura Bullard and mixed by Patrick Boyd and Andrea Kristinsdottir.

It’s *Today, Explained.*

[10 SECONDS OF SILENCE]