

Two Reasons to Rejoice on Immigration

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Body

In one bold stroke, Congress has overhauled American immigration policy, making it easier for people with skills or controversial views to enter the United States. Negotiators first struck an agreement to expand legal immigration and then, in a surprise move, decided to drive a stake through the heart of the McCarran-Walter Act, one of the worst vestiges of the McCarthy era.

It's a wonderful development, but one that imposes on the Administration a duty to act in good faith and be more tolerant of those who hold distasteful views.

Under the proposed law, 700,000 new immigrants would be allowed to enter each year for three years, starting in 1992. After 1994, the total would drop to 675,000. Currently, about 540,000 immigrants are allowed. The increase would be used, mostly, to bring in skilled workers, like scientists and engineers. That will help keep America competitive in the next decade, while preserving the traditional focus on family reunification.

Of the 700,000 new immigrants, 465,000 would be relatives of people already residing here permanently; 140,000 would be skilled workers and their immediate families; 40,000 would come from nations that have not obtained many visas in recent years; and 55,000 would be related to aliens who gained legal status under a 1986 law.

The first overhaul of legal immigration in 25 years would be accomplishment enough. But Congress has gone even further, gutting a McCarthy-era law that allowed the Government to bar controversial foreign visitors. The 1952 McCarran-Walter Act lists 33 grounds for exclusion. One is "sexual deviation"; others cite membership in the Communist Party or a belief that the visitor would pose a threat to national security.

As global threats recede, Congress is taking a less hysterical view. Although suspected terrorists could still be kept out, restrictions on Communist Party members have been modified. Visitors or immigrants could no longer be denied entry on the basis of sexual preference or mental conditions like depression or retardation. And the Department of Health and Human Services would be allowed to remove AIDS from the list of diseases for which people may be excluded.

The new law is not wholly free of ideological judgments. One troubling provision allows an alien to be excluded if the Secretary of State determines that there is a "compelling" U.S. foreign policy interest in doing so. Congress has made it clear this power is to be used sparingly.

Working together, Congress and the Administration can make this new law a monument -- to a nation of immigrants and a bastion of free speech.

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