

5 Reasons Immigration Reform Is Going Nowhere Fast

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Hopes for a legislative overhaul are fading

House Speaker John Boehner said Thursday that he can't see a path forward on immigration reform and asked President Barack Obama to do more on the issue. Translation: The House isn't going to pass immigration reform this year but don't blame Republicans, blame Obama.

"Listen, there's widespread doubt about whether this administration can be trusted to enforce our laws," Boehner said, citing Obama's administrative changes to the new health care reform law and his pledge to use executive orders to get around congressional logjams. "It's going to be difficult to move any immigration legislation until that changes."

Just last week, Obama and Boehner had struck much more hopeful notes on immigration reform. The president purposefully didn't call out the GOP for inaction on a comprehensive Senate bill passed last year. And House Republican leaders released a set of principles that the president hailed as a promising start to potential negotiations.

So what changed in the past week? Here are five reasons why immigration reform is going nowhere fast in Washington.

The 2014 midterm elections

While roughly 60 percent of the House Republican conference expressed support for the leadership team's principles, there was not support for acting in an election year. Too many members worried that potential Tea Party primary opponents, or Democrats in November, could use their votes on immigration against them.

Trust

As Boehner noted, many his members felt they couldn't trust the president to negotiate in good faith, especially after his State of the Union promise to issue executive orders when Congress doesn't act. Obama already effectively imposed by executive order part of the DREAM Act in 2012, when he granted temporary legal status to undocumented immigrants who were brought to the country as children. Republicans worried he might skirt border security provisions in any potential deal that might pass Congress.

Capitol Hill disagreements

Even if the House acted, it would not pass one comprehensive bill that could then be reconciled with the Senate bill in a conference committee. "In the unlikely scenario that

the House would pass something, it would be a take-it-or-leave-it situation for the Senate,” a House GOP aide said. Senate Majority Leader Harry Reid has already pooh-poohed this idea, saying he expected Boehner to “cave” on immigration this year. Reid was wrong, Boehner didn’t cave on a compromise. And now he’s backing away from attempting legislation at all.

GOP divide

Even though a majority of House Republicans supported the principals laid out by their leaders, a good 40 percent were opposed to the idea of granting permanent residency—which they called akin to amnesty—to undocumented immigrants. Outside groups have been particularly critical of this point. Moving ahead against these headwinds in an election year would be tough.

Next stop, 2017

Most Republicans want to wait to pass immigration reform until next year, after the midterm elections. The problem with that scenario is that the 2016 presidential race will heat up the minute the midterms are over. And while Democrats have every incentive to push for a deal now, they could lose a powerful wedge issue at the polls in 2016 if they pass a deal next year. Sure, Obama probably would like to see something get done to burnish his legacy. But Democrats may argue that they could get a better deal in 2017, especially if they lose the Senate in November.