The Basics of U.S. Immigration Reform

It was a beautiful early spring day outside the White House on March 11, 2010. Most of the remnants of the three historic blizzards that had buried the Capitol city had melted, even in the shaded areas next to the Press Briefing entrance. It was warm enough for dozens of mainly Spanish-speaking reporters to gather outside without coats for hours to hurl questions at four of the key political groups involved in the immigration reform debate: the President and his administration, a bipartisan Senate leadership group, the all Democratic Congressional Hispanic Caucus, and a large group of grassroots advocacy organizations, including the Catholic Church, almost all Latino and focused almost entirely on the demand to legalize millions of illegal immigrants residing and working in the United States. There was also a fifth important group to immigration politics that came that day to meet with the President, the Congressional Black Caucus. While they weren’t questioned by most of the Latino press and often remain stonily silent about immigration issues, they — and especially their constituents — are essential to immigration’s politics. The White House press release and Press Secretary Robert Gibbs informed reporters that all these groups had been invited to the White House to update and inform the President about their concerns, positions and strategies to pass comprehensive immigration and health care reform legislation.

After the meetings, the White House Press Secretary assured reporters and the public on C-SPAN that each group had secured an attentive ear of the President for well over their scheduled time periods. Participants told us that they had been able to talk to the President about their concerns. “In addition, we were able
to clearly inform the President about the consequences of not passing comprehensive reform legislation,” said several of the immigrant advocates who attended the meetings.1 But the groups came away with no time lines, no commitments to specific proposals, and most especially no fire-in-the-belly advocacy from the President to support the legalization of illegal immigrants. It was the consensus of all but the most passionate advocates that day that the Senate’s passage of comprehensive immigration reform legislation was unlikely by the summer of 2010, or before the intense election campaign period that begins in the fall.

One may wonder why the push for legislation has stalled, given that comprehensive immigration reform is supposed to be a key, critical, and essential issue of the Democratic leadership. Democrats now have a liberal Democratic president, a second-generation, bi-racial American with a multi-national and multi-lingual family. Many would presume this President would strongly favor comprehensive reform. Both the House and the Senate have Democratic majorities and minorities and liberal Democrats now head key immigration committees and hold many leadership roles in Congress. President Obama has been said to have promised Latino advocacy groups immigration reform this year. Under this President, the White House Intergovernmental Affairs Office is led by Cecilia Muñoz, who for twenty years served as the Senior Advocate for comprehensive immigration reform for the National Council of La Raza, the largest Latino advocacy organization in the country. The Secretary of the Department of Homeland Security, Janet Napolitano was the former Governor of Arizona, a state that rejected two Republican Congressmen in 2006 allegedly for their so-called “anti-immigrant” views.

Yet many of the immigration enforcement, detention and deportation efforts of former President George W. Bush’s Homeland Security Secretary Michael Chertoff have not only been continued, but expanded under Secretary Napolitano. The administration remains committed to constructing the 700-mile double border fence, despite Latino advocates demand on January 21, 2009, the day after President Obama’s ebullient inauguration, that he issue an Executive Order to stop its construction. Similarly, sanctions of employers hiring large numbers of illegal immigrants have been broadened and have included home raids and detentions of felony illegal aliens, despite advocacy groups’ demands that such actions be halted immediately.

How could this be? Latino advocacy organizations from the newly touted “key electorate group” are furious with the President. They openly criticize him and threaten him with their abandonment at the voting booth. Some Latino Congressional leaders even threatened to withdraw support from the health care legislation if the President did not push for comprehensive immigration reform this year. Yet Obama resists them. Why?

The answer lies in the nuances of immigration politics. It is complicated but understandable when all the issues are viewed from a macro perspective and with a clear non-advocacy eye. This policy brief will detail a few of the most important players and ideologies in immigration politics. But three trends become clear concerning today’s politics of immigration.

1. Immigration is not partisan. There is no single Democratic or Republican position on comprehensive immigration reform, despite the whipping of legislators by party leaders at vote time. President Obama knows this, or if he didn’t has learned it from the difficulty of convincing Democrats to agree on a comprehensive health care plan. This explains the President’s insistence on having solid bipartisan support for comprehensive immigration reform before being willing to place any political capital behind a bill.

2. Immigration is no longer about identity politics or minority civil rights. As much as immigration and especially illegal immigration have been characterized by ethnic immigrant advocacy groups as a minority and civil right, those myths died along with their most vocal and powerful advocate, Senator
Edward “Teddy” Kennedy. Furthermore, the myth of immigration as a minority civil right has been buried deeply by the most traumatic crisis facing Americans today: double digit unemployment.

3. World migration and immigration at their core are, and always have been about jobs. Some would say that immigration throughout U.S. history has, from the immigrant’s point of view, been about migrating to a place where one can work and have a better life than in their homeland. For the nation state, however, immigration has always been about securing the most easily-available, hard-working and cheapest workers. Since the business of importing involuntary immigrant slaves was abolished in the 1860s, this cheaper, hard-working labor has mainly been supplied by immigrant workers who come enthusiastically to the United States for higher wages than in their homelands.

On that immigration advocacy day at the White House reporters could easily see the truth of these basic principles at work, especially the third one. All the groups had reportedly come to talk to the President in closed-door meetings about comprehensive immigration and health care reform. But that’s not what took place. What they mostly talked about in an economy with double digit unemployment was jobs. Each group had its own jobs agenda that day including basic jobs for millions of unemployed African Americans; legal jobs for millions of unauthorized immigrants; temporary jobs for multi-millions of perspective immigrants; and permanent jobs for foreign nationals who pay American universities to earn advanced degrees and then work in professional jobs in the science, technology, engineering, and mathematics (STEM), fields. Obviously, all of the jobs discussed are ones that Americans of all socio-economic levels can, and are willing to do.

Everyone agrees that immigrants should continue to come to the United States legally and be highly welcomed. After all, immigration is one of the nation’s core traditions and a valued source of pride for all Americans. We are a “nation of immigrants” – or as some prefer to state it, a nation comprised almost entirely of immigrants and their descendents who became American citizens. We are not the only nation of immigrants of course. In the globalized economy of today, every country has become a nation of immigrants, although we are perhaps the one that most welcomes them and even expects them to integrate and become citizens. Almost everyone in America has a personal immigration story and family immigration history, some more recent than others. For most Americans today, immigrants and immigration are a daily experience. That experience and personal history shapes how each American views immigration reform. In addition, immigration also touches two of the basic essentials of every sovereign nation state: its unique national identity and its prosperity in terms of job opportunities.

Any issue related to immigration hence evokes high personal emotion. Any legislative initiative about immigration reform is highly political. After all, immigration reform is about changing federal immigration laws. Laws are made in Congress. And Congress is political. It is not surprising then that the politics of immigration reform is also very divisive. It is important to understand the reasons for the divisions, to acknowledge that different viewpoints about immigration reform are not mean spirited but come from ardent convictions emanating from an individual’s personal experiences with immigration and deeply held beliefs about the role of government.

Understanding the politics of immigration also reveals many general truths about issue politics in America. It is well known that Americans are very partisan when it comes to presidential elections. But increasingly, voters cannot be counted upon to be loyal to any particular party or party position on almost any large initiative before Congress today. This includes universal health care, bailouts with federal money, the jobs bill, education reform, and environmental and energy initiatives. It is interesting to note that immigration matters underlie nearly all of these issues, which makes them even more divisive. To understand the politics
of immigration is to gain insight into the way political party partisans as well as Independents, Tea Partiers, Libertarians, environmentalists, liberals and conservatives of all nuances, split or mix along almost every political issue.

**Background of Immigration**

The global conundrum about immigration is largely due to the immigration paradox. The paradox is that on one hand, all human beings have the human right to leave their homelands, often forever, to live, work and even in some cases to become a citizen of another country, and to raise their children and their descendents in another language and culture. No country has the right to keep its citizens from leaving their homeland. This human right is guaranteed in the United Nations Charter. The paradox is that no individual has the human right, nor even the civil right, to immigrate to any country they choose just because the jobs are better, they have relatives there, they went to school there, or because they like the music and culture. It is a basic, core right of every sovereign nation including those in unions such as the European Union to decide who can come in, work, stay, and become a citizen, who can’t, and how that decision should be enforced.

No country has open borders. Every nation has immigration laws to reflect who can become a citizen. It is not anti-immigrant, nativist, or xenophobic for a nation to have immigration laws that state the country’s immigration decisions. But immigration laws are continually challenged, modified and reformed with changing economic conditions, employment levels, man-made and natural disasters, and changing values. American immigration laws and regulations have seen three major focuses in our history: a focus on labor skills (1600s to 1965); a focus on diversity and family unification (1965-2001); and a focus on national security – including job security and protection of American jobs for American workers, (2001– present).

Migration and immigration are essentially about work. Immigrants leave their homelands to find better economic opportunities especially if they have been discriminated against for religious or political reasons, or when disaster threatens livelihoods. Countries desire immigrants to fill labor needs. Since the early colonial days, immigrants were recruited – including indentured and slave labor – to come to America to work. They were registered, known and managed for their work skills. Eventually many became citizens. For almost the first hundred years of national immigration law in the U.S. (1880s to 1950s), those laws were made by and were under the jurisdiction of the Labor Committee and U.S. Department of Labor. The two roles of immigration law are essentially to bring needed labor into a country and to protect the labor conditions of native-born workers and immigrants already in the country. Immigration laws globally and historically have often been affected by the relative strength or weakness of labor unions and national and local labor laws.

Many solutions for changing and improving immigration law are borne out of the nuances and politics of immigration. The main goal must be to strike a balance between the extremes, to find solutions that benefit immigrants and the nation state at the same time. After all, when we talk about being “a nation of immigrants” there are two elements in that statement: the nation state as well as immigrants. To be a successful nation of immigrants, immigration laws must balance both interests.

**Brief History of U.S. Immigration Management and Laws**

Immigration to the United States has always been managed. The United States has never been a country of open borders. Throughout much of our history, the focus of immigration laws has been on the work skills of immigrants, both voluntary and involuntary, and on building a citizenry with a northern European Protestant culture. But throughout our history, the focus of immigration laws, the decision about whom to
The Politics of Immigration Reform and How Progressives Fit In

let into the country, whom to keep out, and when and how to enforce that decision has changed over time, according to changing values and economic conditions.

1700s-1860s: Focus on Work Skills, Immigrants Managed by Towns and States
For the first century-and-a-half of U.S. history, immigration management was the duty of local jurisdictions. In many colonial communities, newcomers had to belong and adhere to a specific religion, nationality, class and culture in order to be allowed to settle there and to eventually become citizens. As the immigrant population grew, the majority of voluntary immigrants were indentured servants from northern Europe who earned their freedom and for males, often a parcel of land and citizenship after completing their bond of five to seven years. The majority of involuntary immigrants were African slaves. All immigrants were registered and known. The local laws governing their comings and goings were strict, even harsh by modern standards.

1870s-1960s: First National Immigration Laws, Jurisdiction of the Labor Department
After the Civil War, immigration rules and regulations like many others evolved from being state-managed to national. The first was the Chinese Exclusionary Act of 1882, which limited the entry of unskilled Chinese workers into the continental United States. On January 1, 1892, Ellis Island was commissioned as the first and primary national port of entry. No visas were needed to enter Ellis Island, but immigrants needed to be work-able in order to enter, settle and become citizens. Many families were split because disabled or sick members were not allowed in. For about the next century (1870s to 1950s), national immigration laws were made in the Labor Committee and fell under jurisdiction of the U.S. Department of Labor. In 1920, the first comprehensive national immigration law required strong knowledge of English and literacy for citizenship. It stated a clear preference for Protestant immigrants from northern Europe and a strict nationality quota for all others. Work skills were still the preferred entry qualification for the primary immigrant or head of household.

After World War II, immigration laws came under the jurisdiction of the Judiciary Committee and the Justice Department. This change in jurisdiction was due in part to the growing awareness of the horror of the Holocaust, and our limitations on allowing Jews and people of other religions and nationalities to immigrate. The changeover was also due to the civil rights era, which made national quotas an anathema to our new spirit of diversity and tolerance.

1965-2001: Immigration Focus on Family Unification, Diversity, and Civil Rights
In 1965, Senator Kennedy changed the face of America by introducing a sweeping immigration reform act that focused on immigrant diversity, family reunification, and civil rights rather than on work skills and European national origin. For the first time in the nation’s history, anyone from any country and religion could apply for permanent visas to enter the U.S. Furthermore, once received, the immigrant’s adult brothers and sisters and their families were also eligible for visas as well. The only limit was that no country could have more than 7 percent of all the green cards issued in any year. Soon some 80 percent of permanent immigrant visas were being given to extended family members of immigrants, but the country still needed immigrants with critical work skills. As a result, over the next decades dozens of temporary work visas were created to admit new immigrants to fill critical labor needs. However, there was little enforcement of any of these laws. The former Immigration and Naturalization Service (INS) charged with the management of immigrants was geared mainly towards the management of legal visas, the naturalization of qualified green-card holders and the operation of the growing number of ports of entry at airports, seaports, and land border crossings. The eventual unintended consequences of this policy resulted in the creation of a years-long waiting list for qualified extended family members from countries that exceeded the 7 percent rule such as Mexico, China, India and the Philippines. It also resulted in the sudden rapid growth in the number of foreign nationals living, working and staying for years in the country illegally.
In 1986, after much controversy and politicking, Senator Ted Kennedy oversaw the passage of an amnesty that he estimated would include one million illegal immigrants, but resulted in the inclusion of over three million. Strong border and work-site enforcement was supposed to accompany the amnesty. However, the INS had little manpower and jurisdiction and nearly no support or will power to undertake the internal enforcement of immigration laws. This resulted because illegal presence in the country was only a misdemeanor and because the Supreme Court had ruled in 1983 that no public school or emergency medical facility was allowed to ask for immigration status before delivering services. The illegal immigrant community swelled to well over 12 million by 2001 when a dramatic change took place in Americans’ attitude toward immigration enforcement.

2001-Present: Focus on National Security

After September 11, 2001 and the terrorist attacks in New York City and Washington, DC, the focus on immigration laws changed from lax enforcement to an intense concern about national security. Within weeks of these attacks, the first law passed stated that all foreign students must be registered in an electronic tracking system accessible not only to the universities that had issued their foreign student visas but also to immigration enforcement officers and the FBI. A year later, for the first time in U.S. history, a Department of Homeland Security (DHS) was created. The INS was eliminated and in its place two bureaus were created within the DHS to carry out the two conflicting roles of the former INS: immigrant services and border and visa enforcement. The two new agencies created were Citizenship and Immigration Services (CIS), which now handles much of what the INS used to do; and Immigration and Customs Enforcement (ICE), which for the first time in the nation’s history was an agency specifically charged with the enforcement of immigration laws inside the country. As then President George W. Bush drew the country deeper into two wars to counter the terrorist attacks of 9/11, Americans became increasingly concerned about the threat to national security and the porous borders, especially with Mexico where some 500,000 illegal immigrants came into the country each year. This allowed for the entry of potential terrorists as well as a growing trade in illicit drugs and guns. In 2005-2006, almost every intelligence, defense and homeland security appropriations bill included funding to increase the number of border patrol agents, detention centers and construction of a partial border fence. The number of immigration courts was also increased along with National Guard deployment along the southern border.

Then in the late 2000s, the U.S. plummeted into a severe recession and financial crisis. Americans became increasingly vocal about their concerns with the impact of growing numbers of illegal immigrants and their families on local publicly funded services such as hospitals and schools. Many communities, especially in the southwest, experienced the closure of county and Catholic hospitals largely due to the ever-growing numbers of uninsured illegal immigrants who utilized their services for free and the disappearance of public funds to cover those expenses. Furthering this fear of economic collapse were the growth of the federal debt to historic heights and the continued growth in debt financing and deficit budgeting, which resulted in a decrease in publicly funded services and jobs. At the same time, thanks in large part to CNN business news anchor Lou Dobbs, the public became increasingly aware that millions of American jobs were being outsourced to foreign workers both outside and inside the country, as increasing numbers of illegal immigrants were willing to work for lower wages and no benefits. This was the environment in which the movement for Comprehensive Immigration Reform was initiated in 2006-2007.

Immigration Reform Politics, 2006-2007

Immigration politics makes for strange bedfellows and none more strange than the close partnership between President George W. Bush and Senator Ted Kennedy. From 2006 to 2007, the two worked to formulate a bipartisan comprehensive immigration reform law. Both felt equally passionate about the need for reform. President Bush started his presidency in 2000 with immigration reform as a stated priority. He emphasized
it by inviting as his first foreign president not the traditional British or Canadian head of state, but rather Vicente Fox, President of Mexico, his good friend from across the border of his home state of Texas. In his first months in office, President Bush promised to pass immigration reform that would legalize most immigrants working in the country illegally. He stated his belief that “anyone who can get a job in the United States should be given an immediate visa” without mentioning whether or not he included foreign nationals willing to work for less than American workers. He believed in allowing a global workforce to come to the U.S. to work and to be regulated only by the free market. He believed strongly in deregulation of markets and little regulation of immigrant labor.

Surprisingly, the most liberal senator in the Senate seemed to agree. Even before the 2004 re-election of President Bush, the venerated Democratic Senator from Massachusetts, Ted Kennedy met with then President Bush to plan a “pathway to citizenship” for the estimated 12-20 million foreign nationals living and working in the country illegally. Kennedy was anxious not to call this legalization process an “amnesty,” since in 1986 he had repeatedly promised that amnesty would be a “one time deal” that would “stop illegal immigration forever.” President Bush agreed. He often stated that their plan to legalize illegal immigrants in the U.S. was not “amnesty,” since there would be strong conditions imposed. He argued this, notwithstanding the fact that throughout U.S. history, amnesties have almost always been conditioned in some way.

Many Republican and Democratic members of Congress and their constituents strongly opposed the President and Senator Kennedy’s efforts to enact a new amnesty for illegal immigrants. There was a strong belief that illegal actions such as entering and working in the United States without a permit should not be rewarded. The House Immigration Reform Caucus which opposed the bill grew to over 100, mainly Republican members, and became the second largest Congressional caucus. The Republican Chair of the Immigration Subcommittee, James F. Sensenbrenner (WI), brought to the House floor an immigration reform bill that did not include amnesty. Instead it called for, among many other proposals, greatly heightened border enforcement, the construction of a wall across most of the southern border and severe sanctions against employers who hired illegal immigrants. The bill also made an immigrant’s unlawful presence in the country a felony offense, as it is in most other countries of the world, including Mexico.

This latter proposal brought about nation-wide demonstrations by tens of thousands of mainly Latino immigrants to protest the “criminalization” of hard working, albeit illegal immigrants. Senator Kennedy and the Reverend Jesse Jackson spoke at the huge demonstration on Washington, DC’s mall, although Jackson was one of the noticeably few African Americans present in the crowd of close to 10,000 that day. Some Republican lawmakers tried to eliminate the proposal to criminalize unlawful presence, but by then, Democratic committee members saw the damage being done to their opponents and would not allow the criminalization language to be withdrawn. The House immigration proposal passed the House on December 16, 2005, by a vote of 239 (92 percent Republican) to 182 (82 percent Democrat). Most of the Democrats voting for the bill were fiscally conservative Blue Dogs and progressive environmentalists concerned about immigration’s impact on locally-funded public services and the environment.

That left it to the now majority Democratic Senate to propose a comprehensive immigration bill that the Republican President would approve of. Unwilling to allow immigration reform to go through the Congressional committee process this time, President Bush invited Senator Kennedy to shape the bill along with White House supporters, in particular, Homeland Security Secretary Tom Ridge. The bill was over 1,000 pages and covered just about every aspect of immigration including expanding the number of temporary work visas and foreign student work permits as well as instituting a possible point system for highly-skilled workers to obtain green cards. Only some 100 pages dealt with a “pathway to citizenship” for illegal immigrants. Senate majority leader Harry Reid (D-NV) agreed to let the bill be argued on the
floor for two weeks in the summer of 2007. President Bush was confident enough about its passage that he moved forward with travel plans to Europe to attend an economic summit. To everyone’s surprise, however, the bill failed to pass cloture three times on June 7, 2007. Again, fiscally conservative, enforcement-first Democrats – including the newest Senators John Tester (D-MT) and Jim Webb (D-VA), voted against cloture. President Bush was furious when he returned and demanded that Reid once again allow the bill to be discussed on the floor – this time with limited amendments and an even more “severely conditioned” amnesty. But on June 28, 2007, to almost everyone’s surprise, the bill did not pass cloture with a vote of 46 to 52, which included even more Democrats. After the vote, a very subdued Ted Kennedy shuffled off the Senate floor on the arm of his son, Congressman Patrick Kennedy. Senator John McCain (R-AZ) sat stunned and alone at his desk for almost 15 minutes while Senator Diane Feinstein (D-CA) declared that passing a comprehensive bill was impossible unless elements of immigration reform, such as her Agricultural Jobs proposal, were passed piecemeal. Harry Reid then withdrew immigration reform for the remainder of the 110th Congress.

While no further immigration reform bills were proposed in 2007 and 2008, over the next 16 months, the now Democratic Chair of the House Immigration Subcommittee Zoe Lofgren (CA) conducted nearly 30 hearings on almost every issue pertaining to immigration. The Congresswoman brought in experts to talk about all aspects of immigration such as trade, education, labor unions, faith organizations, communities, and fiscal impact. She even held two hearings on why Senator Kennedy’s 1986 amnesty law failed to halt illegal immigration as he had promised. Amazingly, Judiciary Committee Chairman John Conyers (D-MI) attended nearly every hearing, stating each time the Chairman gave him the floor that he was there to learn, because he didn’t “know anything about immigration.” While Latino legislators advocated vociferously for legalization of illegal immigrants, black legislators were usually tepid in their support. The expansion of temporary visas, however, was an issue where some black legislators expressed concern. At one point when representatives from Microsoft explained to the committee how they needed thousands more high skilled H-1B visas to bring in needed engineers, Congresswoman Maxine Waters (D-CA) protested: “have you gone to black colleges to recruit?” It was one of the few times where an African American leader expressed public doubt about the merits of increasing immigration.

Clearly the immigration political spectrum is complicated. The parties are split. The alliances run not across a horizontal bar from left liberal Democrats to right conservative Republicans. The politics of immigration splits that bar almost in half. Immigration is a vertical issue politically, not a horizontal one. As shown in the chart on page 9, immigration politics is best explained by envisioning the various stances around a horseshoe. Democrats are on the left, Republicans on the right, with Libertarians, corporate and civil on the bottom and Economic Nationalists – Populists and Tea Partiers, environmentalists and Blue Dogs – at the top right and left respectively. Centrists are in the middle of the horseshoe, along a line that divides the horseshoe’s upper and lower portions over the issue of amnesty or legalization of illegal immigrants (the upper portion typically disfavors blanket amnesty, the lower portion favors it). Think tanks and the media can be placed along this immigration horseshoe as can a multitude of advocacy groups such as immigrant organizations, churches, business organizations, labor unions, ethnic advocacy groups, higher education institutions, and non-profits. All of these groups lobby politicians and affect the politics of immigration. Neither the Democratic nor the Republican Party has a single voice, stance, or position on immigration. Immigration is truly a non-partisan issue, no matter how various groups, including most of the media, try to spin it.
Immigration Politics: 2009-2010 and Beyond

Today, not only do we have a second-generation, bi-racial President in the White House, Democrats are in the majority, and Latinos and African Americans chair an historic number of congressional committees, including the House Judiciary Committee. During his campaign and afterwards, the President told Latino voters that he planned to address comprehensive immigration reform in his first year and that he was “committed to resolving the issue of legalization of unauthorized immigrants.” It would seem that comprehensive immigration reform would have been this basketball playing President’s slam-dunk.

But it hasn’t happened that way. The immigration political landscape has changed dramatically since 2007. For one thing, Senator Kennedy is gone. With his death and the election of the first African American
President has come an almost visible end to the argument for the continued manifestation of identity politics in immigration and other issues. Demographic changes have made America a more mixed-race population of black, white, Asian, and self-identified ethnic groups such as Latinos. Culturally, American youth are nonchalant about ethnic and racial differences. Politically Americans have become more socially tolerant even as they move right of center economically and become increasingly critical of big government and a growing federal debt.

Overriding all of this is the growing unemployment rate in the United States, which impacts every demographic, but most significantly effects African Americans. In fact, in 2009, the national unemployment rate for Latinos, many of whom are working illegally in the country was still below that of African Americans. While the rate of Latino unemployment is typically higher than that of whites by at least 2.5 percentage points, in states such as Arizona, Colorado, Michigan, and South Carolina, the total Latino unemployment rate is almost half that of African Americans. In the District of Colombia the Latino unemployment rate is 8.5 percent, 15.4 percent for African Americans, and 4.7 percent for whites. Only in California does Latino unemployment exceed that of African Americans, by 0.4 percent. Grim unemployment rates will continue to focus the immigration debate on the most important issue facing America today and the very raison d’etre for immigration itself: jobs. Jobs for citizens and permanent immigrants; jobs for temporary workers and asylees hosted in the country during their time of need; and jobs done by illegal immigrant workers. For instance, a decrease can already be seen in the issuance of H-1B high-skilled visas. For the first time in decades, not all available visas were issued during 2009. According to Doris Meissner, former INS Director and Senior Fellow at the Migration Policy Institute, “U.S. companies obviously are hesitant for a variety of reasons to give jobs to H-1B temporary immigrants when so many American professionals are out of work.” That is the kind of dynamic balancing act that immigration laws and the labor market must play in a successful nation of immigrants.

Finding the balance in U.S. immigration politics is in large part based on whether various citizen groups trust the federal government and how they feel about its role versus the role of the free market. Also significant is the key players’ personal experience with immigrants, immigration law and integration. It is interesting to note that many of the key players in immigration policy are second-generation immigrants themselves, in that one or both of their parents were immigrants. Many of these individuals have maintained close ties with their parents’ homelands. Because their personal histories are important in how these powerful political activists might develop and vote on immigration laws, I note them below where known. The future tone and shape of immigration reform in 2010 and 2011 will depend on the successful politicking of a variety of key groups and players in immigration politics.

Five Key Groups & Power Players in Immigration Politics
The following groups and individuals are particularly influential in immigration politics: the President and his administration; the U.S. Congress and Congressional caucuses; lobbyists and grass-roots organizations; think tanks; and the media. The section below will address each group in turn.

The Obama Administration
Presidential support is crucial for any comprehensive immigration reform bill to pass. This remains true notwithstanding the apparent paradox of former President Bush’s failure to pass reform, despite his enthusiasm for the issue. The most visible and key players in the Obama administration on the immigration reform issue include President Barrack Obama: Janet Napolitano, the Secretary of Homeland Security; Arne Duncan, the Secretary of Education; and the White House Director of Inter-Governmental Affairs and former La Raza Senior Advocate, Cecilia Muñoz. Behind the scenes, and perhaps the most important influence of all, however, seems to be the hot-tempered Presidential Chief of Staff Rahm Emanuel, a former...
Congressman from Chicago who gave up a leadership position in Congress to join the Obama White House. Emanuel not only has the close ear of the President, but also has a long and rather prickly relationship with the equally vociferous and passionate Luis Gutierrez, Congressman from Chicago and head of the Congressional Hispanic Caucus’ immigration reform efforts. Cecilia Muñoz, who is also from Chicago, of second generation Bolivian heritage, worked with and knew Gutierrez, of Puerto Rican heritage, well in her position as Senior Advocate of La Raza in Chicago. She informed me that she didn’t know Obama, of Kenyan heritage or Emanuel, of Israeli heritage, very well, but that her connections in Chicago and with Gutierrez, plus her designation as a prestigious MacArthur fellow in 2000, certainly gained her the attention and trust of the Chicago Senator turned President.

President Barrack Obama has a very personal experience with immigration, having a Kenyan father and an Indonesian stepfather, both of whom his mother met at the University of Hawaii. Obama lived in Indonesia and attended a local school there for nearly five years. The President thus has multinational, multilingual, and non-English-speaking extended family members in those countries, as well as relatives who have immigrated to the United States. His immediate immigrant background gives President Obama a much different perspective on immigration than former President Bush, who was so sympathetic to the plight of Mexican nationals that some called him “America’s first Latino President.” Almost 40 percent of Latinos voted for Bush in 2000 and 2004 – a precedent. Many Bush biographers later confirmed that President Bush primarily viewed immigration as an issue facing Latinos, mainly Mexicans.

Given his personal history with immigration it appears that President Obama has a much broader worldview of immigration than President Bush. He also has a much more detached attitude about immigration reform. Although he considers it important, the President understands the complexities of the issue and has not placed immigration reform as a top priority. As a Senator from Chicago in 2007, although Obama was a co-sponsor of an amendment proposed for the 2007 immigration reform bill, then Senator Obama never made a significant effort to back the bill. President Obama undoubtedly understands the complex impact of low-skilled Latino and African immigrants – both legal and illegal – on the scarce employment opportunities of low-skilled African American workers, especially black youth. And although he repeatedly assures immigration reform advocates that he is “committed to comprehensive immigration reform” there are doubts. As noted by Senator Lindsey Graham (R-SC), the only Republican to agree to be a bipartisan sponsor of Senator Chuck Schumer’s (D-NY) comprehensive immigration reform bill, “devoting only one line on immigration in his 45 minute State of the Union speech in February does not show commitment.” President Obama has not sent his top deputies and secretaries to the Hill to lobby for immigration reform as President Bush did in 2007. According to Senator Graham, “that is commitment.”

It bears noting that Chief of Staff Rahm Emanuel also has a recent family history with immigration. As the son of an Israeli immigrant, Emanuel maintained close enough relations with his extended family in Israel that he spent a summer at an Israeli military camp when he was a young man. As the highly intense and successful Chairman of the Democratic Congressional Campaign Committee from 2005-2008, Emanuel was responsible for recruiting and supporting enough winning candidates to win back Congress for the Democrats in 2006. He did this by carefully choosing fiscally conservative Blue Dog Democrats from the mountain states, midwest, and south. In 2008 he did it again. Many of the new “Blue Pups” maintained a close relationship with Emanuel. From 2006 to 2008 it was clear that Emanuel was regarded as a bridge between the rapidly growing Blue Dog Caucus and the slightly larger, more powerful Progressive Caucus. Emanuel is a brilliant political handler and vote counter – the Lyndon Johnson of the early 21st century who carefully calculates the impact of various issues on Democratic election possibilities. During the 2008 election campaign, Emanuel made it known that any commitments by Democratic candidates to immigration reform should be tabled if not silenced until after the mid-year elections or, better yet, until
after the second term election of 2012. This obviously infuriated the Congressional Hispanic Caucus, in particular Congressman Gutierrez, its most vocal advocate for immigration reform.

Despite the objection of some opponents, Emanuel’s caution about addressing immigration reform before the 2010 midterm and possibly the 2012 presidential election seems to have gained the President’s ear. Rahm Emanuel is not part of the President’s inner circle of Chicago friends, and was only slightly acquainted with Cecilia Muñoz. But President Obama brought Rahm Emanuel into the White House for his knowledge and connections in Congress and his keen understanding of the nuances of House Democratic politics. Recent newspaper articles have claimed that President Obama did not heed Emanuel’s advice to pass health care reform incrementally, rather than comprehensively. Eventually health care reform passed – but barely, and without several key provisions like the public option, which many Democrats supported. It could be the President will agree more with Emanuel about approaching immigration reform cautiously, practically and incrementally.

According to President Obama, Janet Napolitano, Secretary of the Department of Homeland Security is the official point person on immigration for the White House. Nonetheless, upon closer inspection it becomes clear that with her close proximity to the President and her longstanding history of advocacy for comprehensive immigration reform, the real point person is Cecilia Muñoz, and through her, Congressman Luis Gutierrez. But Muñoz is viewed by many as fiercely partisan and Latino-centric. Napolitano has the most experience in dealing with the nuances of immigration policy. Having come from Arizona where she served as Governor, Secretary Napolitano is especially experienced in dealing with the concerns of Arizona’s conservative Republicans who tend to have mixed views on immigration, generally favoring it and sympathetic towards illegal immigrants, but also wanting strong enforcement.

In 2006, while Governor of Arizona, Napolitano signed into law Proposition 200, the most strict immigration enforcement initiative in the United States at that time. The Proposition was passed in the 2006 election by a large majority, with nearly 35 percent Latino support. The Proposition, which Governor Napolitano signed the week after Comprehensive Immigration Reform failed in the U.S. Senate, contains severe sanctions against employers who knowingly hire illegal immigrants. Proposition 200 also requires Arizona employers to use E-Verify to validate the work authorization of prospective employees and designates English as the state’s official language. From this experience it is not surprising that since coming to Washington, Secretary Napolitano has found it natural to focus first on immigration enforcement.

Immigrant advocates have accused Secretary Napolitano of adhering too closely to the Bush/Chertoff focus on increasing border security, employer enforcement and developing more detention facilities. At the same time, conservatives take issue at the slow progress and cost of completing the border fence and upgrading detention centers for immigrants soon to be deported. Secretary Napolitano often talks about comprehensive immigration reform as being like a three legged stool with three key elements: border enforcement, interior enforcement and legalization of some illegal immigrants. At the time of this brief’s publication, Arizona passed SB 1070, legislation that requires law enforcement, after lawful contact, to ask for immigration documents when unlawful presence is suspected. This should come as no surprise to Secretary Napolitano, who understands the frustration of Arizona border residents with illegal immigration. Notwithstanding her personal experience, however, and following President Obama’s wording, Napolitano called the law “misguided” and expressed concern that other states would soon follow Arizona’s lead. On July 28, 2010, a federal judge delayed specific portions of the law from taking effect.

Secretary of Education Arne Duncan, another Chicagoan, is a basketball buddy of the President and the former Chief of Chicago public schools. He is knowledgeable about immigration issues because of his lifetime involvement with his mother’s tutoring program for low income, mainly immigrant and African
The Politics of Immigration Reform and How Progressives Fit In

American children. Secretary Duncan also lived abroad for years playing professional basketball in various countries. Very often when asked about the DREAM Act, the Secretary answers immediately and loudly: “I support it, I completely support it.” Juan Sepulveda is the White House Director of the Initiative on Educational Excellence for Hispanic Americans. Sepulveda has a strong presence in the Education Department, and works closely with Martha Kantor, Duncan’s Deputy Secretary of Education. Both strongly support the DREAM Act, which according to advocates would legalize up to one million young adults as a prominent component of any comprehensive immigration reform law.

The U.S. Congress: Key Individuals, Congressional Committees, and Caucuses

The Senate

The most significant change in the Congressional politics of immigration in 2009 and 2010 is the absence of Senator Ted Kennedy (D-MA), whose passion, voice and influence have been the driving force behind immigration reform since 1965. With a much longer legacy on immigration than health care reform, Senator Kennedy succeeded in changing the face of America after guiding the passage of the Immigration Reform Bill of 1965. He advocated long and passionately for the legalization of illegal immigrants in the 1980s, and in 1986 oversaw the passage of the amnesty bill, promising that it would be a one-time legislation that would end illegal immigration for good. The Senator argued passionately for bilingual ballots and services. He often declared that “immigration is the next big civil rights issue in America.” Despite Kennedy’s great history and veneration in the Senate, it bears noting that the Senator never introduced a major bill without a powerful Republican co-sponsor. In fact, Senator Kennedy was not successful in passing any major piece of legislation in the last few years of his career, not the reauthorization of higher education, not health care reform, not pay equity and certainly not immigration reform. But his passion, energy, and dedication to civil rights made Ted Kennedy unforgettable. The Senate and especially its resolve to pass comprehensive immigration reform is very different without him.

Despite his differing style from Ted Kennedy, Senator Chuck Schumer (D-NY), is chair of the Senate Immigration Subcommittee and the Senate’s heir apparent to immigration reform. While Schumer is considered a liberal like Kennedy, he was not a highly vocal advocate of comprehensive immigration reform prior to taking this post. When asked repeatedly by reporters last summer and fall about the unlikelihood of successfully developing a comprehensive immigration reform bill in the 111th Congress, Schumer would shake his head and answer, “I think there is a good chance with the right bill. After all, I am not on a fool’s errand.” In June of 2009, Schumer introduced his “Seven Immigration Reform Principles” in a major speech before immigration reform advocates, sponsored by the Migration Policy Center at the Georgetown Law School. In it he expressed what was to become his mantra: “Americans strongly support immigration, they just don’t like illegal immigration.” Schumer continued by stating that any new immigration reform law must “show a commitment to stopping illegal immigration as much as possible.” To Schumer, this means enforcement of immigration laws inside the country as well as at the border.

Schumer also believes, as did Ted Kennedy that major bills must have input from and be co-sponsored by at least one strong Republican leader. Some of his immigration principles seem to reflect his long-time Senate colleague John McCain’s belief that in immigration reform, enforcement must come first. The first four points of Schumer’s seven principles for immigration reform are focused on interior and border enforcement. His first Senate hearing on immigration reform in September 2009, focused on developing biometric identity cards for workers in order to help implement a more accurate E-Verify system that would eventually be required for use by all U.S. employers. On March 11, 2010, in his meeting with President
Obama, Schumer was accompanied by Republican Senator Lindsey Graham. Obama reportedly told them that their main challenge was to “find a second Republican or more” to support the bill.

Until April 2010, South Carolina Senator Graham has been the only Republican Senator willing to develop a bipartisan comprehensive immigration reform bill with Senator Schumer. His is surprise support, especially given that he is not a member of the Senate Judiciary and Immigration and Border Security Subcommittee. However, he is a member of the Homeland Security Committee, which legislates immigration enforcement proposals. He also has been a bipartisan supporter of legislation sponsored by committee Chairman, former Democrat and now Independent Joe Lieberman (CT). It bears noting that while Graham supports a comprehensive immigration reform bill with enhanced border and interior enforcement and a pathway to citizenship for certain illegal immigrants, he was not successful in getting a single Republican to sign on. “That will be impossible if the Senate health care bill and reconciliated fixes are rammed down Congress’ throat and signed into law,” Graham said on national television on Sunday, March 14, 2010. But after health care was passed, Graham continued to work with Democratic Senator John Kerry (D-MA), on a climate/energy bill being readied for introduction on the floor. In April, however, after the expanded Arizona immigration enforcement law passed, Senator Reid indicated he would prioritize immigration reform ahead of energy. On April 25, 2010, Senator Graham withdrew his support from both bills stating that “moving forward on immigration in this hurried, panicked manner is nothing more than a cynical political ploy.”

The absence of Senator John McCain (R-AZ) in the comprehensive immigration reform debate of the 111th Congress has been notable. McCain was the Republican leader of the bipartisan Senate bill of 2006 and an active supporter of the immigration bills of 2007. At the time he strongly supported amnesty for illegal immigrants. After the bills failed, and in his presidential campaign of 2008, McCain repeatedly admitted he was “wrong” about amnesty first. “I’ve been listening to the people and they are clear. They want immigration reform. But they want enforcement first before any measures to legalize illegal immigrants are considered” he said. Now in 2010 McCain is facing tough competition for his Senate seat from former Congressman J.D. Hayworth (R-AZ), author of Whatever It Takes, a book about strongly enforcing immigration laws. According to his colleague Lindsey Graham, “McCain has done the heavy lifting for the Republican party in the past. It’s time now for President Obama to do some heavy lifting for immigration reform, not Republicans who were completely alienated by his health care bill maneuverings.”

As the only Latino in the Senate, Senator Robert Menendez (D-NJ) may feel obliged to play an active role in the immigration reform debate. While he speaks passionately about the issue, one feels that his heart really isn’t in it. Although some Latino groups assumed he would take over for Kennedy, Senator Menendez was instead assigned the important position of Senate Campaign Committee Chairman, in charge of raising money and overseeing every Democratic senate race with the purpose of maintaining a Democratic majority. He has had a difficult time. The Senator’s star descended considerably in January 2010, after the loss of Ted Kennedy’s legendary Senate seat to Republican Scott Brown. Menendez’s influence to secure votes for any legislation, let alone comprehensive immigration reform, may have been weakened as a result of this loss.

The House
Despite House Speaker Nancy Pelosi’s claims that the House would not consider immigration until the Senate passed legislation, there is still some legislative activity taking place in the House.

Luis Gutierrez, the Congressman from Chicago, decided not to retire from office in 2008, after the unexpected and in his view, desolating failure of comprehensive immigration reform in 2007. Instead, as he explains
The Politics of Immigration Reform and How Progressives Fit In

it, Congressman Gutierrez decided to throw his considerable political power behind then presidential
candidate Senator Barrack Obama, whom he says assured him that he would bring about comprehensive
immigration reform by the end of his first term. Immigration reform is Gutierrez’s passion, even though as
a Puerto Rican he is not an immigrant.

As the head of the Congressional Hispanic Caucus’ Immigration Reform Committee and a member of
the House Judiciary Committee’s Subcommittee on Immigration, Luis Gutierrez lobbies endlessly and
energetically for immigration issues. He speaks at jet speed without notes, in English and Spanish about
the need to legalize millions of illegal immigrants. He is known to use almost all his time at hearings
to talk rather than ask questions. He is extremely friendly and accessible to reporters and while talking
passionately, always speaks civilly and with great humor. In December 2009, Congressman Gutierrez
introduced legislation for comprehensive immigration reform, but that bill has not been scheduled for a
hearing. In fact, Congressman Gutierrez strongly opposed the health care bill passed in the Senate on
Christmas Eve, because it excluded illegal immigrants from obtaining publicly subsidized insurance. The
Congressman told the President that he would refuse to vote for the bill if the restrictions against illegal
immigrants were not removed.11

Gutierrez’ passion for comprehensive immigration reform ratcheted up when Arizona passed its 2010
immigration enforcement law. Gutierrez saw the law as a threat that would result in the racial profiling of
Latinos in Arizona, as well as an opportunity to push federal immigration reform to the front of the agenda.
Gutierrez insisted on being arrested by National Park Police for civil disobedience in front of the White
House during an immigration rally on May 1st. Along with Arizona Congressman Raul Grijalva (D-AZ),
Gutierrez called for a boycott of Arizona tourism and conference business. Congressman Gutierrez stated
publicly that he might instruct Latino voters to stay home and not vote in the 2010 elections if immigration
reform was not passed. It bears noting that Congressman Gutierrez’s power to create a Latino electoral
boycott when Latinos have never voted as a bloc, remains questionable.

Other Democrats in Congress see immigration reform differently. Blue Dog Democrat Heath Schuler (NC),
also introduced an immigration reform bill in 2009. Called the SAVE Act, the bill focuses almost entirely
on enforcement measures including provisions requiring all employers to use a validated E-Verify data
system to ensure that prospective employees are legally qualified to work in the United States. The bill also
includes provisions to enhance interior and border enforcement. Schuler introduced the bill in 2007, but
the new Democratic leadership refused to schedule it for a hearing. Schuler initiated a Discharge Petition
process that would skip the committee process and call the bill to be debated directly on the House floor
once the petition received 218 votes, a majority of signatures of House members. When Schuler obtained
some 197 signatures, most of them Republican, and most of them not members of the Blue Dog Caucus,
Speaker Nancy Pelosi decided the bill should come before committee after all. In fact, Pelosi decided the
bill would be considered by no less than nine committees. Two hearings were held on Representative
Schuler’s SAVE Act before the end of the 110th Congress. In July 2009, Schuler reintroduced his Secure
America through Verification and Enforcement Act, which this year has been referred to subcommittees on
Workforce Protections and Terrorism.

Judiciary Immigration Subcommittee Chairwoman Zoe Lofgren (D-CA), hails from California’s Silicon
Valley, whose immigrant population is dominated by highly technologically skilled and often highly
successful entrepreneurs from East Asia. It is said that almost 30 percent of high tech companies in San Jose
were founded by immigrants, mostly of Asian heritage. Many of those companies hire a large percentage
of American workers as well as many H-1B temporary immigrants. Lofgren held some 30 hearings about
immigration reform in 2007 and 2008. She held the hearings in order to be ready when the opportunity
came for the House to develop a bill.
Representative Steve King (R-IA), ranking member of the House Immigration Subcommittee often mentions his background in the construction business in Iowa, where he worked alongside skilled and semi-skilled American and foreign construction workers. He is a strong advocate of legal immigration for needed workers, and opposes amnesty in just about any form for illegal immigrants. He and his staff are extremely knowledgeable about the minutia of immigration issues, often carrying binders of information and facts. After the March 11 Presidential meeting with immigrant groups advocating for legalization of unauthorized foreign workers in the U.S., Congressman King stated: “Americans have rejected amnesty in 2006 and 2007, and they will reject it again if the Obama Administration tries to force it upon them. It is wrong to reward immigration lawbreakers. If President Obama is serious about addressing the immigration issue, he needs to focus on the millions of Americans who are out of work or worried about losing their jobs. This is the time for the Obama Administration to accelerate enforcement of immigration laws to make room for unemployed Americans, not grant amnesty. We must not reward lawbreakers at the expense of hard-working and smart-working Americans.”

Congressional Caucuses

There are dozens of informal and formal groupings of legislators in Congress that meet around specific affiliations, interests or issues. They are called congressional caucuses, or sometimes study or working groups or task forces. While most do not receive official budgeted congressional funds, some charge their members dues and many have foundations that raise money for their causes. Some are well known, others are not. Several, including those mentioned below are directly involved with immigration.

The Immigration Reform Caucus (IRC), although the most directly involved in immigration is perhaps the least covered by the media, the least known, and the least visible caucus in the immigration debate. With a membership of 105 and growing, the Immigration Reform Caucus is the second largest caucus in the House. According to its website, the IRC was established in May 1999 to review and initiate new immigration policies and to create a much-needed forum in Congress to address both the positive and negative consequences of immigration. Former Representative Tom Tancredo (R-CO) was the first chairman of the caucus and served until February of 2007 when Representative Brian Bilbray (R-CA) became the new chairman of the IRC. Most, though not all of the members of the IRC are Republicans and since 2001, the IRC’s focus has tended to be on national security – on “how current laws and regulation pose a threat to the security of America.” The IRC strongly supports the use of E-Verify.

The Congressional Hispanic Caucus (CHC), is the most visible of the Congressional Caucuses, and its immigration spokesperson is Luis Gutierrez. Naturally this Caucus tends to see immigration from a Latino-centric point of view, with an almost exclusive focus on the legalization of illegal immigrants. Only recently has the CHC begun to incorporate some support for sanctions against employers, but it has given only tepid support for the use of E-verify. The Caucus is also skeptical of the immediate implementation of biometric identity cards. Its members strongly oppose enforcement measures that include arresting and detaining illegal immigrants and refute any negative impacts of growing populations of illegal immigrants on community resources or on the availability of jobs for low-skilled Americans.

The Caucus often correctly extols the hard work, economic benefits and cultural contributions of Latino immigrants to American society. The Caucus often uses the rhetoric of civil rights in demanding “the rights of immigrants,” but of course they rarely distinguish between permanent, temporary and illegal status. In fact, the Caucus increasingly opposes any kind of temporary immigration work permit that does not include a pathway to citizenship. According to some, that pathway to citizenship is the marker upon which any immigration proposal is judged. It has been said that if a bill fails to include eventual permanent residence and citizenship, the Congressional Hispanic Caucus can be counted on to oppose it. The CHC’s annual opposition to California Democratic Senator Diane Feinstein’s Agricultural Jobs Bill to bring in seasonal
workers, has killed the bill so many times that Tom Harkin (D-IA), chairman of the Agricultural Committee reportedly admonished his California colleague to “not even think about” including an immigration visa proposal in his farm bill. She didn’t and the bill passed. The passage of this bill and others like it could be said to be a pyrrhic victory for the Congressional Hispanic Caucus.

Immigration is also a major policy concern for the Asian Pacific American Caucus whose Chairman, Representative Mike Honda (D-CA), often speaks and writes about how a comprehensive pathway to citizenship will help the American economy and will not threaten American workers. According to Honda, such a pathway is inevitable with the continuing diversification of the American demographic, which by 2050 will be majority minority with Latinos and Asians comprising 25 and 7 percent, respectively.

The Congressional Black Caucus (CBC), supports immigration reform as a minority political issue, likely due to the Congressional Hispanic Caucus’ success in framing immigration as a civil right. But the CBC is often silent on other immigration issues. Caucus chairwoman Barbara Lee (D-CA) and active member Maxine Waters (D-CA), both shook their heads when asked about the increasing tension in education, housing and employment between blacks and Hispanic immigrants. When discussing the issue in private, both tacitly concede immigration’s negative impacts on African Americans, by stating in hushed voices “we don’t want to go there.”

Despite their tepid support for immigration reform, it must be assumed that CBC members have mixed feelings about the Latino-centric immigration debate in Congress. This debate rarely mentions the growing number of African and Caribbean immigrants and refugees from countries like the earthquake ravaged Haiti. Instead, African American legislators are forced to listen as Latino Members extol the soon to be majority/minority Hispanic population and its potentially massive electorate force. Notwithstanding these assertions, it bears noting that as for imminent future elections, a large proportion of the Hispanic population are not citizens, many are in the country illegally and will not be eligible to vote for decades. Despite this reality, black leaders cannot ignore the fact that the Latino population is rapidly outnumbering African Americans in once all-black districts such as Los Angeles, Chicago, Washington, DC, and Harlem. Clearly, these legislators understand that with changing demographics, their seats could be lost to Latino politicians. It is likely for that reason that black legislators rarely discuss the negative impacts that illegal immigration might have, particularly on job opportunities for low-income, semi-skilled African Americans, especially those in the construction and hospitality industries. The CBC does support the Congressional Hispanic Caucus’ opposition to temporary work visas, however, which CBC member Representative Charlie Rangel (D-NY) labeled “the nearest thing to slavery since the 1800s.”

Factually it is in the interest of these three minority congressional caucuses to vote together on major political issues whenever possible. Taken together, their membership provides approximately 75 votes. As a bloc, these three caucuses hold the potential to greatly impact legislative politics. There is one other nationality group that does not have a congressional caucus, but has remained very involved in immigration reform hearings and floor debates. They have been seen wearing bright green shirts with the words “legalize the Irish.” These individuals represent the hundreds of thousands of Irish nationals who entered the U.S. on visa waiver passports as tourists and visitors, and stayed on, often for years, to work, study and reside in the country illegally. They are supported with enthusiasm by many of Congress’ Irish heritage representatives and senators.

Other major political caucuses in Congress such as the progressives and Blue Dogs have not been outspoken as a bloc on immigration. The trend, however, is that the progressives, numbering some 85 members, tend to vote for comprehensive immigration reform, while the Blue Dogs with approximately 75 members, including several Latinos tend to vote against comprehensive reform, including amnesty.

Given their
fiscally conservative leanings, Blue Dogs are most concerned about the impact of illegal immigration on local, state and federal budgets and debts. In terms of power, in almost every major issue facing Congress today, the Blue Dogs increasingly wield the deciding vote. As a bloc, however, the Blue Dog Caucus has refused to take a stand on social issues such as abortion and same sex marriage. Their power in Democratic politics can best be seen in that since 2006, when their numbers increased in Congress thanks to Rahm Emanuel, gun control legislation has been quietly tabled by conservative Democratic leaders. Whether they will turn those guns on illegal immigration remains to be seen.

**Lobbyists and Grassroots Organizations**

Certainly hundreds of grassroots organizations small and large, local, state and national are concerned about and lobby Congress on the dozens of issues involved in immigration reform. It would be impossible to name or describe all groups involved in this far-reaching issue, but it is important to be aware of them. Below are the names and brief descriptions of several lobbying groups that have gained attention due to their high visibility in Congress.

**Ethnic Immigrant Advocates**

The most visible, vocal and powerful of the grassroots immigration reform advocates appears to be The National Council of La Raza (NCLR), which self-identifies as the “largest national Hispanic civil rights and advocacy organization in the United States.” The NCLR claims a network of some 300 affiliated organizations throughout the country. Headquartered in Washington DC, La Raza helps organize and carry out hundreds of community organizing projects with the primary purpose of developing civic engagement. In their words, La Raza’s goal is to “increase Hispanic participation in the electoral process,” which they see as critical to improving opportunities and opening doors for Hispanic Americans. NCLR’s civic engagement projects range from citizenship drives, voter mobilization, and securing access to housing, health care, jobs and education. They also work to address obstacles that prevent Latinos from fully participating in these processes. La Raza’s programs and outreach reach approximately 4 million Hispanics nationally.

La Raza is particularly active in advocating for comprehensive immigration reform at the national level. The organization also fulfills a local watchdog role, as states and localities seek to play a more prominent role in regulating immigration. The organization’s immigration reform experts are often presenters at Congressional and think tank hearings and panels. They are intense advocates for the legalization of illegal immigrants, 55 percent of whom, they often point out are Latinos, predominantly from Mexico. In fact, Cecilia Muñoz, who served as NCLR’s Senior Advocate for nearly 20 years, has repeatedly stated that she supports La Raza’s position that the organization will “not support any immigration reform bill unless it includes a pathway to citizenship” for undocumented aliens. Janet Murillo, who serves as La Raza’s President, has been known to use extreme rhetoric in her amnesty advocacy. While speaking at a National Press Club luncheon in 2008, Murillo referred to enforcement-only legislative proposals in Congress as “deportation only” bills that will “result in the deportation of all immigrants in box cars.” When reporters complained about her extreme language, implying that immigration enforcement equaled the Holocaust, she shrugged and said, “it’s just rhetoric. It’s the way we talk.”

By its very definition, La Raza is Latino-centric. But Latinos are not a race nor recognized as such by the U.S. Census, which regards Latino a “self-identified ethnic group.” La Raza staff members often find themselves having to explain what exactly the Latino race is. In fact, Latinos in America are as highly diverse and multi-cultural as the Latin American nations from which they hail. Intermarriage and integration in the U.S. have made the second and third generations of Latinos as diverse as the U.S. itself. Still, Democratic liberals in particular seem to have embraced the National Council of La Raza as their primary source of information on immigration reform. The result is that much of the focus of Democratic outreach
on immigration has become Latino-centric with an emphasis on first and second generation immigrants and illegal immigrants particularly from Mexico.

With the unlikely passage of comprehensive immigration reform in 2010, La Raza and immigrant advocacy organizations have focused on the 2010 Census as a principle means of confirming strong, new Hispanic and immigrant electoral districts that many assume will vote Democratic. Along with a bilingual campaign to encourage all Latinos, regardless of immigration status, to be counted in the spring census, La Raza has invested in a two-year campaign to naturalize and register “at least a million immigrants” to vote before the 2008 and 2010 elections. While the goal of a million was not reached in 2008, hundreds of thousands of permanent green card holders did apply for citizenship and voter registration, largely as a result of this campaign. A large number of these new registrants, however, were Asian, rather than Latino immigrants.

Concerned Environmentalists for Population Control
Environmentalists concerned about the impact of population growth on the environment and America’s quality of life have always been concerned about uncontrolled immigration. In the 1980s, a rift ensued in the National Sierra Club between environmentalists who supported a platform of immigration restriction and those who wanted to focus on environment issues without addressing immigration. Today the Sierra Club focuses primarily on advocating for green energy projects. However, the number and ranks of population control advocacy groups have grown since 2005, when the United States reached a record 300 million population mark with projections to reach 420 million by 2050.

Political Ideological Groups
As has been mentioned throughout this brief, otherwise highly partisan members of the Democratic and the Republican parties are split over immigration. The Immigration Horseshoe demonstrates how the political parties fall with regard to immigration: along a vertical spectrum running from Libertarian on the bottom to Economic Nationals on the top.

Libertarians
In general, Libertarians believe in maximizing freedom and liberty for the individual and minimizing limitations imposed by governmental entities. Most Libertarians are not completely anti-government, as they are not anarchists. They merely seek a system with as little government intervention as possible, especially with regard to their private and economic lives. They often express their beliefs in terms of favoring small government they can control. Libertarians tend to favor local and state government initiatives over national ones. This was demonstrated by their rejection of single payer federal options in health care in favor of state exchanges. Advocates in favor of blanket amnesty and minimal immigration enforcement based on the free market and cheap labor seem to have Libertarian leanings. The extreme Libertarians claim there should be no immigration laws at all, and that everyone in the world should be able to live, stay and work in any country they choose. They believe the idea of nation states and even citizenship have become obsolete in the new global world. It can be said that Libertarians have a strong distrust of government and focus largely on the role of immigration law as bringing in and protecting immigrant labor, rather than protecting American jobs and labor conditions. Libertarians do, however, want the federal government to do the job of protecting the thousands of miles of land borders, although some corporate Libertarians feel that private contractors would do this job better than government.

Most Libertarians also favor free trade policies. Some might call them globalists. Libertarians often refer to anyone living in the U.S. as American, regardless of citizenship status. Some believe such individuals are entitled to all the rights therein, including the right to vote, especially in local elections on issues directly affecting where they reside and work.
Libertarians cross the entire political spectrum. They have been identified as both left and right. Republican Libertarian Ron Paul raised more money than any other presidential candidate in 2008, while Democratic Libertarian Congressman Dennis Kucinich retains a solid seat in Ohio and was pivotal in the comprehensive health care vote. With regard to immigration, Libertarians favor loose immigration laws, restrictions and enforcement. Their immigration philosophy may have best been described by the Libertarian-leaning CATO Foundation’s 2008 book by Jason Riley, aptly titled: Let Them In: The Case for Open Borders.

While both parties often take the same position on the enforcement of immigration laws, Republicans and Democrats want the same thing but for different reasons. Republican Libertarians want loose immigration laws because they favor the free market and cheap labor. They are the corporate Libertarians. Examples of prominent corporate Libertarian individuals and organizations include President George W. Bush, the U.S. Chamber of Commerce and the U.S. Hispanic Chamber of Commerce, although there are many Democratic members of these two organizations.

On the other hand, Democratic Libertarians support loose immigration laws because they fervently believe in the poem affixed to the Statue of Liberty some 20 years after its erection in 1886. The poem, “The New Colossus” was authored by New York socialite Emma Lazarus, a moderately popular, very wealthy, self-identified Communist who dabbled in poetry. The poem was written in 1883 for inclusion in a fundraising pamphlet to finance the statue’s maintenance fund. In it were the now famous lines: “Give me your tired, your poor, your huddled masses yearning to breathe free.” After the funds were raised, the poem was nearly forgotten until almost 20 years later when it was re-discovered and those words were engraved on the statue’s base. Those words completely changed the image of the torch-wielding French lighthouse lady from its original symbol of French/U.S. democratic solidarity, into a symbol of America’s welcome to poor immigrants from around the world. Democrats who feel that as a wealthy nation America must support and welcome anyone with a desire to work hard and be free believe in the words on the Statue of Liberty. They are civil Libertarians.

Prominent examples of immigration civil Libertarians include Senator Edward Kennedy, the American Civil Liberties Union, and Markos Moulitsas, founder of The Daily Kos, self-described Libertarian and weekly columnist on liberal news outlets like MSNBC. There are even cities which can be deemed to be Libertarian. These cities offer sanctuary to illegal aliens and provide them with benefits and protection, despite the fact they are breaking U.S. immigration and labor laws. Prominent civil Libertarians include most of the American Catholic Church leadership, many of whom advertise their moral opposition to immigration laws. These clerics are most famous for coining phrases like “no person is illegal” and claiming that all immigrants are “equal before God and God’s laws come first.” What could be a better example of a civil Libertarian immigration mantra?

The fact of the matter is that almost all true liberals can be said to be Libertarian by definition when it comes to immigration. This is best explained by political science professor and self-described liberal philosopher, Alan Wolfe of Boston University. In his 2009 book, The Future of Liberalism, Wolfe writes “the difference between liberals and progressives and other political philosophies is that liberals believe not only in liberty for all but equality.” Unfortunately though, this “liberal philosophy” makes it very difficult to discuss immigration, because by its very definition, in immigration, everyone is not equal.

Economic Nationalists (or American Firsters)
At the top of the Immigration Horseshoe are people and organizations who, while pro-immigrant in every way desire strong immigration laws and enforcement. These individuals wish to restrict the number and occupations of new immigrants, in effect eliminating the priority for green cards to extended family members. They would rather the United States transition toward a Canadian-style point system to qualify
new permanent immigrant visas. Unlike Libertarians, Economic Nationalists see the role of immigration law and national government as preserving American jobs and labor conditions for American citizens. While most Economic Nationalists are tolerant of diversity of immigrants, many believe that immigrants should come to the country with the intention of becoming citizens and integrating into the broad American culture. In fact, many Economic Nationalists, like Lou Dobbs, are either naturalized citizens or married to legal immigrants. With regard to immigration reform, Economic Nationalists tend to favor legislation that prioritizes enforcement first to secure the border and American jobs from illegal immigrants. These individuals often favor proposals to grant highly conditioned amnesty for some qualified immigrants once the borders are secure and severe sanctions are firmly established against employers who hire unauthorized workers. Many Economic Nationalists are skeptical of the benefits to American workers of free trade agreements, especially with countries that are less than honest about regulating their currencies and working conditions of labor.

Much like Libertarians, Economic Nationalists are made up of both Democrats and Republicans, left and right with some discernible differences. For one, Republican Economic Nationalists tend to be conservative, not in the neo-conservative sense, but rather in the Pat Buchanan, “American conservative” way. While by definition many are adamantly patriotic, often they are not military hawks as neo-cons tend to be. They believe in traditional values and believe strongly in small government they can control. They often support state and local regulations on immigrants – legal and illegal, and even prefer them to national Supreme Court rulings. They vehemently oppose providing subsidies like taxpayer funded health care, and in-state tuition to foreign nationals living in the country illegally, no matter for how many years. Many conservative Economic Nationalists are veterans and law enforcement officers. Prominent American First groups include the American Legion and the Veterans of Foreign Wars – both of which have many members who are naturalized citizens including many Latinos.

There is also a growing number of small, local, and regional, mainly Republican Party support groups concerned about cultural change, as large clusters of immigrants of one nationality and culture move into their communities. Several southern states have seen an exponential growth of immigrant populations in areas where Mexican nationals now outnumber African Americans in states like the Carolinas and Georgia. They are especially concerned about the increasing dominance of the Spanish language in these areas. In some traditionally Catholic communities such as New Orleans, it is increasingly difficult to find English-speaking services. Skilled African American carpenters in Washington, DC, have indicated they were fired from jobs because they do not speak Spanish. Small regional groups such as Virginians for Immigration Reform in northern Virginia can be highly effective in lobbying Congress. It was the activism of thousands of members of such groups phoning, emailing, and faxing their protests of the Senate immigration bill in June of 2007, that shut down the entire Senate communications system and convinced many Senators to vote against the bill or face public outrage at home.

On the other hand, Democratic Economic Nationalists tend to favor small government in the former President Bill Clinton way, which means they favor a strong role of the national government to regulate abuses of immigration law and immigration’s damage to the environment. Many want government to do a better job of regulating the excesses of global corporate capitalism, and to create an environment for job creation for Americans and reduce the national deficit. Examples of Democratic Economic Nationalists include the aforementioned environmental and population control groups, and fiscally conservative Democrats including many Blue Dogs.

Independents
Like Libertarians and Economic Nationalists, Independents are also split between Republicans and Democrats. This is especially annoying to the press who defined Independents as Obama Liberals during
the election campaign and now declare that Independents are “moving right” to support new “Independent” candidates like Republican Senator Scott Brown. But of course it is much more complicated than that. Many Independents are centrists. Some are more like neo-liberals, such as war hawk, former-Democrat, now Independent Senator Joe Lieberman. These days the press is severely challenged by trying to describe the burgeoning Tea Party movement, whose members often define themselves as an informal affiliate-organization of Independents without the desire for a single leader. The clear thing about Independents, especially the Tea Party members, is that they cannot be defined in any particular political way. They are decentralized, individualized, localized, and diverse. They avoid cultural issues such as abortion and single sex marriage. They are comprised of both disenfranchised Republicans and some Democrats, moderates and extremists. They are as diverse as the once hippy-clad and suited-up, puppet and briefcase-carrying mishmash of young demonstrators who marched in front of the IMF without a single coherent message.

Tea Party Independents do seem to agree on two things: a great distrust of a large central national government, and rage about federal spending that does not benefit the small town citizen. On immigration, it seems many of these Independents would take stands similar to the Economic Nationalist Republicans mentioned above. Their distrust of national government can be over analyzed as fear that the national government (especially under the still unknown President Obama) will not put a priority on the government’s duty to protect national security. Like Libertarians, Tea Party Independents still believe in a strong role for federal government in national security. They want the federal government to do a better job protecting them from outside threats, perceived and real. For many of these Independents, national security also includes protecting American jobs from outsourcing, both outside and inside the country.

Trade Unions

Trade unions are another key interest and lobbying group that are conflicted about immigration. By definition, unions are expected to be the ultimate American Firsters – founded to protect American jobs for Americans. That has been their stance throughout U.S. history. Indeed the first national immigration law, the Chinese Exclusionary Act of 1882 was a result of strong lobbying by unions of the day convinced that the continued mass immigration of Chinese workers would freeze out Americans from low-skilled jobs. The Act did not prohibit the immigration of Chinese professionals. Over the past twenty years as unions have become weaker, with fewer American members, the unions have begun to argue amongst themselves. The fastest growing union, the Service Employees International Union (SEIU), found that many of the employees in occupations such as building maintenance and hotel service jobs were illegal immigrants. Part of the reason for their history-making split with the traditional labor leader, the AFL-CIO, was because the SEIU was contemplating representing illegal workers. “Over 25 percent of our work force are Latinos,” the SEIU representative Eliso Martinez stated on March 11, 2010, after his meeting with the President at the White House. When asked how many were illegal, he said, “we have no idea how many are undocumented, certainly a large proportion but we really have no idea. They are workers and we represent them equally. If they can have good pay and benefits, it benefits the American economy and all American workers.”

The AFL-CIO on the other hand, has maintained a more traditional attitude towards illegal immigrant workers. The AFL-CIO is wary, as was Cesar Chavez of the unfair competition created by aliens willing to work for less money and no benefits than would legal immigrants and U.S. citizen laborers. The split between the unions has been cited as one of the obstacles to passing comprehensive immigration reform in 2007. After President Obama’s election and the death of Senator Kennedy in 2009, however, the unions decided to come together for comprehensive immigration reform. After many meetings and much publicity, the unions announced they had agreed that a commission of labor union officials should decide the types of jobs that should be available to future immigrants. “We are now on the same page,” they proclaimed. But such a commission would have to be legislated, and there are many who while they agree on the need for
such an immigrant job-approval commission, do not think that labor union officials should dominate that process.

Think Tanks
Think tanks are the secret policy influencers of Washington, DC. Most people outside the Beltway do not fully comprehend the power and influence of the wide spectrum of think tanks in Washington. DC think tanks are large and small, general and specialized and they all have political angles. Often they grow and shrink according to which party is in office. Contrary to common logic, several think tanks actually shrink when their party is in office because many of their fellows join the administration as appointees. Some grow when their party is out of office because the think tank often acts as a holding tank for policy makers waiting for the administration to change. A growing number of DC think tanks, general and specialist have become interested and involved in immigration policy. There is not time to discuss them all, but these organizations span the spectrum from Libertarian to Economic Nationalist, from the CATO Institute and the Center for American Progress, to the Center for Immigration Studies, and many in between.

The Media
Words and images matter in any public discussion. There is little doubt that how the immigration debate is covered by the press, electronic and print, can influence the voting electorate. As a working print journalist, I know that most reporters firmly believe they are fair and objective when questioning, reporting, and writing about controversial subjects. Reporters are professionally trained to put aside personal opinions and report what they see. Print journalists also do not believe they have much influence, since average reporters (as compared to columnists) receive little feedback from readers about their articles. Many journalists are not fully aware of the bias of their publication’s editorials and op-eds, since those writers are by tradition physically and philosophically separated from the objective news gatherers. Most journalists firmly believe that the editorial policy of their publications never influences their comprehensive objective reporting. But of course the nature of the news business is to make its news product as attractive to as many consumers as possible. This goal may have a different pressure than comprehensive objectivity for issues as emotional and complicated as immigration. To make it easier for readers, the press tends to cover immigration and other such complicated issues as if there were only two sides. Of course there are extremes in the politics of immigration and unfortunately, or perhaps by definition, the extreme sides and events are what “make news” and get coverage, even in the most serious publications.

One seminal study, “Media and the Immigration Debate,” produced in 2008 by the Norman Lear Center of the Annenberg School of Communication in Los Angeles and the Brookings Institution confirms this. Among the report’s conclusions is that “the media does not do nuances well.” Both the broadcast and print media prefer framing complicated issues such as immigration and even political races in terms of dual competitors, dual points of view, good guys and bad guys, winners and losers – more like a sports match than the shifting dynamics of a highly diverse populace struggling with complicated policy issues. In the case of immigration, unfortunately, many in the media seem to echo the ethnic immigrant advocacy groups’ rhetoric that the “debate” is between “anti-immigrant” and “pro-immigrant” sides, rather than about the complicated issue of deciding what types of workers and immigrants to admit into the country.

Covering the extreme sides of the immigration debate can also result in repeating much of the spin, hype, and misinformation contained in the rhetoric espoused by opposing camps, such as referring to those concerned with enforcement as xenophobic, racist, nativist, anti-immigrant, or even Nazi. While such labels are expected in editorials, it is tragic for the ethics of journalism for news articles or major publications to use pejorative labels such as “anti-immigrant” and “draconian” to describe enforcement legislation or actions, without attribution or quotation marks. This rise in the use of such terminology may be because although
a new generation of reporters and editors is increasingly tolerant of ethnic and gender differences, many find questioning a person’s immigration status to be uncomfortable, even unacceptable. Some reporters seem to consider immigration as a core issue of minority discrimination, harkening back to the dark time of civil rights abuse and discrimination, which they never personally experienced. This kind of extreme rhetoric was reflected in the almost instant labeling of the new Arizona immigration enforcement law in April 2010, as Nazi and Fascist. The language became so extreme that even Chris Matthews of MSNBC warned advocates to “stop with the Nazi labeling. Immigration enforcement is not Nazi.”

The unfortunate fact is that many reporters and editors at even the most distinguished news publications such as the New York Times and the Congressional Quarterly, allow their immigration reporters to use disingenuous terms like “anti-immigrant,” “racist,” and “undocumented” without quotes or references. This demonstrates an unquestioned bias toward the civil Libertarian point of view in immigration issues among many journalists. Reporters have indicated they were instructed by editors to use the word “undocumented” when referring to illegal immigrants, despite the fact that most illegal aliens have documents, just fraudulent ones. This not only distorts and debases the objective reporting of the complicated issue of immigration reform from all sides, it also detracts from the ability to have a civil discussion. Many black legislators and politicians have told me they are fearful of being called racist if they talk about the negative impacts of illegal immigration on their communities.

The members of the press owe it to democracy and to the integrity of their profession to avoid labeling, rhetoric, and the narrow reporting of only two sides of immigration issues. The decision about who can come into a country, work, and become a citizen, and how to enforce that decision is one of the most complicated, emotional, and important debates that any nation state must have. As one of the five key influencers of political opinion on immigration, the news media reporters and editors owe the American polity comprehensive, objective, and critical coverage of all sides of the immigration debate. While the general public has come to know the extreme points-of-view of the various cable news networks, the biases of the major national newspapers and magazines are not so well known. Hopefully the extreme rhetoric in the press will change, especially after April’s over-the-top labeling of the Arizona immigration enforcement law showed how disconnected the press and immigrant advocates were from the majority of the Arizona and national population, which overwhelmingly approved of the new legislation. Perhaps the press’ experience with the political nuances of the comprehensive health care reform bill and the realization that both Republicans and Democrats are split when it comes to these complicated issues, will result in a more nuanced, comprehensive coverage of immigration in the future.

**Immigration Reform in the Future**

Overriding all of these key players and their specific immigration agendas of course is the growing unemployment rate in the United States, most significantly among African American males. As the election season takes hold, the focus of the Administration will be on the jobs crisis and then the issue of immigration. Immigrants come to work, as most immigrant advocates agree. Immigration is highly desired by most nation states as a way to fill their labor needs with cheap, hard working, eager and sometimes creative foreign workers. Jobs are the very raison d’etre of immigration itself. It is inevitable that profound and emotional, complicated immigration issues will be borne out in the big political debate – jobs for Americans and permanent residents, temporary jobs for legal immigrants, and what to do with the millions of foreign nationals working illegally in the country when millions of Americans are unemployed. This immigration debate must be civil, serious and productive. How should it be done? What can progressives do to make that happen? Here are some suggestions.
Change the Focus to Labor Needs

First and foremost, the immigration debate must change from a micro ethnic-identity and minority civil rights focus to a macro focus on jobs. The decision about immigrant entry should not only continue to encompass America’s commitment to nationality, ethnic, religious, and educational diversity, but its main focus should be on workforce enhancement, rather than family reunification. After all, with mobile phones, Skype, and numerous relatively cheap and easy international travel options, the new immigrant can communicate with, and visit, her homeland and family as often as she chooses. The majority of new immigration visas should go to immigrants with work skills where American employers can prove a need for immigrant labor. The focus of immigration law must return to the need, or lack thereof for expanding permanent refugee and temporary asylee visas. This is the framework within which tightened border and internal immigration enforcement will work. It is quite possible that with the refocus of immigration back on enhancing a competitive workforce, the Congressional jurisdiction for immigration reform should be returned to the Labor Department.

Change the Tone of the Debate

Many Latinos support immigration laws backed by enforcement. Many who are naturalized citizens indicated that one reason they decided to become American citizens was because they wanted to live, be a citizen, and raise their children in a country that honors the rule of law. Notwithstanding these sentiments, many Latino citizens and legal immigrants also feel uncomfortable with the tone of the immigration reform debate of the past few years. For many, the focus on tightening enforcement and the fact that nearly 50 percent of all illegal workers are Latino, seems to make much of the immigration reform debate Latino-focused.

Despite this sentiment, during the past year or two much of the most strident rhetoric and pejorative labeling (such as anti-immigrant and racist) has come from the increasingly desperate immigrant advocacy groups and Democratic civil Libertarians. For those of us who follow this issue closely, these groups’ language and tone about immigration has become increasingly hysterical to the point that even good pundits consider immigration reform to be solely about the legalization of illegal immigrants. But with the job crisis and wage gap increasing every day, the death of Senator Ted Kennedy, and the unlikelihood of comprehensive immigration reform in the near future, the civil rights argument now show signs of giving way to a broader economic argument. With the Judiciary Committee tied up until August with the new Supreme Court Justice selection, and the Homeland Security Committee weighed down with the gulf oil disaster and the prevention of domestic terrorism, some immigrant rights advocacy groups are turning to the Finance Committee as a source for legalization of illegal immigrant workers and a tie-in with an eventual jobs bill. Still, Senator Schumer urges a more neutral tone on immigration. He discourages the use of the term “undocumented” to refer to illegal immigrants, knowing that most illegal hires used fraudulent documents to gain employment, which is a felony. It is disingenuous and dangerous for immigrant advocates and Democratic civil Libertarians, to encourage illegal immigrants to think it is acceptable to commit a felony, just because the term sounds nicer and is more politically correct than the word “illegal.” Catholic immigrant advocates often say that “no person is illegal,” but of course that’s disingenuous spin. The term “illegal immigrant” refers only to a person’s immigration status. Senator Schumer repeatedly urges that clear designations of immigration status must be addressed when referring to immigration.

The language of immigration reform must reflect the wide diversity and ever-changing rules and traditions of the United States, as well as the right and duty of American citizens to debate who can come into the country and how this decision should be enforced. Even small government conservatives want the federal government to do its job to protect the country’s borders and its national security, including American job opportunities. As America becomes ever more diverse, elected officials must be supported in efforts to move
policies in a direction to serve their diverse constituencies of citizens without being labeled xenophobic or anti-immigrant.

**Parse Out the Issues**

Hopefully it is apparent by now that there are multiple issues and interest groups involved when discussing immigration. Clearly immigration in the United States is not just about Latinos, or the fate of millions of Mexican illegal immigrants. The 2007 Senate immigration bill that numbered more than 1,000 pages covered a multitude of immigration issues from whether a point system should be used for new immigrants to national identity cards. Only a few pages were devoted to the uniquely American problem of the presence of millions of foreign nationals from around the world living and working in the country illegally. It would be best for anyone talking about illegal immigration to refrain from referring to “Latinos” unless it is directly relevant. The problem is illegal immigration – not Latinos who make up an increasingly significant proportion of U.S. citizens, law enforcement officers, high school and college graduates and legal permanent and temporary residents.

**Conclusions: What Can Progressives Do?**

Immigration politics is dynamic, complicated and emotional. It tends to be argued as a micro-ethnic interest group issue. As much as most individuals and interest groups would like to believe that immigration is about their particular nationality, ethnic group, professional, religious, or other affiliate group, immigration laws really reflect the core macro-decision that every nation state must make about who should become citizens.

Progressives who are known for their commitment to diversity can guide the dynamics of the immigration debate among Democrats to a more macro-level, focusing on jobs and on changing the tone from shrill rhetoric to civility. It is this type of discussion, a civilized though passionate debate about the questions of immigration law, that epitomizes the democratic process.
**End Notes**

1. Attendees during the day’s meeting were assured of the President’s unwavering commitment to comprehensive immigration reform – provided that enough votes could be secured.

2. Currently the U.S. Census Bureau recognizes only five races and one ethnic group – Latino, which is established largely by self-identification.


4. Comprehensive immigration reform was a top priority for President Bush when the terrorist attack of 9/11 changed his focus overnight. Nevertheless, the President continued to push for immigration reform until the Senate bill failed in 2007. President Bush continued with his efforts even after Congress had changed to a Democratic majority.

5. In at least one instance the President has relatives who have immigrated to the country illegally. Ms. Zeituni Onyango, the half-sister of Mr. Obama’s late father moved from Kenya to the United States in 2000. Although she first applied for asylum in 2002, her request was rejected in 2004. Onyango’s residency in subsidized housing in Boston became public knowledge in 2008 during the election campaign. Mr. Obama’s response was that officials should “deport her if she is breaking the law.” Ms. Onyango was granted asylum on May 17, 2010.

6. During a 2006 gathering at the National Press Club in Washington, DC, Napolitano stated that she would not have signed Proposition 200 into law had the Senate succeeded in passing its Comprehensive Immigration Reform bill.

7. E-Verify is an Internet-based system that allows employers to determine the work authorization status of perspective employees. For most employers, the use of E-Verify is voluntary and limited to determining the employment eligibility of new hires only. There is no charge to use E-Verify. The E-Verify system is operated by the Department of Homeland Security in partnership with the Social Security Administration.

8. The Development, Relief, and Education for Alien Minors Act (The “DREAM Act”) is a part of proposed federal legislation that was introduced in the United States House Senate to provide in-state tuition rates to qualifying students who are unlawfully present in the United States.

9. Although Kantor is originally from Boston, after some 25 years in California she is strongly attuned to the Hispanic community and is affiliated with several Hispanic organizations. In an interview she told me that she strongly supports the DREAM Act and Comprehensive Immigration Reform. Martha Kantor is also officially involved with the Administration’s efforts to develop an immigration reform bill.
Senator Schumer developed these beliefs not only by talking and listening to his constituents, but also by consulting the Baileys, Senator Schumer’s imaginary, traditional-values, “typical American family.” Senator Schumer often considers what the Baileys would do in certain situations. A very clever exercise for a liberal Democratic Senate leader who recognizes that he must represent a wide diversity of Democrats – especially when he probably doesn’t have many traditional-value Democrats in his own district of New York City. In his 2007 book, “Positively American: Winning Back the Middle-Class Majority One Family at a Time” Schumer lays out specific proposals for what he would do according to the Baileys and others with regard to ten major issues, including immigration.

It remains to be seen whether Congressman Gutierrez’s vocal opposition to the health care bill affect’s the President’s support of future comprehensive immigration reform proposals that Gutierrez may sponsor. With regard to health care’s passage, House Speaker Nancy Pelosi threatened to punish any Democrat who did not vote for the bill, especially if their vote was crucial to its defeat.

It is interesting to note that during the most recent Presidential election, nearly three times as many African American voters (15,048,000) cast their ballots for candidate Barack Obama than Hispanics (6,498,000). Moreover, African Americans have almost double the electorate percentage of Hispanic voters 12.1 percent versus 7.4 percent. While the Hispanic population is indeed growing and will comprise some 25 percent of the population by 2050, reports indicate that nearly 30 percent of Hispanics tend to vote Republican, while a consistent 95 percent of African Americans vote Democratic. PEW Research Center “Dissecting the 2008 Electorate: the most diverse in U.S. History” April 30, 2009.

Cecilia Muñoz is now White House Director of Intergovernmental Affairs and a recipient of the prestigious $500,000 MacArthur award in 2000, which she reportedly donated to the National Council of La Raza.


“The New Colossus” is a sonnet by Emma Lazarus (1849-1887), written in 1883 and, in 1903, engraved on a bronze plaque and mounted on the Statue of Liberty.

Georgetown University panel on immigration, 2009.

These inequities are plainly seen in U.S. immigration law, where citizens have more rights than immigrants, lawful permanent residents have more than temporary immigrants, and illegal immigrants have very few rights at all. U.S. immigration laws assign various rights according to one’s immigration status. This is one reason why liberals and Libertarians eschew current immigration status categories in favor of declaring everyone free and equal under the free market.
Many Hispanic Blue Dogs are conflicted about the illegal immigration of Latinos. For that reason the Blue Dog Congressional Caucus does not maintain an official position on immigration and other social issues. It is generally left to individual representatives to make their opinions known.

SEIU’s star rose high as one of the first and most active endorsers of President Obama’s successful presidential campaign. Many SEIU officials appear to maintain the attitude that the President owes the election to them.

In this writer’s view, unchallenged use of the term “undocumented” is disingenuous. To be in the country illegally is a misdemeanor; to overstay one’s visa is a civil offense; but to use a false identity document to secure employment or publicly funded benefits is a felony, and illegal immigrants are not exempt. Many illegal immigrants who work unlawfully in the United States do so by using false social security cards, driver’s licenses, or green cards, which raises their acts to felony offenses, making them highly deportable.

There are many other examples of overly hyped issues, words and mantras. For more information, see my book: *Immigration and the American Dream: Battling the Political Hype and Hysteria* (Rowman & Littlefield, 2008).
The Politics of Immigration Reform and How Progressives Fit In
Progressives for Immigration Reform is a non-profit organization seeking to educate the public on the unintended consequences of mass migration.

PFIR concurs with the U.S. Commission on Immigration Reform that “it is both a right and a responsibility of a democratic society to manage immigration so that it serves the national interest.”

It is the position of PFIR that immigration policy should consider the effects of policy on population size, population growth, skill composition of the labor force, the working conditions and wages of both immigrants and native born workers, domestic water and energy supplies, open space and preservation of biodiversity, and the emission of greenhouse gases from the United States.

PFIR favors policies toward developing countries to lessen the “push” factors of poverty and unemployment that drive emigration.

http://www.pfirdc.org