

# Despite Talk, Immigration Overhaul Not A Guarantee

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Speaker of the House John Boehner, R-Ohio, speaks during a news conference in the Capitol on Nov. 9. Boehner has said Republican House leaders and Obama "can find the common ground" on immigration policy. (Getty Images)

Now that Republicans are widely [embracing an overhaul of immigration laws](#), even a path to legal status for illegal residents, will their members in Congress follow through?

At first glance, it appears that they just might. After the election, in which more than 70 percent of Latinos voted for President Obama, House Speaker John Boehner, R-Ohio, [said](#) "a comprehensive approach is long overdue" and that Republican House leaders and Obama "can find the common ground."

On Nov. 16, Florida Rep. Mario Diaz-Balart [announced](#) that he and fellow Hispanic Republican lawmakers had begun meeting with Democrats to "find a bipartisan solution."

Democratic Rep. Luis Gutierrez of Illinois, who has aggressively pushed for immigration reform, even when his fellow Democrats were silent, couldn't be happier.

"Finally, thank God," Gutierrez says. "On a serious note, I've met with a dozen of my colleagues on the Republican side, and they have all said, 'We've got to get this done.' This election proved that people won't accept doing nothing. And they won't accept finger-pointing."

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Matthew Spalding, vice president of American Studies at the Heritage Foundation

## **Blueprint For Bipartisan Talks?**

This coming week, the Congressional Hispanic Caucus, which consists largely of Democrats, is expected to release a set of "principles" that they hope will guide bipartisan talks when the new Congress begins in January. Obama also has urged lawmakers to "seize the moment" early next year.

The Hispanic caucus's parameters will include the bedrock goals of Democrats and immigrant advocates, such as a path to legal status if not outright citizenship, and requirements such as learning English and paying back taxes. Also included will be conservative priorities such as securing U.S. borders and worker verification.

Gutierrez, who is a member of the caucus, says now is the time "to let the process work amongst our Democratic and Republican members. Will they come to some kind of flowering? I think so."

So far, the new esprit de corps hasn't spread to Republicans on the House immigration subcommittee, which could act as the conservative firewall against new legislation. The committee is packed with members who support limited immigration and oppose legal status for illegal immigrants.

The retirement of subcommittee chairman Elton Gallegly, R-Calif., at the end of the year could lead to the elevation of vice chairman Steve King, R-Iowa. King has been an archenemy of immigrant advocates and last year introduced a bill to eliminate automatic citizenship for children born in the United States to illegal immigrants.

In recent days, Boehner has backed off the idea, preferred by Democrats, of a single immigration bill and suggested that revisions could be divided into several smaller measures. That approach is favored by conservatives, whose support Boehner must have for any deal.

"There's a lot of distrust on both sides of this debate, and I think a lot of distrust in the American electorate on this debate," says Matthew Spalding, vice president of American Studies at the Heritage Foundation, a conservative think tank. "The potential problem is if this immediately becomes framed as the same pre-existing alternatives, like, 'Let's do everything in one big piece of legislation,' which is complicated, expensive and hard to do, I'm not sure trying it for a third time would work."

Spalding says the bills could separately target issues such as border security, problems in the immigration system, such as visa backlogs, and the status of people already in the United States.

### **Testing The Waters**

The first test could come with the introduction of a Republican immigration bill during the current lame-duck session of Congress. The STEM Jobs Act would increase the number of green cards for foreign-born graduates in the United States with doctorates in science, technology, engineering and mathematics. The bill failed to pass the House in September, despite 30 Democrats having voted for it.

But it's not the olive branch many Democrats want. Its author, conservative Rep. Lamar Smith (R-Texas), has been a staunch opponent of immigrant advocates, favoring a limited flow of foreigners and opposing a path to citizenship for those already in the United States.

In an editorial letter published by [Politico](#) on Tuesday, Smith criticized as flawed a recent [ABC News/Washington Post poll](#) in which 57 percent of all respondents said they support a path to citizenship. Smith wrote that the results merely support "the media's predetermined notions."

Smith cited Rasmussen Reports polls from 2011 in which majorities of respondents favored securing U.S. borders over granting legal status — or amnesty, as Smith put it — to illegal immigrants.

Democrats oppose Smith's bill because they say it wouldn't significantly relieve the backlog of more than 400,000 high-skilled immigrants awaiting permanent green cards and would take 55,000 green cards per year from the diversity visa category, eliminating that program. Diversity green cards are issued to people from African nations and other countries with low rates of emigration to the United States.

Democratic Rep. Zoe Lofgren of California has proposed a similar bill that instead would add new green cards for high-skilled workers while preserving the diversity visa program.

Some Democrats, preferring not to poison the potential for a bipartisan compromise, quietly bristle at the possibility that Republicans could bring Smith's bill to the House floor for a vote by using a "closed" rule, which would prevent Democrats from attaching amendments.

### **In Senate, Dueling Versions Of DREAM Act**

In the Democratic-controlled Senate, members in both parties already have pledged action on immigration. Sens. Chuck Schumer, D-N.Y., who is expected to return as chairman of the chamber's immigration subcommittee, and Lindsey Graham, R-S.C., want to revive their 2010 wide-ranging proposal that would include a guest-worker program, automatic visas for foreign-born graduates with advance degrees in high-tech fields, and legal status for those with no criminal records who pay a fine.

Several Republican senators, such as Marco Rubio and Susan Collins, want to pass an updated DREAM Act, which would offer a path to citizenship for young adults brought to the United States as children. The original bill, drafted by Democrats, failed in the Senate in 2010.

Collins, of Maine, was among the Republicans who defeated the DREAM Act in 2010. Rubio, of Florida, who is Cuban-American, has been working on his own version but hasn't released details.

Republican Sens. Kay Bailey Hutchison of Texas and Jon Kyl of Arizona, who are retiring at the end of this year, have proposed a pared-down version of the DREAM Act, called the ACHIEVE Act, which would offer legal status but not citizenship.

Immigrant activist Cesar Vargas, director of the DREAM Action Coalition, said in a recent blog post in [The Hill](#), that the ACHIEVE Act would be "untenable" for young people.

"The American people certainly appreciate the proactive efforts of the Republican leadership for beginning to engage in the conversation of immigration," Vargas said in the post. "However, voters, specifically Latino voters, spoke clearly on election day that they support the original DREAM Act. Mitt Romney garnered only 27 percent of the Latino vote, primarily due to his threat to veto the DREAM Act."

Obama's [deferred deportation program](#) targets DREAM Act-eligible people, though Rubio and most other Republicans have criticized the effort as a politically opportunistic quick fix. Since the program began in August, more than 309,000 people have applied and more than 53,000 have been approved for the two-year reprieve, according to the [latest](#) government figures.

<http://www.wbur.org/npr/165653196/despite-talk-immigration-overhaul-not-a-guarantee>