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Immigration Reform Is Delayed, Not Defeated

By Alex Nowrasteh

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On Wednesday, Speaker John Boehner (R-OH) confirmed that immigration reform would not happen in 2013. "We have no intention of ever going to conference on the Senate bill," he told reporters. That certainly sounds final, but immigration reform is still alive and possible in 2014.

Sure, there are political naysayers who say reform in an election year is impossible. Take Congressman Mario Diaz-Balart (R-FL), a reform supporter, who recently said: "[N]ext year, you start running into the election cycle. If we cannot get it done by early next year, then it's clearly dead. It flat lines."

No offense to Congressman Diaz-Balart, but he may want to take a look back at history, because the last major immigration reforms were passed during election years, and it can happen again.

The Immigration Act of 1990 is the best example. The Senate passed the reform bill in July of 1989, but the House didn't act until more than a year later. A final bill was passed approximately one week before the midterm elections.

The Immigration Reform and Control Act (IRCA) of 1986, also known as the Reagan amnesty, is another reason to be optimistic about reform in 2014: it became law mere weeks before that year's mid-term elections. Like the 1990 version, it wasn't all smooth sailing. The law was originally passed in late 1985, but the conference committee took a year to rework parts of the bill before Congress finally passed it.

If Congress was able to pass immigration reform during the election years of 1986 and 1990, it can do it again in 2014.

Granted, it could be argued that today's political environment is far more contentious than in the late 1980s, but there are two major factors that could push the Republican House of Representatives to pass immigration reform in 2014.

The first is ideology. Republicans claim to support free-markets and oppose government control of the economy. Free-markets require mobility of workers that can move to economic opportunities, but government immigration regulations hinder that. Workers are a huge part of our economy and immigration reform will, to a small but important degree, free up that market to our economy's benefit.

The second, and arguably more potent, factor is political self-interest. The political tide is turning toward immigration reform, and any Republican member needs only to look at the recent governors races in New Jersey and Virginia to see it. Pro-immigration reform Republican Chris Christie won a landslide reelection in New Jersey with 51 percent of the Hispanic vote. Republican Ken Cuccinelli, on the other hand, lost in Virginia and garnered just 29 percent of the Hispanic vote.

Yes, Cuccinelli's opposition to immigration reform and his awkward comments that seemingly compared immigrants to rats significantly decreased his support among Hispanics. But it's more than that. Forty-one percent of American Hispanics fear the deportation of a family member or friend, according to a recent poll. That means the Republican Party cannot convince many Hispanics to vote for them while simultaneously threatening to deport their families and friends.

There are 11.7 million unauthorized immigrants in the United States who will not give up asking for legal status. Despite the Obama administration's record deportations, most of these people are not going to be separated from their spouses, 4.5 million U.S.-born children, or their jobs. Combined with our economy's demand for foreign workers, immigration reform can only be delayed temporarily.

It's disappointing that immigration reform is delayed until at least 2014. But delay does not mean defeat. Immigration reforms have been passed in election years before, and if political ideology and political self-interest play any role, it can happen again.