Could Boston suspects' background impact immigration debate in Congress?

By: Franco Ordonez – April 19, 2013

The two brothers suspected of being behind the explosions in Boston have been thrust into the immigration debate just as it is gaining steam in Washington. Some are using the bombing case as justification for holding off talks on overhauling the nation's immigration laws.

The fact that suspects Dzhokhar Tsarnaev, 19, who was captured Friday evening, and Tamerlan Tsarnaev, 26, who was killed in a confrontation with police, are Chechen immigrants will only fuel scrutiny of the current immigration system and recent Senate proposal.

Some Republicans said the incident is reason enough to rethink passing a massive immigration overhaul whose provisions would include a path to citizenship and a revised system for foreign visas. And supporters of the bipartisan proposal have taken a defensive posture, charging it's premature – and unfair – to link the attacks to efforts to overhaul the nation's immigration system.

Some proponents worry that the Boston attacks could sap the momentum and eventually doom the legislation in a way the Sept. 11 attacks spoiled efforts to overhaul immigration laws in 2001.

"That is definitely a concern," said Alex Nowrasteh, an immigration policy analyst at the Cato Institute, a libertarian research center. "We don't have all the facts yet, but it could definitely derail it because national security issues have derailed so many immigration reform efforts in the past."

Concerns about national security have always played a major role in any talks about immigration legislation. Before the 9/11 attacks, immigration was at the top of United States' and Mexico's bilateral agenda. Those plans were placed in a deep freeze after the 2001 attacks as the U.S. focus turned sharply to counterterrorism.

Such a reaction to violence wasn't new. Nowrasteh points to 1921, when Congress passed the Quota Act, which restricted immigration because of national security concerns, among them a bombing on New York City's Wall Street that killed 40 and injured hundreds.

The Senate's so-called Gang of Eight on Wednesday introduced its 844-page immigration overhaul, which would place most of the 11 million people living here

illegally on a path to citizenship. It also would tighten security at the border and strengthen checks of who enters and exits the country.

At the bill's first committee hearing, on Friday, Sen. Charles Grassley, R-Iowa, said the Boston attacks demonstrated the need to fix gaps in the system and stop those "who wish to do us harm."

"While we don't yet know the immigration status of people who have terrorized the communities in Massachusetts, when we find out, it will help shed light on the weaknesses of our system," he said.

Sen. Charles Schumer, D-N.Y., one of the leaders of the Gang of Eight, cautioned against trying to "conflate" the two issues when many facts have yet to emerge. But he emphasized that the immigration legislation is designed to improve security by improving checks that determine who should and should not be coming into the country.

"In general, we're a safer country when law enforcement knows who is here – has their fingerprints, photos, etc., has conducted background checks and no longer needs to look at needles through haystacks," Schumer said.

The events in Boston led Homeland Security Secretary Janet Napolitano to cancel her participation in the hearing.

Rep. Steve King, R-Iowa, a strong proponent of tighter border security, told McClatchy on Friday that the attacks underscore why the immigration debate already has been moving too fast.

More study is needed, he said, to look at the different visas, asylum policies and other ways people enter the country – legally and illegally – so members can have a "better understanding of how many ways our society can be threatened."

But Gang of Eight Sens. John McCain, R-Ariz., and Lindsey Graham, R-S.C., said in a joint statement Friday that the Senate proposal would strengthen the nation's security by helping identify exactly who has entered our country and who has left.

"The status quo is unacceptable," they said in their statement. "We have 11 million people living in the shadows, which leaves this nation vulnerable to a myriad of threats."

It's indisputable that the immigration system is broken, said Rep. Mario Diaz-Balart, R-Fla., who felt it was inappropriate to link the tragedy in Boston with proposed legislation. He said it's wrong to attribute crimes to proposals. If anything, they must be attributed to the current broken system, he said.

"So what that does leave me to believe is that we have to fix the current immigration system if, in fact, there is any connection at all between immigration and this issue," he said.

A proponent of comprehensive overhaul, Frank Sharry, executive director of America's Voice, was part of meetings with the White House in 2001 discussing immigration reform. He said the situation then was completely different. Tremendous strides have

been made in improving background checks to detect threats in the immigration system, he said. And he called it "disgusting" for some politicians and activists to "turn a raw Boston tragedy" into "a talking point" on legislation. If anything, Sharry said, the Senate proposal works to improve security checks to keep people out who want to harm the country.

Alex Conant, spokesman for another member of the Gang of Eight, Sen. Marco Rubio, R-Fla., said that while there are legitimate questions to ask about the role our immigration system may have played in what has occurred, "Americans will reject any attempt to tie the losers responsible for the attacks in Boston with the millions of law-abiding immigrants currently living in the U.S. and those hoping to immigrate here in the future."