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Immigration forces brace for a renewed battle

Expect more protests and acts of civil disobedience in the coming months as advocates push for new laws and a stop to deportations. Opponents plan to fight in a quieter way.

By Roxana Kopetman

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It was to be the year for an immigration overhaul. In some ways, 2013 came close, but – to the relief of opponents and the disappointment of advocates – not close enough.

The new year is expected to bring more pressure on legislators and President Barack Obama not only to make big changes to immigration law, but to reconsider deportations, an issue that gained increasing attention from activists as the year progressed.

In 2014, proponents of an overhaul expect to see new legislation. What that will look like is unclear.

“We’re reaching a compromise point,” predicted Alex Nowrasteh, immigration policy analyst for the Washington-based CATO Institute, a libertarian think tank.

“There are about 30 (House) Republicans who support citizenship and about 85 who support legalization of some kind. I think they’re going to find a compromise around legalizing, but not citizenship,” he said.

For Roy Beck, executive director of NumbersUSA, that’s no compromise. His group seeks to curtail population increases created by immigrants.

“Citizenship is not what we object to. It’s the work permits,” Beck said. “We’re planning to fight like crazy again to make sure something bad won’t happen.”

Michelle Mittelstadt, spokeswoman for the Migration Policy Institute, a nonpartisan think tank in Washington, said the status granted to the country’s undocumented immigrants “will be the major policy question that congressional leaders in both parties will have to resolve if they hope to pass immigration reform.”

The high point for advocates of an overhaul came in June, when the Senate passed a broad plan, one that included border security, visas for high-tech and agricultural workers and a 13-year process to become citizens for the 11 million people living in the U.S. illegally.

Then came some unexpected issues.

Congressional attention turned to a conflict in Syria, budget battles that resulted in a shutdown of the federal government and the Obama administration's rollout of its health care program.

In the fall, House Democrats introduced their own version of the Senate immigration bill and gained a handful of GOP co-sponsors. But House Republican leaders said they preferred tackling the issue in pieces, with separate smaller bills.

Meanwhile, House Speaker John Boehner, R-Ohio, refused to bring the matter to a vote and said he supports changes made in a step-by-step "common sense approach." And a month ago, he hired as an adviser an advocate for legalizing undocumented immigrants. The hiring of Rebecca Tallent, who worked on previous immigration campaigns, suggested to political observers that the House leadership is looking to bring some form of change to a vote in 2014, Mittelstadt said.

Nowrasteh said of Boehner's new hire: "It's an excellent sign that he's really committed to bringing that forward."

In the past 12 months, the movement to overhaul immigration laws brought together odd coalitions, uniting business organizations with unions, Democrats with some Republicans, and a myriad of faith organizations with each other and with immigrant-rights groups.

Their tools included rallies and protests, phone calls to legislators, and – as the year wore on – more dramatic, well-publicized events. There were acts of civil disobedience that ended with arrests, including those of members of Congress. There were fasts, including two in Orange County and one in Washington, that drew Obama and other dignitaries.

"One of the most interesting developments of 2013 was the immigrant rights movement's embrace of increasingly confrontational tactics," Mittelstadt said.

Activists said to expect more of the same this year.

"We're not taking a break," said Dayne Lee, a spokesman for the Korean Resource Center in Los Angeles and Orange County.

Lee said coalitions across the country will continue to tap into new alliances built by various faith-based organizations that include evangelicals and the Catholic Church. Another focus will be on registering new voters, with an emphasis on immigrant communities in Orange County and the Inland Empire, he said.

In separate surveys, the majority of Hispanics (89 percent) and Asian Americans (72 percent) indicated that they support the Senate proposal to provide citizenship to unauthorized immigrants, according to a new Pew Research Center report. But the surveys found that a majority believe it is more important for unauthorized immigrants to be able to live and work without the threat of deportation than it is to have a pathway to citizenship.

Of the Hispanics surveyed, 55 percent said deportation relief is more important, compared with 35 percent who said citizenship is more important. Asian Americans agreed, but by a smaller margin, 49 percent to 44 percent, according to the report released Dec. 19.

The Hispanic survey had a margin of error of 4.4 percentage points, and the Asian American survey had a margin of error of 5 percentage points, according to the Pew Research Center. Each survey was conducted over about a two-week period beginning in mid-October.

Minerva Gomez, who works for the Orange County Congregation Community Organization, said that's not what she hears from families that live with the fear of deportation and want full citizenship.

"If we settle for legalization, we're creating a subclass that will never be able to fully contribute to society," Gomez said.

Over the past year, the two subjects – deportations and immigration change – have become intertwined. Both campaigns talk about the broad impact on families and communities.

Under the Obama administration, officials deported nearly 2 million unauthorized immigrants – a record high under any president. The number of people deported decreased in 2013 by 10 percent, according to figures released Dec. 19 by the U.S. Immigration and Customs Enforcement. One reason officials cited for the drop was the agency's focus on removing criminals and serious immigration offenders.

Immigrant and faith-based organizations criticize the deportations for breaking apart families. There has been increasing pressure on the president to stop the deportations.

In 2013, activists staged sit-ins outside ICE facilities, sometimes chaining themselves to buses – events that were broadcast live online. In 2014, activists and observers said, expect more of the same.

On the other side, Beck called such tactics "political theater" and said, "We have no plans in engaging in demonstrations."

But Beck said he plans to mobilize NumbersUSA's 1.6 million members, plus the 1.8 million engaged in social media, to again make calls, write letters and send faxes to oppose immigration change.

The battle is on for 2014.

2013 immigration law highlights

On a national level, immigration-rights advocates ended the year without their much hoped-for overhaul. But on a state level, they won major campaigns.

Gov. Jerry Brown signed bills in October that add protections in 2014 for California's immigrants, including the state's estimated 2.5 million unauthorized residents.

"While Washington waffles on immigration, California's moving ahead," Brown said in a statement. "I'm not waiting."

New laws that will benefit immigrants include measures to:

- Limit state cooperation with federal immigration authorities through the Trust Act, which will prohibit California law-enforcement officers from transferring people charged with minor crimes, once they become eligible for release, to the custody of Immigration and Customs Enforcement agents.
- Give in-state college tuition rates to young Californians who are citizens but left the country due to their parents' deportations. The law sponsored by state Sen. Lou Correa, D-Santa Ana, aims to exempt the students from nonresident tuition as long as they meet certain requirements.
- Allow immigrants living in California illegally the right to request the California Supreme Court grant them a license to practice law.
- Make it a crime for employers to report workers to immigration authorities in retaliation for work-related complaints. If found guilty, employers may lose their business license and face a \$10,000 violation.
- Allow people living here illegally to apply for a driver's license. State officials will be ironing out the details in 2014, as the law takes effect by Jan. 1, 2015.

Other benefits and protections that took effect Wednesday include a time-and-a half pay provision for domestic workers who work more than nine hours in a day or more than 45 hours in a week.

Survey Results

A majority of Hispanics and Asian Americans say living and working in the United States without the threat of deportation is more important for unauthorized immigrants than a pathway to citizenship, according to a Pew Research Center report released Dec. 19.

Other findings include:

- 69 percent of Hispanics surveyed said it is important to them that new immigration legislation pass, compared with 44 percent of Asian Americans.
- About seven in 10 of the Hispanics and 73 percent of the Asian Americans surveyed support a proposal to increase enforcement of immigration laws at U.S. borders.
- For both Hispanics and Asians Americans, among five domestic issues tested – jobs and the economy, education, health care, the federal budget deficit and immigration – immigration ranked last.