



Patrick Murphy attacks Marco Rubio's record on immigration, Dreamers

Amy Sherman

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U.S. Rep. Patrick Murphy says that U.S. Sen. Marco Rubio's flip-flop on immigration reform will rip apart families.

"I worked with President (Barack) Obama on this topic while Sen. Rubio changed position," Murphy said in a [Spanish-language ad](#) Oct. 10. "Now he opposes immigration reform. Worse, Rubio supports Donald Trump. His plan would deport 800,000 children, destroying families."

Murphy, a Jupiter Democrat, is challenging Rubio, a West Miami Republican, in the Nov. 8 Senate race.

Murphy's ad makes it sound like Rubio is against any changes to the immigration laws, but that's misleading. Rubio supports a different approach than the one he initially backed in 2013. The threat of 800,000 deportations under Trump also requires further explanation.

Rubio still wants changes (just not the kind Murphy wants)

Rubio has called for changing immigration laws for years, from his 2010 race for Senate to his unsuccessful presidential bid.

Here's how he changed course.

In 2013, Rubio and seven other senators unveiled [bipartisan legislation](#) that passed the Senate. The law required beefed-up border security before unauthorized immigrants could pursue legal status.

But House leadership wouldn't bring the bill up for a vote, so it died. Within months, Rubio said that a single comprehensive immigration bill was "not realistic" and instead called for a [piecemeal approach](#) starting with border security first.

"Such measures would include securing the most vulnerable and most trafficked sectors of the southern border, mandatory E-Verify and the full implementation of an entry-exit tracking system," Rubio wrote in his 2015 book *American Dreams*.

Murphy's spokesman argues that Rubio's support for reform contingent on first "securing the border" is intangible and vague.

Alex Nowrasteh, an immigration policy analyst at the libertarian Cato Institute, told us in 2015 that Rubio's piecemeal proposal is a "stylistic rather than a substantive change."

Daniel Costa, an immigration expert at the left-leaning Economic Policy Institute, told PolitiFact that Rubio's approach counts as reform — but there's concern Republicans could try to leave out the "piece" that includes a path to citizenship.

"If all the necessary pieces get done, there's no problem," Costa said. "But I don't know of any good reasons to advocate for piecemeal unless you don't want one of the pieces."

Whose plan is it anyway?

The part of the ad about 800,000 deportations refers to people who were brought to the United States illegally as children, called Dreamers by advocates.

Rubio spoke against the DREAM Act in 2010 when he was running for U.S. Senate but later showed interest in finding a bipartisan solution to help Dreamers obtain legal status.

In 2012, Rubio was working on legislation for this group, but that came to a halt when Obama announced his executive action for Deferred Action for Childhood Arrivals allowing Dreamers to temporarily avoid deportation. Without the program, they could be deported.

Data through June from the U.S. Citizenship and Immigration Services show 741,546 individuals nationwide have received deferred action. Of those, almost 30,000 are from Florida. (Murphy's ad includes the pending requests to bring the number up to 800,000.)

Rubio criticized Obama for bypassing Congress.

In 2015, Rubio said that he wouldn't undo Obama's program immediately because it would be disruptive, but he said that it would have to end eventually. In February 2016 he said that he would eliminate DACA on day one if elected president. On his Senate campaign website Rubio calls for cancelling Obama's actions.

If DACA is rescinded, Murphy argues that all of those with deferred-action status would get deported. But the particulars of enforcement would depend upon the administration. Certainly they would face a threat of deportation.

Hillary Clinton supports DACA but Trump says it's unconstitutional, pledging in an Aug. 31 speech he "will immediately terminate President Obama's two illegal executive amnesties."

The fate of those with DACA status would depend on whether repeal would mean immediate cancellation of status and the accompanying work permits, or simply non-renewal, said Mark Krikorian, executive director of the Center for Immigration Studies, which advocates for low levels of immigration.

If Trump wins and rescinds DACA, immigrant advocates point to his call for mass deportation as a sign that Dreamers, too, would be deported. But Trump has made conflicting statements calling for mass deportation, then rejecting it and then saying there is a "very good chance" that it would happen.

Some DACA recipients could face deportation faster than others.

"Those with removal orders would be threatened with immediate deportation," said David Leopold, past president of the American Immigration Lawyers Association. "Those who don't face immediate deportation would face a very real threat of expulsion in the ensuing months."

A lot of the DACA recipients' personal information is on file with the federal government, including their residence, which could make them easier to track down for deportation proceedings.

We asked Rubio's spokesman to provide more details regarding what the senator would want to happen to those with DACA status. He referred us to Rubio's comments in 2015 when he called for eventually ending DACA with hopes that by that point the government would have passed new immigration laws to include accommodating "those people that have been in this country a long time, especially the young people."

It appears that Rubio doesn't *want* those immigrants deported. However, we are fact-checking whether his plan to rescind DACA *would* mean deportation for them — and they would face the threat of deportation.

Our ruling

The ad says Rubio "opposes immigration reform. Worse, Rubio supports Donald Trump. His plan would deport 800,000 children, destroying families."

Murphy is pushing Rubio's position too far when he says Rubio opposes immigration reform. After a comprehensive bill with a path to citizenship failed in 2013, Rubio called for a piecemeal approach with border security first. He still wants to change immigration laws, but he believes it is politically impractical to do it in one swoop.

Some immigration advocates argue that Rubio's piecemeal approach is a delay tactic and kicks a path to citizenship even further down the road.

Rubio does support Trump, who has said he will overturn a program that temporarily allows Dreamers to avoid deportation, affecting about 740,000 people. That action by itself would leave those undocumented immigrants to face the threat of deportation. Rubio has said he supports a legislative replacement for DACA.

We rate this claim Half True.