

# What Happened to Immigration Reform?

A powerful, well-organized coalition did everything it could, with no results. Now advocates are preparing to shift from lobbying to revenge.

[Molly Ball](#) Nov 22 2013, 7:00 AM ET

Last week, John Boehner was having breakfast at his customary spot on Capitol Hill, Pete's Diner, when he was [approached](#) by two teenage girls with a video camera. Clad in a baseball cap and fleece pullover, the speaker nervously fiddled with his ear as the pair told him of their undocumented immigrant parents' fear of deportation. "I'm trying to find a way to get this thing done," he told them. "It's, as you know, not easy. It's not going to be an easy path forward, but I've made it clear since the day after the election that it's time to get this done."

Just a few hours later, Boehner, now wearing a suit, [addressed reporters](#) in the Capitol. On immigration, his tone was rather less encouraging. "The idea that we're going to take up a 1,300-page bill that no one had ever read, which is what the Senate did, is not going to happen in the House," he said. "And frankly, I'll make clear we have no intention of ever going to conference on the Senate bill."

"We can't force them to get to yes, but we can make them pay a price for getting to no. If this Congress isn't going to pass immigration reform, let's elect a Congress that will."

For the broad, well-organized coalition of immigration-reform activists, that statement was a stunning blow. If Boehner keeps that pledge, he will have rendered moot the months of wheeling and dealing it took to get a massive, bipartisan bill through the Senate in June, forcing the upper chamber to start from scratch even if the House manages to get its act together and pass its own bill or group of bills—a prospect that appears increasingly unlikely.

That Boehner could make encouraging noises when confronted by activists, then pour cold water on immigration's legislative prospects, neatly summarized the plight of the reformers, many of whom are coming to grips with the possibility that their efforts, despite politicians' apparent receptiveness, have come to naught. The reformers' official line remains one of optimism that the House will act, perhaps even before the end of 2013. But many activists have already begun to take a more aggressive tack, arguing that lobbying is over—it's time for revenge.

"We can't force them to get to yes, but we can make them pay a price for getting to no," said Frank Sharry. An immigration-reform advocate for decades, Sharry heads America's Voice, the reform coalition's main clearinghouse. He holds out hope that legislation could still pass the House in the waning days of 2013, he told me, but he and others are preparing to move into a new gear once the calendar flips—one in which their focus will shift to punishing House Republicans. "If this Congress isn't going to pass immigration reform, let's elect a Congress that will," Sharry said.

It is an emotionally wrenching juncture for a movement that, until recently, was riding high. “The reason there’s such a sadness is that we got very close,” said Joshua Culling, a conservative policy strategist who worked on immigration for Americans for Tax Reform. “The momentum for the better part of a year was on our side.”

Conservative commentators like Sean Hannity backed comprehensive reform; the Republican National Committee came out in favor; the Senate Gang of Eight successfully completed its work. The reform coalition, comprising tech executives and evangelical pastors, unions and human-rights groups, agriculture and law enforcement, libertarians and bleeding-heart liberals, kept Democrats largely united while winning over large swaths of the [conservative movement](#). They kept up a blitz of grassroots pressure while their [opposition was barely seen](#).

And yet their incremental successes have failed, so far, to add up to the big goal: getting a law passed. The events of recent weeks have convinced Culling, formerly an optimist, that immigration reform is not likely to get done. Syria and the government shutdown preoccupied the Hill when lawmakers returned from their summer vacation; now, Republicans are loath to change the subject from their winning crusade against the many-splendored disaster that is the health-care law's implementation. Even before Boehner's comments seemed to shut the door on the only feasible legislative avenue for reform, another GOP leader, Majority Whip Kevin McCarthy, [told advocates](#) there wouldn't be votes on the issue this year, while Republican Representative Mario Diaz-Balart [warned](#) that by 2014 it will be too late to pass anything.

The diverse coalition of immigration activists has managed to remain remarkably unified and even to grow over the past year. Their disappointment is grave. “On the left, you have a bunch of ‘Dreamers’ and undocumented folks who think of themselves as Americans and are still technically criminals,” Culling said. “On the right, you have people who care about the [Republican] Party and feel like this was our one opportunity” to change the way voters perceive the GOP. “Everyone was on board the week after the election, and we pissed it away again.” The movement was no match for the absurd illogic of today's Washington, where political imperatives, voter preferences, and even the desires of moneyed interests are powerless to move House Republicans off a default stance of “no.”

The carrot didn't work, so it's time for the stick. Sharry estimates there are five to 10 Republicans in the House who could be defeated if the Latino vote goes strongly enough against them—not enough to hand the House to Democrats, who are currently 17 seats from the majority, but enough to send a message. For most of the year, advocates, even those on the left, have sought to give Republican members room to maneuver rather than going on the attack. But that's changing as the shift to campaign mode begins.

Earlier this month, unions and immigrant-rights groups teamed up on what they termed an “escalation,” a batch of tough Spanish-language television ads in the districts of nine GOP congressmen. [One of the ads](#) concludes, “When you listen to what the Republicans say about immigrants, it makes you wonder if they believe in this country as much as we do.” The ads are accompanied by a ground-level push to register and organize voters in those districts.

“Nobody is allowed to declare that this issue is dead as long as families are still being separated and people are being deported,” said Eddie Carmona, the citizenship campaign manager for the PICO Network, a group of faith-based community organizers. While the last weeks of 2013 remain focused on an intense last push of congressional pressure, he told me, “Moving into the new year, we’re letting Congress know that there’s going to be a cost to political inaction.”

The shift to negative campaigning is likely to alienate some reform allies on the right. Some nonpartisan groups are also inching in that direction, however. FWD.us, the advocacy group founded by Facebook’s Mark Zuckerberg with the help of both Republican and Democratic strategists, has begun to take a tougher tack, switching from the supportive ads the group previously ran to [spots that seek to remind politicians of their promises](#). “On this, both parties say they agree,” one ad says. “And yet we wait. Americans are tired of empty rhetoric.”

Meanwhile, activists are stepping up pressure on the White House to unilaterally halt deportations. The Obama Administration recently deported its 2 millionth immigrant, more than any previous administration, the product of a push to convince amnesty opponents it was taking a tough stance toward illegal immigration. Instead, the deportations angered the Latino community while [failing to move opponents](#). Now reformers [want the administration to move in the other direction](#) by expanding last year’s executive action allowing some young illegal immigrants to stay in the U.S. Last week, similar consideration was [extended to military families](#); advocates are pushing for more. “We ask that the president use the same administrative authority to stop the deportations of the rest of the undocumented immigrant community,” Cesar Vargas of the Dream Action Coalition said in response to the military-families announcement.

At any given time, the immigration-reform community is engaged in a dizzying flurry of activism. For more than a week, activists including both a liberal union head and a conservative evangelical leader have been [fasting on the National Mall](#), refusing food and drinking only water. There are prayer vigils across the country, a “[pilgrimage for citizenship](#)” in Minnesota, mass civil-disobedience [arrests in Chicago](#), an immigration “[hackathon](#)” in Silicon Valley. The “Dreamers” pop up everywhere, from Boehner’s favorite breakfast spot to the home-state offices of other Republican leaders. They are ubiquitous at Washington events like the [Values Voter Summit](#), where last month they repeatedly heckled Texas Senator Ted Cruz. “You see a growing level of confrontation, particularly on the left,” said Ali Noorani of the National Immigration Forum, who believes the pressure tactics are succeeding in keeping the issue on lawmakers’ radar.

The reformers’ frustration is palpable, as is their confusion. They can’t fathom why Boehner has so stubbornly resisted bringing up legislation he seems to favor in principle; that has enough bipartisan support to pass; and that, while strongly opposed by some on the right, seems unlikely to ignite a backlash among either conservative members of Congress or [Republican primary voters](#). It’s a situation whose perplexing dimensions parallel the October government shutdown.

The immigration fight, in this regard, is a parable of American politics in the age of gridlock—when even popular legislation favored by bipartisan majorities of lawmakers, including leadership, and backed by a passionate grassroots coalition, can fail for seemingly no reason at all. There are theories, of course, many ascribing the stalemate to partisanship: Liberals suspect

the GOP doesn't want to give President Obama a "win" on legislation, while conservatives suspect Democrats would rather gin up the Latino vote to punish Republicans than take the issue off the table.

For whatever reason, activists' herculean efforts appear to have run aground. Now, it is up to the reformers to prove that, after cajoling fails, they can bring the hammer down. "We're closer than we've ever been. All we need is for House Republicans to act rationally, but acting rationally doesn't seem to be high on their to-do list," Sharry said. "I wish the threat of political consequences would get them to act. If it doesn't, I think the threat will have to be carried out."

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