

5 Reasons Immigration Reform Might Actually Pass

[Benjy Sarlin](#) March 4, 2013, 6:00 AM

No one would blame supporters of immigration reform if they were pessimistic about the chances of getting a comprehensive bill passed this year. After all, in recent years they've already seen one bill go down in flames, another never get off the ground, and just last year endured a presidential election in which Republican candidates were attacked for showing even the slightest sympathy towards undocumented immigrants.

And yet, activists and politicians working on a bill are sounding increasingly confident — even cocky — about their chances. There's a bipartisan Senate plan already making the rounds, a House group readying a bill of their own, and a broad coalition of powerful interests from churches to big business to Republican fundraisers marketing the whole project.

But most importantly, the months since the election have seen a number unexpected developments that indicate a bill may have more momentum than its backers initially hoped.

Everything comes with the caveat that it's still early and there's plenty that could go wrong in the months before a final draft of legislation, let alone a final vote. But the points in its favor are piling up too fast to ignore.

Here are five reasons that the prospects for immigration reform are looking a lot better than they were even a few weeks ago:

The House Is Actually Passing Stuff

It used to be assumed that Republican leaders would not schedule a vote on any bill that didn't have the support of its own caucus, a group not exactly known for its warm relationship with undocumented immigrants. Barely two months into 2013, that assumption is already kaput. Since the election, Speaker John Boehner (R-OH) has passed a [tax deal](#), [Sandy relief](#), and this week the [Violence Against Women Act](#), all with large chunks of his own party voting nay. In doing so, he's established a new de facto rule: when bills become a political albatross around the national GOP, he'll pass them [any way he can](#).

No issue falls under that category more than immigration reform, which Boehner, Majority Leader Eric Cantor (R-VA), and Budget Committee Chairman Paul Ryan (R-WI), among other Republican leaders, have all expressed strong interest in passing in some form and soon. Should House conservatives stall reform while the Senate passes a bill with a strong bipartisan vote, there will be enormous pressure on Boehner to follow the route he took on the Violence Against Women Act and bring it to the floor.

“Boehner is ruling the House in a way we didn't think was possible just three months ago,” Angela Kelley, vice president for immigration policy and advocacy at the liberal Center for American Progress, told TPM. “It's a good precedent.”

Politicians Are Fighting Away From The Ledge

Republicans raised hell after a draft of the White House's own immigration bill leaked last month. And no one was madder than Sen. Marco Rubio (R-FL), who called it a "half baked" bill that was "dead on arrival" in the House.

Bad news for immigration reform, right? Well, here's the funny part. Rubio's own Senate plan isn't all that different in concept than the White House's. And the source of the fiercest attacks on reform in general is border security, an area that Obama's leaked plan would bolster, too. In fact, Sens. John McCain (R-AZ) and Lindsey Graham (R-SC) — not exactly Obama's [best friends](#) lately — emerged from a White House meeting [singing the president's praises](#) on exactly that issue.

Few pro-reform activists seem to think that the Senate plan's biggest difference with Obama's bill, a "trigger" that would only let undocumented immigrants apply for a green card and subsequently citizenship after border security measures took effect, is enough to threaten a bill. Instead, the argle-bargle over the White House draft had more to do with the politics of passing a bill, where it's important for conservatives like Rubio to [keep their distance](#) from Obama, than any actual policy differences. Which brings us to the next green shoot for reform....

Immigration Opponents Are Keeping Quiet

So that thing Rubio is doing, where he rips the White House's immigration plan then tells conservatives they should stick it to Obama by passing his own (mostly similar) version? It might actually be working.

Rubio's been making the rounds with the same radio hosts, TV commentators, and columnists who helped kill immigration reform in 2007, using his popularity with the tea party right to make the case that his bipartisan Senate plan is neither "amnesty" nor a sop to Democrats. At the very least, he's gotten a pretty respectful welcome, even from hosts like [Rush Limbaugh](#) who are still overtly anti-reform. And in some cases, he's gotten something approaching [begrudging support](#).

Meanwhile, Fox News is largely getting on the immigration reform train, with [Rupert Murdoch](#), [Sean Hannity](#), and [Bill O'Reilly](#) all saying nice things about legalizing undocumented immigrants. And so far there isn't anyone close to the equivalent of Lou Dobbs during the last immigration debate, a widely watched commentator who makes killing a bill their *raison d'être*.

"The screamers and haters are not dominating the debate the way they did last time," Frank Sharry, executive director of the pro-reform America's Voice Education Fund, told TPM. "Rubio has had a lot to do with that: he's engaged the conservative press in a thoughtful way and it's been beneficial."

Labor And Business Aren't Killing Each Other

Farm, hotel, and meatpacking companies are looking to immigration reform to give them a legal route to hire cheap foreign labor, something that reformers say needs to happen in order to prevent another buildup of undocumented immigrants. But unions are worried that they'll end up using a guest worker program to undercut American workers with easily exploited scabs.

Senators working on a bill have [bitter memories](#) of watching their 2007 reform efforts go down in flames as labor groups opposed its guest worker program and business groups complained that it didn't go far enough. This time they've asked the two sides to negotiate their own solution as a possible model, which is no easy task.

So far, however, they've actually [made some progress](#): last month the AFL-CIO and Chamber of Commerce put out a statement of principles indicating a possible compromise built around a temporary visa for workers and an independent federal agency to track labor shortages so workers can tell whether industry's claims of labor shortages are legit. Both sides warn that the details are far from complete, but as long as they keep talking, immigration reform's chances for passage are vastly improved.

There's A Path To A Path To Citizenship

Along with the guest worker fight, the next most contentious issue is a path to citizenship for undocumented immigrants. Democrats and immigration activists say they'll walk without a clear route to citizenship at some point, even if it's not an immediate one (Obama's plan would take [at least 13 years](#) to kick in). It's [less clear](#) how the Senate's plan works, but it does commit to a path to citizenship as well, including an expedited route for young undocumented immigrants and agricultural workers.

The House side is still a mystery, though. There's a bipartisan group working on a bill that contains an [odd mix](#) of pro-reform progressives and border hawk conservatives and they've yet to leak any significant details about their plan. There's a lot more skepticism about a path to citizenship on the House side, but key Republicans are leaving at least some wiggle room for them to adopt one. This is made somewhat easier by the fact "path to citizenship," like "amnesty" is a [vague, malleable term](#). Some Republicans, for example, say they're against a "special path to citizenship," but that they'd let undocumented immigrants "get in the back of the line" behind legal applicants for green cards and citizenship under a process that [actually might give them a chance](#) of being approved.

As for House leadership, top Republicans including [Boehner](#), [Cantor](#), and especially [Ryan](#) are going out of their way to encourage bipartisan talks, even if they haven't pledged to support the results.

Add it all up and immigration reform, while nowhere near passage, is gliding along about as smoothly as supporters could hope so far.

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