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How Momentum for Comprehensive Immigration Reform Collapsed in the House

By Tim Alberta – July 14th, 2013

What a difference one month makes.

It wasn't that long ago—June 5, in fact—that conservatives in the House of Representatives were pushing the panic button, convinced that the momentum behind comprehensive immigration reform was becoming irreversible. They had watched with horror as the Gang of Eight bill, which included a path to citizenship for illegal immigrants, sped through the Senate. And on this day, at a special immigration summit hosted by the Republican Study Committee, they saw members of their own chamber—some longtime opponents of "amnesty"—coming around to the case for comprehensive immigration reform, and agreeing with GOP senators that Republicans must act quickly to address what had become both a policy dilemma and political nightmare.

It looked awfully bleak for the likes of Iowa Rep. Steve King, who emerged from that meeting red in the face and wondering aloud whether his fellow conservatives had lost their nerve -- if not their minds. He marveled at how "so many otherwise smart people" in his chamber were being seduced by Florida Sen. Marco Rubio. He described that immigration summit, and the supposed ideological shift among his colleagues, as "surreal." To King, the writing was on the wall: The House was going to pass some form of comprehensive immigration reform, and probably sooner rather than later.

But by July 10, everything had changed. Emerging from a conference-wide immigration meeting, King and his newly vocal band of conservative comrades were floating. After convening for more than two hours to plot the path forward on immigration reform, members were still not entirely sure what the House approach would be. But this much they knew: The Senate bill was, as Speaker John Boehner said without equivocation, "dead on arrival." The House would act, the speaker vowed. But it would not follow the Senate.

There would be no comprehensive package. There would be no rush to approve legislation this year. And, in all likelihood, there would be no path to citizenship.

How did the dynamic shift so quickly?

It began with an exasperated, wits-end King on June 6. One day removed from the RSC summit, King began visiting his colleagues—the same ones who were silent during that meeting—and asking for their signatures to force another gathering. This one would be longer and more

thorough, he told them, involving the entire conference. Soon he had collected the 50 signatures needed to trigger what he and other lawmakers would later describe as a "family meeting."

On June 12, a week after King launched his petition drive, Boehner's leadership team scheduled a July 10 special conference meeting to discuss immigration. (Leadership aides insist Boehner had long been planning such a session.)

With less than one month to organize the opposition, King went to work. He checked back with the conservative members who had signed his petition, asking them to attend an "anti-amnesty" rally the following Wednesday on the East Lawn of the Capitol. King wanted to bring his coalition out of the shadows, and perhaps even more, he wanted the grassroots opposition that was simmering beneath the political surface to be seen from the windows of the Capitol Building.

As King strategized behind the scenes, Boehner began feeling the heat in public. On June 17, Rep. Dana Rohrabacher, R-Calif., told a radio show that Boehner "should be removed as speaker" if he brought an immigration bill to the floor without the support of a majority of House Republicans, a violation of the so-called "Hastert Rule." At a conference meeting the next day, Boehner promised his members that he would do no such thing. He also emphasized that immigration proceedings would go through regular order, with House Judiciary Committee Chairman Bob Goodlatte, R-Va., working through a series of single-issue bills.

Speaking to reporters later that day, Boehner publicly repeated his promise, saying, "I don't see any way of bringing an immigration bill to the floor that doesn't have a majority support of Republicans."

Feeling a sudden surge of momentum, King prepared to capitalize on Boehner's pledge. The next afternoon, conservative activists swarmed around a makeshift stage on the Capitol lawn, listening as King and his chorus of conservative allies railed against "amnesty" for illegal immigrants and begged House Republicans to reject the Senate bill, which was on track to pass in the coming week. Energized by the swollen crowd of activists, King took the stage and cried: "I can feel it! I can feel we're going to defend the rule of law! We're going to defend the Constitution! We're going to defend our way of life!"

The momentum, King said, was shifting in front of Washington's eyes. The camps were becoming clearer, King told *National Journal* during the rally. "But," he added, "ours is getting bigger."

As the tension intensified outside the Capitol, lawmakers also felt the pressure up close. Twice that week, the Heritage Foundation's Robert Rector—who had co-authored the organization's controversial study on comprehensive immigration reform—headlined private policy forums for members of the House GOP. Sparring with the CATO Institute's Alex Nowrasteh, his ideological counterpart, Rector did at those meetings what he had done for months in private visits with lawmakers: Lobby them against any comprehensive bill.

The following Thursday, Boehner again told reporters he would not bring any immigration bill up for a vote unless it had majority support. But this time, the pledge included any House-Senate compromise that could be ironed out in a conference committee. The speaker had now made it unequivocal: Either immigration reform would pass in a manner pleasing to his House majority, or it would not pass at all. There would be no back-door deal with the Senate.

Hours later, the Senate passed its bill on a 68-32 vote, with 14 Republicans joining a unanimous Democratic caucus. The response from across the Capitol erased any doubt about the House's willingness to follow suit. Boehner released a statement saying, "The House is not going to take up and vote on whatever the Senate passes." The speaker reiterated that Goodlatte, an outspoken proponent of incremental legislation, would continue with regular order, and that the House would focus on "real border security."

Rank-and-file members were not as passive. King called the Senate triumph "a meaningless political trophy." Minnesota Rep. Michele Bachmann said it amounted to "amnesty now, border security never." It wasn't just the hardliners, either. Alabama Rep. Martha Roby, not known as a firebrand, called the Senate bill a "monstrosity."

The House Republican Conference, having opened itself to modulating on immigration following Mitt Romney's drubbing among Hispanics the previous November, had hardened its position once more.

When the July 10 summit arrived, House Republicans were ready. Having recently returned from their districts, where they heard from constituents about immigration over the Fourth of July recess, lawmakers had specific expectations for the meeting.

In interviews with more than a dozen members prior to the immigration summit, there was remarkable consensus. On the policy side, they wanted leadership to focus on border security now and everything else later. And on the process side, they wanted a renewed commitment to a slow, incremental approach that unhurriedly tackled one issue at a time. If those expectations were met, members said, the meeting would go fine.

By five-thirty that afternoon, the transformation was complete. Emerging from the same room he had one month earlier, King looked like a changed man. As his conservative comrades met with reporters to share their satisfaction with the meeting—and declare victory for "the rule of law" in America—the Iowa lawmaker hung back, savoring the scene. King didn't need to be quoted. His smile said it all.