

Politico

GOP shifts immigration rhetoric

By Carrie Budoff Brown

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If conservatives expected Republican Rep. Lamar Smith to champion the most controversial anti-immigration measures when he takes control of the House Judiciary Committee next month, they're in for a surprise.

After weeks of speculation that he would pursue a scorched-earth immigration agenda, Smith detailed his to-do list for the first time in an interview with POLITICO — and it's an early but important signal that the new House Republican majority plans to attack the issue of immigration through the prism of jobs, rather than red meat for the base.

Smith's first two hearings will focus on expanding E-Verify, a voluntary electronic system for checking the immigration status of workers that President Barack Obama supports and scrutinizing the administration's record on worksite enforcement.

"They are what I call 70 percent issues — 70 percent or more of the American people support those efforts," Smith said. "I think they are popular across the board, and I think they will be appreciated by all American workers regardless of their ethnicity or background or anything else."

At the same time, he downplayed the key planks in the conservative immigration agenda.

He won't say when his committee plans to tackle birthright citizenship, the policy of granting citizenship to every child born in the country. He doesn't want to talk about whether he will pursue reducing the level of legal immigration, family migration or work visas — all at the top of the wish list for anti-illegal-immigration advocates.

"That is later on in this Congress; that is not our initial focus," Smith said. "We don't have any specific plans now in the early months to move on these issues. The focus is on creating jobs and protecting jobs."

But if Smith takes too long to get to the more controversial policies, he could be squeezed by his party's conservative wing, which is anxious to make progress on issues that have been stalled while House Speaker Nancy Pelosi held the gavel.

The GOP's incoming freshman class includes dozens of members who ran on strict immigration limits, and they may not be willing to settle for a muted approach. And the lawmaker poised to become chairman of the Judiciary's immigration subcommittee is Rep. Steve King (R-Iowa), an immigration hard-liner.

“If he is not willing to do it — there is a lot of public support for reducing legal immigration — he is going to find he will be pressured on that issue,” said Steven Camarota, director of research for the Center for Immigration Studies.

Smith’s early emphasis on jobs flows from the House Republican leadership. Michael Steel, spokesman for incoming House Speaker John Boehner, said Republicans “heard — loudly and clearly — that the biggest issue right now is jobs. So I imagine that will be our priority in a number of issue areas.”

But it also underscores Smith’s cautious streak, a politician who is unquestionably conservative on immigration but tends to take a more measured public tone than fellow stalwarts, such as King and former Rep. Tom Tancredo (R-Colo.).

“People like to really vilify Lamar Smith, but he is not Tom Tancredo,” said Alfonso Aguilar, executive director of the Latino Partnership for Conservative Principles, which favors putting illegal immigrants on the path to legal status. “He is someone who will not push legislation if he thinks it doesn’t have the wide support of the American people.”

Camarota said he believes Smith is enough of a dealmaker that he might even consider a modified DREAM Act legalizing young immigrants, if it was coupled with a cut in legal immigration and stronger enforcement — although pro-immigrant advocates would be all but certain to dismiss it as a bad deal.

“He is a very cautious guy, personally and politically,” Camarota said. “Every time I have talked with him, all of his staffers, he is a very careful guy. Contrast that with someone like Steve King, who is willing to say what is on his mind.”

That is not to say, however, that pro-immigration activists are at all comfortable with Smith’s agenda or even agree with the logic behind his approach —that reducing the number of illegal immigrants frees up jobs for legal workers and pushes down the unemployment rate.

“He is a very disciplined politician, but he is also very ideological. He is very smart at having lots of smallish-looking measures that add up to a whole lot of harsh enforcement,” said Frank Sharry, executive director of America’s Voice, which supports more enforcement but only if it’s coupled with a broad legalization program.

Even as he pursues his jobs-first approach, Smith could find others in the GOP caucus — such as Rep. King — want him to go further.

A sign-in book outside King’s office encapsulated the roiling debate. One visitor wrote “No amnesty.” Another visitor penned, “Remember your ancestors were immigrants too” — but it was countered by a sharp response from a different visitor, “That came here legally.”

Known for his controversial remarks — he once said the country should deport a liberal for every illegal immigrant who receives citizenship — King has many of his own ideas, although he declined to discuss them until Smith announces all the subcommittee chairmanships in early 2011.

“I read the Pledge to America. It wasn’t particularly moving,” King said. “So, OK, they decided not to write the treatise that I would have on immigration. It wouldn’t be the first time that I worked on an agenda that wasn’t laid out for me. I can deal with that.”

But King may be kept reined in.

“The chairman defines what hearings the subcommittee holds,” said a senior Judiciary Committee aide. “He will set the tone for all the issues for the committee.”

Smith would not say whether he plans to push a bill mandating the use of E-Verify by all private employers, which he has supported in the past, until after the hearing. The administration supports the mandatory use of E-Verify but only if it’s part of a comprehensive immigration reform package, according to an administration official.

On worksite enforcement, Smith contends that the Obama administration has abdicated its responsibility to go after illegal workers, citing statistics that show a drop since the Bush administration in the percentage of administrative arrests, criminal arrests, criminal indictments and criminal convictions.

“We have a situation where the administration looks more like (it supports a policy of) worksite endorsement of illegal workers, rather than worksite enforcement for the benefit of American workers,” Smith said.

But an official with Immigration and Customs Enforcement said Smith ignores the fact that the Obama administration shifted strategy from one focused on penalizing illegal workers to the employers who hire them and create the demand.

The administration cites its own set of statistics: Criminal prosecutions of employers, audits of I-9 forms, which determine a worker’s eligibility, fines and debarment of immigration violators are all up over the Bush administration.

“We look forward to laying out the numbers and the telling the full story,” the official said. “I think people will agree this is a rational, sound, sensible approach to spending taxpayer money to do immigration enforcement like no other administration has done.”

Roy Beck, executive director of NumbersUSA, which favors tighter restrictions on legal and illegal immigration, said Smith’s focus on E-Verify and worksite enforcement will do as much as anything else to bring order to the system.

“We think there are a lot of issues in the Internet world that people get really excited about, and in many ways, it is a side show,” Beck said, referring specifically to cutting off benefits for

illegal immigrants. "It is not as important as one thing, which is taking away the jobs. So if Lamar Smith is going to focus on keeping illegal aliens out of the jobs, that is more important than all the illegal immigration stuff put together."

From a political standpoint, framing immigration as a jobs issue makes sense, Camarota said.

"Democrats have to essentially argue it is a good idea to leave those 7 million illegal immigrants in those jobs," Camarota said. "It puts Democrats on the defensive."