

Trump's Hardline Approach Is Forcing Immigrant Advocates to Readjust

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For years, activists have urged lawmakers to provide a path to citizenship for so-called “Dreamers,” immigrants brought to the United States illegally as minors. They’ve staged sit-ins, protested at the steps of the Capitol, and organized rallies across the country. But the Trump administration’s hardline stance has required advocate groups to go further and consider how much they’re willing to concede to protect young undocumented immigrants—potentially at the expense of other immigrant groups.

There are dozens of immigrant advocacy groups across the country, but the policies they defend can differ depending on the group of immigrants they’re serving. This includes systems to legally immigrate to the United States, some of which President Trump has proposed scrapping.

In September, the administration announced that it was ending the Obama-era Deferred Action for Childhood Arrivals program with a six-month delay, leaving a window of time for Congress to act. Democrats tried to enshrine DACA protections into law by tacking it on to must-pass legislation, such as bills funding the government. And as a result, in January, the lack of a DACA deal led to a three-day government shutdown. Senate Majority Leader Mitch McConnell pledged to hold an open-floor debate on immigration if a deal wasn’t reached before the February 8 funding deadline. This month, the Senate engaged in a debate over immigration, much of which happened behind closed doors, and failed to advance four separate proposals.

Attempts to pass the DREAM Act, a measure first introduced in 2001 that would allow some undocumented immigrants who were brought to the U.S. illegally as children to eventually obtain legal status, have stretched on for years. During his tenure, President Obama backed the legislation, but Congress failed to pass it. In 2013, the Senate passed a bill to overhaul the nation’s immigration system, but House Republicans refused to bring it up for a vote because it lacked the support of the majority of the Republican conference. Efforts have been further complicated recently as the Trump administration, along with hardline House conservatives,

push for stricter immigration measures, including slashing legal immigration, in exchange for protecting the “Dreamers.”

The array of proposals puts activists in a precarious position, forcing them to decide how much they’re willing to concede to help the “Dreamers” stay. It’s not uncommon for divisions to reveal themselves in a movement of this size and scope, as one immigrant advocate told me: “I don’t think [fractures are] surprising given that there’s negotiations ongoing right now and everyone is collectively trying to advocate for their individual provisions,” adding, “At the same point, I think the question will be where folks come together in the end.”

Last month, the White House released an immigration framework that would provide a path to citizenship for 1.8 million young undocumented immigrants, in exchange for \$25 billion for border security and restricting family-based migration, dubbed “chain migration” by some conservatives, and ending the diversity visa program. The proposals would greatly slash legal immigration levels: The libertarian Cato Institute estimated that in all, Trump’s immigration framework would bar 22 million immigrants from legally immigrating to the U.S. over the next 50 years. In the Senate, Trump’s plan fell short of the 60 votes needed to advance. But a separate measure in the House has received the president’s support: A bill by Representative Bob Goodlatte would allow young undocumented immigrants to obtain temporary legal status and slash legal immigration levels.

Trump has insisted that he’s unwilling to relent on his “four pillars,” as he calls them, but he’s previously changed his mind about what exactly he wants in a DACA deal. While proposals to change immigration policy fell flat in the Senate, the House may take up the matter next. Advocates, for their part, are continuing to pressure Congress to pass legislation before the March 5 deadline, while considering what they’re willing to give, if anything, to protect young undocumented immigrants from deportation—and how to stay united in the process.

“When I talk about unity and a movement united, it doesn’t mean carbon-copy advocacy and messaging and policy,” said Cesar Vargas, the executive director of Dream Action Coalition, a pro-immigrant group. “I do mean that we all are in this together.”

To that end, pro-immigrant groups are also in the unique position of having to defend policies that benefit the segment of the population they serve and navigate around strict immigration proposals.

Take the UndocuBlack Network, an organization that advocates for undocumented black people. Immigrants from Africa are among those who have benefited from the diversity visa program, which allocates a limited number of visas to countries that don’t usually migrate to the United States. It’s in the interest of the group to ensure the diversity visa lottery stays intact.

“There is no green card shiny enough for me to justify the devastating consequences on vulnerable communities here and abroad. So we say, not in our name,” said Jonathan Jayes-Green, the director of UndocuBlack Network and a DACA recipient, in a press call last month.

UndocuBlack Network is not alone in opposing the end to the diversity visa lottery. Gustavo Torres, the executive director of CASA, a Maryland-based organization that advocates for

Latinos and immigrants, said he too is against it being scrapped. “In terms of the diversity visa and the family reunification, I am not going and I’m unwilling to sacrifice these two important issues for DACA,” Torres said.

The family-reunification system, which allows close relatives of U.S. citizens and lawful permanent residents to legally migrate to the country, has become a point of contention for other advocacy groups as well. According to the Department of Homeland Security, in fiscal year 2017, roughly two-thirds of new green-card holders had family connections to U.S. citizens. Immigrants from Asia make up a large share of visas issued under this category. The Asian Americans Advancing Justice—AAJC, a group focused on advancing civil and human rights for Asian Americans, has made protecting the system a priority in talks with lawmakers. “When you’re talking about cuts to legal migration, that’ll hit us really hard,” said John C. Yang, the president and executive director of AAAJ—AAJC.

Karin Wang, the vice president of programs and communications for Advancing Justice-Los Angeles, cited the troubled history between Chinese immigrants and the U.S. as reason for concern. The Chinese Exclusion Act of 1882, the first major law restricting immigration, barred the Chinese from obtaining U.S. citizenship and suspended the entry of laborers for 10 years. “I don’t know that [problems with ending the family-reunification system are] unique to Asian Americans, but I know for Asian Americans especially, given a very explicit history where we were valued at one point as low-wage laborers but not considered human enough to be allowed to have families and communities, this feels really relevant,” Wang said.

In many cases, DACA recipients live in mixed-status households, meaning that some relatives may be U.S. citizens or lawful permanent residents while others may be undocumented. This plays a significant role in the debate over DACA, since proposals to cut legal immigration could directly impact the families of the program’s beneficiaries. As many recipients will tell you, it’s not just about passing legislation that provides them legal status but also one that doesn’t alienate their relatives.

But under a Republican administration and Republican-controlled Congress, a trade-in of some kind is inevitable—and advocates by and large agree a border-security package will need to be part of the deal.

“We have to be realistic in the moment we’re living in,” said Juan Escalante, the communications manager at America’s Voice and a DACA recipient. “We’re caving on the border-security package and we’re putting forth a piece of legislation that is widely accepted by the American public. If the DREAM Act was passed, Congress [could] be seen as a functioning body.”

When I asked activists to explain what that package would include, few could say for certain, often punting to lawmakers who will be tasked with writing the language, as well as groups more knowledgeable on border security. Clarissa Martinez, the deputy vice president for UnidosUS, specified the organization is open to supporting funding for border security under certain circumstances: “Reasonable border-security measures and accountability for expenditure of that money is something we’re willing to look at,” she told me.

This became a point of contention between pro-immigrant groups this month in regard to a bill co-sponsored by Senators Mike Rounds and Angus King. The proposal, which failed by a vote of 54 to 45, included a pathway to citizenship for young undocumented immigrants though it would prohibit them from sponsoring their parents, and \$25 billion for border security, among other things. The large sum of money dedicated to the border frustrated members of the Southern Border Communities Coalition, which is made up of more than 60 organizations in the southern border region.

“SBCC has been very clear about what border communities need and what they need is a solution that not only protects Dreamers but to the extent it includes any kind of border policy, that that border policy be driven by data, analysis, and consultation,” said Andrea Guerrero, the organization’s co-chair. “The great failure of the Rounds-King bill was that it did not include data, analysis, and consultation. It predetermined that what we need is \$25 billion that was based on a political agreement.” United We Dream, the largest immigrant-youth organization in the country, also opposed the measure. Greisa Martinez-Rosas, the director of advocacy and policy at United We Dream, told me the bill “crossed the line.”

UnidosUS, formerly known as National Council of La Raza, saw the bill as an opportunity. “The difference of opinion is not about the concerns over the substance. We share those concerns. We share concerns about continuing to feed this false notion about border security needing that kind of money,” Martinez said. “At the same time, because there were some limitations to how that money was going to be used and how rare it is to bring a debate to the floor, [and] the fact that it included protection for Dreamers, we decided to support that push.” FWD.us, a pro-immigration group funded by the tech industry, also backed the measure.

Guerrero called support for the Rounds-King bill a “misstep.” “Opening the door to border enforcement that was unaccountable, opening the door to the elimination of family visas, and opening the door to discretionary decisions by [Customs and Border Protection] were all extremely dangerous because we know that on the House side, this bill was going to get worse,” she said.

SBCC supports Representative Will Hurd’s immigration bill, dubbed the USA Act. The Republican congressman, who represents roughly 800 miles of Texas’s border with Mexico, has proposed legislation that offers a path to citizenship for young undocumented immigrants and bolsters border security. The legislation has more than 50 co-sponsors from both parties. A companion bill in the Senate by Republican John McCain and Democrat Chris Coons failed by a vote of 52 to 47. “The misstep last week is that we should’ve all been throwing in behind the USA Act,” Guerrero said.

The divisions within pro-immigrant groups over negotiations also became clear within the League of United Latin American Citizens, a Latino-rights group. The group released a letter backing Trump’s immigration framework, then retracted it after a fierce backlash from members.

According to estimates from the liberal Center for American Progress, 122 DACA recipients are losing their protections daily. That number is likely to spike following the March 5 deadline when more permits begin to expire. (A recent court ruling allows recipients already enrolled in

the program to apply for renewal, though the process to do so can be slow and as a result, briefly leave recipients without protections, leaving them subject to deportation.) Activists have cited the urgency of the matter as reason to find a legislative fix—and to do so quickly. But amongst themselves, they'll also be faced with that they're willing to give up to protect the "Dreamers."

"For anybody in Congress who feels that this is going away, I think that's a mirage," Martinez said. "If anything, the intensity is going to increase because of the deadlines that are coming up."