

# **Table of Contents**

Executive Summary [3]

By the Numbers: The Real Cost of Attacks on Immigrant Workers [5]

How Congress fell off the Bipartisan Immigration Reform Bandwagon and onto the Right-Wing Mass Deportation Agenda [6]

Week-by-Week Play of Direct Anti-Immigrant Attacks by the 114<sup>th</sup> Congress [9]

Vote Record of the 114<sup>th</sup> Congress on Immigration [20]

Select Quotes from Members of the "Deport Them All" Caucus [22]

On-The-Record testimonies by Anti-Immigrant, Hate Groups in congressional hearings [23]

# **Executive Summary**

Under the 114<sup>th</sup> Congress, Republicans in Congress would benefit greatly if they re-embraced their support for comprehensive immigration reform, as they did following the 2012 elections, and offered up sensible solutions to our country's broken immigration system.

According to the <u>recent Public Religion Research Institute poll</u>, a combined 77 percent of Americans want Congress to pass immigration reform that provides a path to citizenship (60%) or legal status short of citizenship (17%). The American people are ready for Congress to act.

Pragmatically and politically, it would also help the Republican Party to make in-roads into the fastest growing segment of the American electorate: Latino, Asian, and immigrant voters, especially knowing that the White House is at stake and the 2016 political map is vastly different from 2014, which gave them an edge in taking control of both chambers in Congress.

But instead of advancing legislation that would boost America's economy, help keep families together, and give hardworking immigrants a chance at the American Dream, in the first few months of the 114<sup>th</sup> Congress with Republicans in control, all they've been able to claim is their **GOP Mass Deportation Agenda**.

Republicans have used every vehicle to demonstrate how vehemently anti-immigrant they are. They have allowed the extremists in their Party to control their immigration agenda, notably giving the Subcommittee Chairmanship on Immigration to Sen. Jeff Sessions (R-AL) and allowed Rep. Steve King (R-IA) to be the mouthpiece for their Party. King was the one who tweeted that Michelle Obama was hosting "deportables" during the State of the Union speech.

In this document, readers will get a chronicle of how the newly Republican-controlled Congress, in only its first few months in charge, achieved being labeled as the *most anti-immigrant* in recent history. In the Republicans' quest to repeal and overturn President Obama's executive actions on immigration that created the Deferred Action for Parents of Americans and Those with Legal Status (DAPA) and expands the Deferred Action for Childhood Arrivals (DACA) initiatives, there were 12 votes, 20 hearings, and endless speeches for the GOP Mass Deportation Agenda.

No other issue in any previous Congress has received the same treatment as Republicans have pounded on immigration and immigrant families in such a short timeframe. The House of Representatives voted <u>six times</u> for mass deportation bills, and the U.S. Senate voted another <u>six times</u> to strip away protections for child refugees escaping crime and violence and to repeal the DAPA and DACA programs for millions of immigrant workers and families.

The attacks on hardworking immigrants during this Congress have been relentless and unprecedented. While the purported reasoning for the onslaught of attacks has been the President's executive action, the fact is that the Republican agenda is one of mass deportation and family separation.

Readers will also become familiar with the players behind the GOP Mass Deportation Agenda. In addition to the Republican Majority Leader Mitch McConnell, Speaker John Boehner and Leader Kevin McCarthy, the "Deport Them All" caucus is running roughshod and dictating their Party agenda on immigration with nativist debates, by holding public anti-immigrant votes that go nowhere with no chance of becoming law, promoting witnesses from known anti-immigrant hate groups, and threatening the shutdown of the U.S. Department of Homeland Security.

As the 114<sup>th</sup> Congress carries on, the Republicans will learn that their Mass Deportation Agenda is grossly out of step with the American people. From all corners of this country and in between, Americans recognize the benefits and contributions that immigrants bring to our communities and country. A permanent solution that embraces immigrants and brings them out of the shadows reflects our values as Americans and American voters will continue to support commonsense immigration reform that leads with a path to citizenship.

It's time that Congress's agenda reflect that of the American people.

The American people will not allow these extreme attacks on immigrant families to continue, nor will Latino, Asian, and immigrant voters soon forget the ones who opposed them. The 114<sup>th</sup> Congress has abdicated its responsibility to fix our broken immigration system, and has instead resorted to scare tactics and political stunts to appease a shrinking base. This extreme agenda will not stop immigrants from coming forward and registering for the new DAPA and DACA programs, and it won't stop their children and friends from heading to the polls. The GOP-controlled Congress has all but cemented its anti-immigrant legacy and may meet its destiny in 2016.

# By the Numbers: The Real Costs of Attacks on Immigrant Workers

- 0 votes on comprehensive immigration reform
- 20 number of immigration hearings in the 114<sup>th</sup> Congress
- 12 number of anti-immigrant votes in the 114<sup>th</sup> Congress
- 5.5 million US citizen children who have at least one undocumented parent [from Pew Research]
- 8.5 the average percent increase in earnings for immigrants who would benefit from executive action [Center for American Progress]
- 7.5-billion dollar increase to the deficit if the Collins Bill—exec action repeal—is enacted [CBO]
- 11 percent of all eligible voters nationwide that are Latino (25 million). [Pew Research]
- 12-number of GOP witnesses to testify before Congress tied to anti-immigrant hate groups
- 22.6 billion dollar increase in payroll tax revenues over the next 5 years from executive action [Council of Economic Advisers]
- 41 billion dollar increase in the solvency of the Social Security system over 10 years as workers earn higher wages [Council of Economic Advisers]
- 76 percent of Latino Republicans who support the executive actions on immigration [Latino Decisions]
- 77 percent of Americans who support immigration reform with a pathway to citizenship or legalization [Public Religion Research Institute, February 2015]
- 89 percent of Latino voters who support President Obama's executive actions on immigration [Latino Decisions]
- 90 to 210 billion dollar estimated increase in the national GDP over the next decade from the new deferred action programs. [Council of Economic Advisers]
- 338 million dollar increase in tax revenues for the state of Texas because of executive action [Council of Economic Advisers]

# How Congress fell off the Bipartisan Immigration Reform Bandwagon and onto the Right-Wing Mass Deportation Agenda

Below is a chronicle of how Republicans in Congress were once deeply invested in the passing of comprehensive immigration reform, and then devolved into the "Deport Them All" caucus.

#### 2012

**Following the Presidential election of 2012, political analysts and pundits across the political spectrum** agreed on one thing: Latino, Asian, and immigrant voter turnout was integral in the successful re-election of President Barack Obama. <u>Latinos supported Obama over Mitt Romney by a margin of 71-27 percent</u>, and <u>nearly 3 out of 4 Asian American and Pacific Islander voters sided with the President</u>.

As Republicans assessed their losses and what they did wrong, what arose from the debris was the clear and resounding support for immigration reform, even among unlikely conservative voices. Sean Hannity from Fox News <u>explained</u> he had evolved on immigration: "I think you control the border first. You create a pathway for those people that are here — you don't say you've got to go home. And that is a position that I've evolved on. Because, you know what, it's got to be resolved. The majority of people here, if some people have criminal records you can send them home, but if people are here, law-abiding, participating for years, their kids are born here, you know, first secure the border, pathway to citizenship, done."

In a post-2012 election interview, Diane Sawyer asked Speaker Boehner about immigration, his response signaled a willingness to work with the President and take on a comprehensive solution: "It's an important issue that I think ought to be dealt with. This issue has been around far too long and while I believe it's important for us to secure our borders and to enforce our laws, I think a comprehensive approach is long overdue, and I'm confident that the President, myself, others, can find the common ground to take care of this issue once and for all."

#### 2013

# The Senate "Gang of Eight" Takes On Bipartisan Immigration Reform

Eight Republican and Democratic Senators formed what became known as the <u>"Gang of Eight"</u> to spearhead a comprehensive immigration reform bill, S744, that included a path to citizenship for undocumented immigrants. The bill <u>passed</u> with a vote of 68-32, with 14 Republican Senators voting in favor. The broad majority on the left, right, and center backing the reform bill in the Senate signaled that Congress could finally put into place a permanent solution to our country's broken immigration system.

# Speaker Boehner Couldn't Deliver

Despite the <u>overwhelming support</u> of the American people and the efforts by the immigrant rights movement that included immigrant rights groups, labor unions, faith leaders, but also the

Chamber of Commerce, hi-tech, farmers and agribusiness, and evangelicals, House Republicans squandered the best opportunity in a generation to pass a comprehensive bipartisan immigration bill. Over the course of a year following the passage of S744, Speaker John Boehner made repeated overtures suggesting the House would pass its own series of piece-meal immigration reform bills. Speaker Boehner famously <a href="mailto:said">said</a>, "Nobody [is] more interested in fixing this problem than I am." Meanwhile, the extreme and anti-immigrant forces in his caucus were moving harmful legislation that only offered costly deportation and hyper-enforcement initiatives through the House Judiciary Committee, such as the <a href="mailto:SAFE Act">SAFE Act</a>, which encouraged racial profiling of immigrants and criminalized those who looked like they could be undocumented in America.

#### 2014

## **Congressional Inaction Leads to Demands for Presidential Action**

As the months dragged on with only excuses and further delay and no action, immigrant families, civil rights groups, faith leaders, and union activists became wary of House Republicans' empty promises of any solution for the 11.2 million undocumented immigrants in America. Immigrants and activists pressed President Obama to use his legal administrative authority to keep immigrant families together.

On June 30, 2014, the President <u>announced</u> that he would take action after Speaker Boehner confirmed that the House would not take up immigration reform. While advocates continued to make the case for administrative relief, the political pressures of the mid-term elections grew as the control of the Senate and the House lay in the balance. Many Democratic Senators who were up for re-election in 2014 <u>called on the President to delay</u> the executive actions out of fear that it would cost them re-election. By September of 2014, <u>it was clear that President Obama would yield to the Democratic Senators' concerns</u> and delay executive action on immigration until after the election.

# The End of Bipartisanship—on Immigration and Anything Else in Congress

The 2014 elections marked the end of bipartisanship on immigration reform—and the beginning of the most vehement anti-immigrant attacks by Congress. Immediately following the midterm elections, pressure by the immigrant rights movement resumed on the President for immediate, temporary relief from deportations, while at the same time, calling on Congress to pass a permanent solution.

The new Republican-controlled Congress ignored our call.

By November 20, 2014, President Obama announced a series of executive orders allowing as many as five million Dreamers, immigrant workers, and parents of US citizen or legal status children to register with the government and temporarily be able to live, work, and stay in America without fear of deportation.

#### What did the President's 2014 Executive Order Do?

#### From United States Citizenship and Immigration Services website

- Expand the population eligible for the Deferred Action for Childhood Arrivals (DACA) program to people of any current age who entered the United States before the age of 16 and lived in the United States continuously since January 1, 2010, and extending the period of DACA and work authorization from two years to three years.
- Allow parents of U.S. citizens and lawful permanent residents to request deferred action and employment authorization for three years, in a new Deferred Action for Parents of Americans and Lawful Permanent Residents\* program, provided they have lived in the United States continuously since January 1, 2010, and pass required background checks
- Expand the use of provisional waivers of unlawful presence to include the spouses and sons and daughters of lawful permanent residents and the sons and daughters of U.S. citizens
- Modernize, improving and clarifying immigrant and nonimmigrant visa programs to grow our economy and create jobs

Following the announcement of the executive actions, then Texas Attorney General (and now Governor) Greg Abbott <u>filed a lawsuit</u> against the Obama Administration to stop the executive actions on immigration. The deferred action programs under the President's 2014 executive orders are currently delayed and tied up in court proceedings. The expanded deferred action program for Dreamers was supposed to have begun in February, and the initiative for nearly four million parents of US citizen and legal resident children were set to begin in late May.

In the final days of the 113<sup>th</sup> Congress, the House GOP offered a prelude to the Mass Deportation Agenda of the upcoming Republican controlled House and Senate. Speaker Boehner allowed a vote on legislation by Rep. Ted Yoho that would separate families, call for more deportations and target the President's executive actions on immigration. Speaker Boehner allowed a vote on anti-immigrant legislation knowing it was going nowhere. Lastly, House and Senate leadership came together to fund the Government through the next fiscal year, what appeared to be a breakthrough had one major caveat: funding for Homeland Security would only get funding through February of 2015 to give the Mass Deportation Congress a chance to dismantle the immigration action.

# Week-By-Week Play of Direct Anti-Immigrant Attacks by the 114<sup>TH</sup> Congress

### **JANUARY 2015**

In the first few days of the 114<sup>th</sup> Congress, the most extreme elements of the Republican-controlled House and Senate initiated the first steps in their plan to end the President's executive action, by any means necessary. In early December of 2014, Congress passed a "CRomnibus" bill, funding all of the government through September 2015 except the Department of Homeland Security - whose funding would expire at the end of February. With a must-pass funding bill in their back pocket, the extreme agenda of the new Congress stood ready to bring one of the most essential agencies, the Department of Homeland Security (DHS), to the brink of a shut down in order to prove their disdain towards immigrants.

January 6<sup>th</sup> through 9<sup>th</sup>, 2015

In the opening week of Congress, the essential elements of the Tea Party's plan for a government shutdown had taken place. A critical function of the government was taken hostage by Tea Party Republicans in the House and the ransom was nothing short of a complete repeal of the President's executive order on immigration.

On the first day of him being sworn into his ninth term in office, Tea Party caucus member and anti-immigrant leader, Robert Aderholt of Alabama, introduced a bill to repeal the President's executive action and prevent the Department of Homeland Security from granting deferred action, including for victims of crime and military spouses. In Rep. Aderholt's swearing in statement, he seemed to be telegraphing the GOP strategy for the Department of Homeland Security (DHS) funding: "As we begin this new session of Congress, it will be the President's first experience working with a Congress entirely controlled by the Republicans. I hope that Mr. Obama understands that the American people spoke very loudly during the election in November and want a new direction away from his liberal policies."

Three days later, House Appropriations Committee Chairman Hal Rodgers introduced <u>HR 240</u>, the Homeland Security Appropriations Act of 2015, announcing that the bill would be on the House Floor for a vote by the end of the following week. Unsurprisingly, the bill introduced by Representative Aderholt, was immediately submitted to the House Rules Committee as an amendment to the DHS funding bill. Several other amendments, including one by Rep. Marsha Blackburn from Tennessee called for the deportation of DREAMers currently registered in the successful Deferred Action for Childhood Arrivals (DACA) program, were also submitted. These anti-immigrant amendments would be the basis by which the House GOP could force a shutdown of DHS if the President did not agree to their mass deportation strategy.

#### President Issues Veto Threat on House Bill

On January 12, 2015, as the anti-immigrant amendments and DHS funding bill were being forced through the Rules Committee and rushed to the House floor, the White House issued a Statement of Administration Policy on HR 240, the Department of Homeland Security funding bill. The White House <a href="wowed to veto">wowed to veto</a> the bill if the House passed a funding budget that included amendments that would repeal the President's 2014 executive actions on immigration.

# Rules Committee on the Repeal of the President's Executive Action

Without a single hearing or markup in the House Appropriations Committee and with less than 72 hours since being introduced, the Homeland Security Bill would be considered in the Rules Committee to go to the House Floor for a vote in the same week. The House Rules Committee is the forum where Speaker Boehner decides which bills go to the floor and which amendments will be considered. The Aderholt and Blackburn bills (the immigration executive action repeal) were the first filed in the Rules Committee and passed easily on a party line vote shows Speaker Boehner's early support of the Mass Deportation Agenda.

# Anti-Immigrant Amendments tied to HR 240 DHS Funding Bill, under consideration:

<u>Aderholt Amendment #1:</u> The Aderholt Amendment would repeal the majority of the President's November 2014 executive actions, including DAPA and the expanded DACA program.

<u>Blackburn Amendment #2:</u> The Blackburn Amendment would bar current DACA recipients from renewing or applying for the successful and popular DACA program of 2012. Repealing this program would put as many as 1.2 million undocumented youth immigrants at risk of being deported. Certain House GOP members <u>balked</u> at the extreme nature to repeal DACA.

<u>DeSantis Amendment #3:</u> The DeSantis Amendment would prevent DHS from considering individualized circumstances in cases involving domestic violence convictions, and would have forced DHS to seek removal of all immigrants with a domestic violence conviction, including survivors of domestic violence.

<u>Salmon Amendment #4:</u> The Salmon amendment expressed the "sense of Congress" that individuals who are granted deferred action under the President's immigration initiatives are not subject to the individual mandate under the Affordable Care Act (ACA), essentially disqualifying them in cases where employers are *contractually bound* to provide medical/health coverage under the ACA law.

<u>Schock Amendment #5:</u> Another "sense of Congress" amendment that nominally mischaracterizes the fiscal impacts such programs as DACA and DAPA have on the overall DHS personnel and budget. It is widely known the deferred action programs are paid *fully* by the service fees generated.

# First Vote in the House on the Repeal of the Executive Actions and DHS Funding: January 14, 2015

By mid-January and only the *second week* of the 114<sup>th</sup> Congress, Speaker Boehner brought to the floor the series of anti-immigrant amendments, and one-by-one called the votes to eliminate the President's executive action. With the passage of the anti-immigrant amendments included in the funding bill for the Department of Homeland Security, the House forced the Senate to take up the entire bill as a whole or face an ultimate shutdown and cut-off of funding.

The votes on the House floor Boehner orchestrated:

Aderholt Amendment: PASSED 237 – 190 (Roll no. 29)

Blackburn Amendment: PASSED 218 – 209 (Roll no. 30)

DeSantis Amendment: PASSED 278 – 149 (Roll no. 31)

Salmon Amendment: PASSED 253 - 171 (Roll no. 32)

Schock Amendment: PASSED 260 - 167 (Roll no. 33)

DHS funding bill with the immigration amendments attached: PASSED 236 - 191 (Roll no. 35)

January 20<sup>th</sup> through January 23<sup>rd</sup>, 2015

# Failed Attempt at Passing Extreme Border Security Bill

Building off of the House passage of the repeal of the President's executive actions on immigration, House leadership was ready to tackle the next item in the Mass Deportation Agenda: further militarizing the southwest border.

The House GOP agenda on immigration was so extreme it was aligned with Steve King, thus growing his clout in the House and making him a barometer for what would gain the votes of the most extreme members of the House—or else face a revolt.

Rep. Michael McCaul of Texas, and Chairman of the House Homeland Security Committee announced that the Committee would markup a border security bill on January 21, 2015. McCaul's announcement was unexpected and contrary to his bipartisan border bill he cosponsored in the previous Congress and had been approved unanimously by the House Homeland Security Committee.

The <u>Secure Our Borders Act of 2015, HR 399</u>, was drafted behind closed doors without any consultation with democrats on the committee. Rep. Bennie G. Thompson from Mississippi and the ranking Democratic member of the House Committee on Homeland Security <u>said</u> in a statement, "After working across the aisle on border security legislation just last year, it is

extremely unfortunate that Chairman McCaul has quickly abandoned it to placate the most extreme factions of the Republican conference."

The <u>Secure Our Borders First Act</u> would have made the southern border <u>more millitarized than</u> the <u>Berlin wall</u>. The bill authorized \$10 billion in spending over the next 10 years, despite immigration enforcement already receiving more funding than the FBI, DEA and ATF combined.

Without the support of democrats, Chairman McCaul faced an extensive markup of the Secure Our Borders First Act, which passed along a party-line vote. Homeland Security Secretary Jeh Johnson publicly opposed the bill as it was being marked up.

The partisan border bill began to face turbulence from the right. Rep. Steve King from Iowa, also known as the <a href="House GOP leader">House GOP leader</a> of the "Deport Them All" caucus was sending smoke signals that he may oppose the bill: "I don't want to start walking down a path until I know where we're headed," he said. The fact is that Steve King would not be satisfied with anything short of mass deportation.

Meanwhile in the other chamber, Senate Homeland Security Committee Chairman Ron Johnson introduced the Senate companion legislation along with Senators John Cornyn (TX), John McCain (AZ) and Jeff Flake (AZ). While the House had not brought the McCaul version to the floor after the <u>public debacle</u>, Chairman Johnson continued to hold hearings on border security to move the Senate version.

January 26<sup>th</sup> through January 30<sup>th</sup> 2015

#### McCaul's Border Bill Pulled from the Floor

Ignoring pressure from both the right and the left, the House leadership called the McCaul border bill for a vote. Yet before Speaker Boehner and Leader Kevin McCarthy could put it into motion, the House leadership was forced to call off the vote, citing a weather delay to save face. But not even <a href="Fox News">Fox News</a> was willing to let the House GOP save face. Getting the necessary 218 votes to pass the bill was too high of a hurdle for the House leadership, especially as Democrats aligned themselves in opposition with Steve King and the extremists who said the bill did not go far enough.

"There's no doubt that they could have done the border bill had they had the votes to do it. They did, once again, demonstrate the deep and internal divisions within their party," <u>said</u> House Democratic Whip Steny Hoyer.

#### **FEBRUARY 2015**

February 2<sup>nd</sup> through 6<sup>th</sup>, 2015

# Senate Takes Up DHS Funding Bill, Fails to Repeal the Executive Actions

Now stuck with the House DHS funding bill which President Obama vowed to veto, Senate Majority Leader McConnell attempted to invoke cloture on the measure to move the bill for a vote. He failed. After three attempts, McConnell couldn't move the House DHS bill for a vote. Senate Democrats remained unified in their opposition to the DHS budget that would have repealed immigration action for five million people. Republican Senator Dean Heller of Nevada sided consistently with the Democrats on the failed cloture votes.

#### **FAILED CLOTURE VOTE ATTEMPTS:**

HR 240, DHS Funding and repeal of executive action votes:

Feb 3, 2015: FAIL 51-48

Feb 4, 2015: FAIL 53-47

Feb 5, 2015: FAIL 52-47

# IMMIGRATION HEARINGS: Destroy the Agriculture Industry and Deport

"Examining the Adequacy and Enforcement of our Nation's Immigration Laws" critique by hardline GOP members who will never be satisfied with the number of families ripped apart by deportations. House Judiciary Committee, 2/3/15

"<u>Deferred Action on Immigration: Implications and Unanswered Questions."</u> Another attack on the executive actions on immigration. Senate Committee on Homeland Security and Government Affairs, 2/4/15

February 9<sup>th</sup> through 13<sup>th</sup>, 2015

# **IMMIGRATION HEARINGS: Mass Deportation and Voter Fraud Claims**

Preview a series of bills that strip human rights protections of child refugees and the re-introduction of the Comprehensive Mass Deportation Bill. The Comprehensive Mass Deportation Bill, HR 1148, entitled the SAFE Act last Congress, now with the addition of the repeal the President's executive actions would also make SB 1070 the law of the land. This bill is opposed by various faith, civil rights groups and law enforcement. House Judiciary Committee, 2/11/15

"The President's Executive Actions on Immigration and Their Impact on Federal and State Elections." The right wing makes the case that the executive actions lead to voter fraud. The executive actions were not yet implemented in order to show any evidence of the accusations made in the hearing. House Committee on Oversight and Government Reform, 2/12/15

# **Congressional Recess, Conservative Judge Blocks Immigration Actions**

On February 17, 2015, Judge Andrew Hanen of the U.S. District Court in the Southern District of Texas issued an injunction in a lawsuit that temporarily blocks the implementation of the new DAPA and expanded DACA programs. The lawsuit, Texas v. United States, is a politically motivated PR stunt launched by anti-immigrant governors and attorneys general of 26 states, and will likely fail upon appeal. A similar lawsuit filed by Sheriff Joe Arpaio was recently dismissed by another federal judge. The Department of Justice immediately began the appeals process to lift the injunction and allow implementation to move forward, and the 5th Circuit Court of Appeals is currently considering a motion for an emergency stay in the case.

White House Press Secretary in reaction to Judge Hanen's ruling: "Those policies [DACA & DAPA] are consistent with the laws passed by Congress and decisions of the Supreme Court, as well as five decades of precedent by presidents of both parties who have used their authority to set priorities in enforcing our immigration laws."

February 23<sup>rd</sup> through February 27<sup>th</sup>, 2015

## Fourth Failed Senate Vote, 4 days until DHS Shutdown

Senator McConnell thought the fourth time was the charm—he was wrong. In an attempt to invoke cloture again on the House DHS funding bill and repeal the President's executive actions on immigration, he failed again, with all Democrats plus Republican Senator Heller from Nevada opposing the measure.

HR 240, DHS Funding and repeal of executive action votes: Feb 23, 2015: FAIL 47-46

# IMMIGRATION HEARINGS: Mass Deportations and Repeal

"The Unconstitutionality of Obama's Executive Actions on Immigration." Wherein the House GOP attempted to frame the immigration executive actions as unconstitutional. House Judiciary Committee, 2/25/15

"A Review of DHS's Policies and Procedures for the Apprehension, Detention and Release of Non-Citizens Unlawfully Present in the US." The GOP members on the Committee tried to use convenient facts to cast doubt on the Administration's immigration enforcement statistics. House Committee on Oversight and Government Reform, 2/25/15

# Three Days To Go Before the DHS Funding Deadline, Republicans Ignore and Move Forward on Another DAPA and DACA Repeal

After four failed attempts to pass the House version of the DHS bill that included a full repeal of the executive actions, Senate Democrats pressed Majority Leader McConnell to move a "clean" DHS bill—one that would exclude the anti-immigrant amendments.

In an effort to offer a "compromise" to pass the 'clean' DHS bill averting a shutdown, Majority Leader McConnell called for a cloture vote to advance the Collins bill (S. 534) by Sen. Susan Collins of Maine, which would have repealed the executive actions of 2014, but not the 2012 DACA program. Democrats didn't buy it.

# February 27<sup>th</sup> Deadline to fund DHS, Senate Hurdle Cleared

The Senate failed to invoke cloture on the Collins Bill, which repeals the deferred action programs announced by the President in November, 2014-- DAPA and expanded DACA. The Collins procedural vote fails 57-42

McConnell caved in to pressure to avoid a DHS shutdown and allowed a vote on a 'clean' funding bill for the Department of Homeland Security through September 2015. The DHS funding bill without the anti-immigrant amendments to repeal the President's executive action passes 58-31.

# February 27<sup>th</sup> Hours before DHS shutdown, House Fails to Pass Bill

After the Senate passage of the "clean" DHS funding bill without the anti-immigrant amendments, Speaker Boehner had few options. Instead of demonstrating leadership and move the Senate "clean" DHS bill, he called for an immediate vote in the House on the same day, only funding DHS for three weeks (to stall). The vote failed, with the opposition of most House Democrats and the extreme right that called for nothing less than the absolute repeal of the immigration action. After another embarrassing failure for the new GOP leadership, the House recessed for the rest of the evening of the DHS funding deadline.

To avert a shutdown, both the House and Senate finally <u>agreed to a seven-day</u> extension of funding for DHS. The short-term extension gave the House more time to find the votes to pass a longer-term bill.

## **Nomination of Loretta Lynch for Attorney General**

While the new Mass Deportation Congress was still reeling from its failure to block the President's executive action via funding for DHS, they quickly found a new scapegoat: the nomination of Loretta Lynch for Attorney General. In November of 2014, Lynch was nominated by President Obama to succeed Eric Holder. Lynch would be the first African-American to hold that position and has had an accomplished 30-year career as a prosecutor. In a confirmation hearing before the Senate Judiciary Committee, Lynch stated her support for the President's executive action. Her support for the executive actions, caused even moderate Republican

Senators like John McCain to pull back support, "I think she's probably a pretty fine person....But when she said she thought that the president's executive orders were 'reasonable,' I can't support her. I can't support her." (Note: Lynch was eventually confirmed on April 23, 2015 after waiting 165 days to be confirmed, more than any other AG, by a vote of 56-43)

# IMMIGRATION HEARINGS: Assault on Immigrant Families and Refugees Continues

Markup of the Mass Deportation Bill (HR 1148), "Asylum Reform and Border Protection Act of 2015," "Protection of Children Act of 2015," and the "Legal Workforce Act," House Judiciary Committee, 3/3/15

Mass Deportation Bill-Rep. Gowdy (H.R. 1148)

- Resurrecting the "SAFE Act," <u>H.R. 1148 would issue a deportation-only approach</u> with a raft of harsh enforcement provisions that would take away the civil rights and due process protections of all immigrants.
- This mass deportation bill would make the Arizona racial profiling law, the law of the land, would criminalize being out of status and would repeal the executive actions on immigration. This legislation is an attack on immigrants and their families and sends a clear message of what the GOP would like to do with the 11 million: mass deportation.

"Asylum Reform and Border Protection Act of 2015"—Rep Chaffetz (H.R. 1153)

 H.R. 1153 would dramatically alter U.S. asylum and humanitarian protections, and gravely harm asylum seekers, survivors of domestic violence and trafficking, military members, and abused neglected or abandoned children. H.R 1153 would send many who need protection from violence and persecution back into harm's way.

"Protection of Children Act of 2015"—Rep. Carter (H.R. 1149)

 H.R. 5143 eliminates the due process standards for all unaccompanied children who enter the United States.

"Legal Workforce Act"—Rep. Lamar Smith (H.R. 1147)

 The Smith e-verify bill mandates such rapid implementation of E-Verify that it would harm tens of thousands of <u>authorized</u> U.S. workers. The Congressional Budget Office estimated that mandatory implementation of E-Verify will increase the federal budget deficit by \$30 billion and will cost government and private employers over \$1.2 billion to implement.

## **MARCH 2015**

*March 2<sup>nd</sup> through March 6<sup>th</sup>, 2015* 

#### The House GOP Finally Caves, backing off DAPA and DACA Repeals

Unceremoniously and with the majority of Democratic votes, on Tuesday, March 3 the House <a href="majority">approved</a> (257-167) the "clean" funding bill for the Department of Homeland Security. The President signed the budget into law, funding DHS until September 30, 2015.

# **Vitter Birthright Citizenship**

Mitch McConnell killed the <u>Collins Bill</u> to avoid participating in any further attempts to advance his party's anti-immigrant mass deportation agenda after the embarrassment of the DHS shutdown debacle.

However, McConnell couldn't control his party. In the floor debates over the <u>Justice for Victims</u> of <u>Trafficking Act of 2015</u>, Senator David Vitter of Louisiana <u>introduced an amendment</u> to the human trafficking bill that would bar birthright citizenship. Again, the extremist forces in the Republican Party were dictating the terms to advance their mass deportation agenda.

The Vitter amendment targets and takes away the citizenship rights of US-born children whose parents are immigrants. In a revolt to the Citizenship Clause of the Fourteenth Amendment of the *US Constitution*, it states, "All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside."

No votes were taken on Vitter's taking away of US citizenship amendment, but the antiimmigrant caucus in the Republican Party would continue to pursue its GOP Mass Deportation Agenda.

March 16<sup>th</sup> through 20<sup>th</sup>, 2015

# IMMIGRATION HEARINGS: Six hearings in one week, none on immigration reform

With a record number of anti-immigrant hearings in a single week, each hearing was an attack on immigrant workers and families, half-measures that would deport millions of immigrants. Not one hearing focused on a real solution to fix our country's broken immigration system.

- 1. <u>"Immigration Reforms Needed to Protect Skilled American Workers"</u> Pitting native born and immigrant workers against each other. Senate Judiciary Committee Hearing, 3/17/15
- 2. <u>"Securing the Southwest Border: Perspectives from Beyond the Beltway"</u> Senate Homeland Security and Government Affairs Committee, 3/17/15
- "The Fiscal Costs of the President's Executive Actions on Immigration" House Government and Oversight Subcommittee on National Security, Healthcare Benefits and Administrative Rules Hearing, 3/17/15
- 4. <u>Markup of the Comprehensive Mass Deportation Bill (HR 1148),</u> the most extreme anti-immigrant legislation this Congress. House Judiciary Committee, 3/18/15
- 5. "A Review of the Department of Homeland Security's Policies and Procedures for the Apprehension, Detention, and Release of Non-Citizens Unlawfully Present in the United States-Part II" House Oversight and Government Reform Committee Hearing, 3/19/15
- 6. <u>"Reining in Amnesty: Texas v. United States and Its Implications"</u> Senate Judiciary Oversight, Agency Action, Federal Courts Hearing, 3/20/15

# Vote-a-rama on Senate Budget Resolution, Extreme Immigration Amendments Filed

During the Senate debate on the Republican Budget Resolution, numerous amendments on various issues were filed, including many anti-immigrant amendments that targeted immigrant families and child refugees, militarized the border, and once again attempting to repeal DAPA and DACA—the President's 2014 immigration action. The Republican Budget Resolution is a message vote on the priorities of the GOP-controlled Congress, as the President will not sign it into law. Outline of the key immigration amendments below:

- McCain 360, which aims to "deter" the migration of unaccompanied children
  without protecting against inadvertent removal of those who qualify for asylum or other
  relief under our law. Brought up for a vote, PASSED 58-42
- **Grassley 469** which would restrict immigrant access to retroactive EITC, thereby hurting low income families -- almost all of which include U.S. citizen members -- without in any way of addressing our immigration problems.
- Vitter 850, which block implementation of DACA and DAPA. The CBO has already determined that blocking DACA and DAPA would increase the deficit <u>by billions</u> and it would also block hundreds of billions of dollars in economic growth.
- Vitter 849, attempts to end birthright citizenship. America is not a country club; it is a nation built on the promise of equality. This amendment seeks to <u>rewrite</u> the constitution in order to create a permanent underclass of citizens
- **Isakson 611**, which -- though perhaps intended to defund the immigration relief granted by the President to long-term resident parents of U.S. citizens and immigrant children who have grown up in the U.S. -- would also severely hamstring the normal course of business for any future administration by prohibiting fee-funded expenditures unless approved through the annual approval appropriations process.

Despite numerous immigration amendments being filed, only an amendment by Senator John McCain on unaccompanied minors was brought up for a vote and passed 58-42.

#### IMMIGRATION HEARINGS: Further Militarization of the Southern Border

The Senate Homeland Security and Government Affairs Committee held <u>a series of hearings</u> on issues affecting the border and even the recognized the need for a solution for the undocumented, but failed to outline a plan or strategy for the Senate to once again pass a bill that will fix our broken immigration system.

Securing the Border: Assessing the Impact of Transnational Crime, 3/24/15

Securing the Border: Understanding and Addressing the Root Causes of Central American Migration to the United States, 3/25/15

<u>Securing the Border: Defining the Current Population Living in the Shadows and Addressing Future</u> Flows.3/26/15

On March 30, 2015, Congress went into a two-week recess. The agenda for the remainder of 2015 does not appear to be focused on immigration. However, it is easy to imagine that the most extreme and anti-immigrant members in the GOP-controlled Congress will continue for opportunities to attack immigrant families, DREAMers and to roll back the President's executive actions on immigration.

# **Vote Record of the 114<sup>TH</sup> Congress on Immigration**

# (January-March 2015)

In less than three months when Congress was in session, from January-April 2015, this Congress has taken a combined 20 votes attacking immigrant families. Not a single vote has been aimed to fix our broken immigration system and a solution for the 11 million undocumented immigrants living in America. Instead, the majority of the immigration votes have been to eliminate the Deferred Action program for Dreamers, repeal the executive orders, and call for more inhumane deportations. Despite the harsh rhetoric and exuberant activity by members of the "Deport Them All" caucus in the Republican Party, none of these attacks on immigrants passed out of both chambers of Congress—and have no chance of becoming law.

#### **HOUSE OF REPRESENTATIVES IMMIGRATION VOTES**

1. HR 240, DHS Appropriations bill: Passed 236-191, January 14, 2015

Immigration Related Amendments attached to DHS Funding:

- · Aderholt Amendment: Prohibits funds or fees to be used for DAPA
  - o Passed 237-190, January 14, 2015
  - Seven Republican voted against: Ellmers, Denham, Diaz-Balart, Curbelo, Dold, Ros-Lehtinen, Valadao.
- Blackburn Amendment: Eliminates DACA 2012, prohibits renewals and new adjudications, putting all DREAMers at risk for deportation
  - o Passed 218-209, January 14, 2015
  - Republicans who voted against: Amodei, Coffman, Costello (PA), Curbelo, Denham,
     Dent, Diaz-Balart, Dold, Ellmers, Gibson, Hanna, Hardy, Heck (NV), Katko, King (NY),
     Kinzinger (IL), LoBiondo, MacArthur, McSally, Meehan, Nunes, Reichert, Ros-Lehiten,
     Smith (NJ), Upton, Valadao
- DeSantis Amendment: Prevents ICE from setting enforcement priorities and could result in the deportation of victims of domestic violence
  - o Passed 278-149, January 14, 2015
  - o Rep. Renee Ellmers (NC) was the only Republican who voted No
  - 35 Democrats voted Yes: Aguilar, Ashford, Bera, Brownley (CA), Bustos, Carney, Cartwright, Cicilline, Cohen, Connolly, Cuellar, DeFazio, Delaney, Esty, Foster, Graham, Hahn, Higgins, Himes, Kind, Kirkpatrick, Kuster, Langevin, Lipinski, Lynch, Maloney (Sean), Perlmutter, Peters, Peterson, Polis, Ruiz, Ruppersberger, Schrader, Sinema, Speier
- Salmon Amendment: Sense of Congress that the Administration should not grant deferred action and work permits to DREAMers due to ACA restrictions

- o Passed 253-171, January 14, 2015
- Rep. Renee Ellmers (NC) and Rep. Bob Dold (IL) were the only two Republicans who voted No
- 14 Democrats voted Yes: Ashford, Bera, Bustos, Cuellar, DeFazio, Graham, Lipinski,
   Lynch, Peters, Peterson, Ruppersberger, Schrader, Sinema, Walz
- Schock Amendment: Sense of Congress that USCIS should process other categories of the legal immigration system over deferred action recipients
  - o Passed 260-167, January 14, 2015
  - o Rep. Justin Amash (MI) was the only Republican who voted No
  - 17 Democrats voted Yes: Ashford, Bera, Bustos, Brownley (CA), Bustos, Cartwright,
     Cuellar, DeFazio, Graham, Kind, Lynch, Murphy (FL), Peters, Peterson, Ruppersberger,
     Sinema, Walz
- 2. H.J. Res 35, 'Clean' DHS bill (does not repeal immigration executive actions) that funds the department for three weeks until March 19, 2015
  - Failed 203-224, February 27, 2015
- 3. Final Passage of HR 240: 'Clean' DHS Funding Bill through September 2015
  - Passed 257-167, March 3, 2015

#### **SENATE IMMIGRATION VOTES**

### HR 240: DHS Funding Bill

- February 3, 2015, House Version with Repeal of DAPA and expanded DACA. Cloture Rejected <u>51-48</u>; All Senate Democrats voted No and Two Republicans voted No, Senator Dean Heller (NV) and Senate Majority Leader Mitch McConnell (who voted no in order to be able to bring it up again)
- 2. February 4, 2015, House Version with Repeal of DAPA and expanded DACA. Cloture Rejected 53-47
- 3. February 5, 2015, House Version with Repeal of DAPA and expanded DACA Cloture Rejected 52-47
- 4. February 27, 2015: Final Passage: Passed 68-31
- 5. February 27, 2015: Senator Thad Cochran (R-MS) amendment #255: 'Clean' DHS bill that funds department through September 30, 2015; Passed 66-33
- 6. February 27, 2015: Vote on Senator Collins' Immigration Rule of Act Law that repeals expanded DACA and DAPA, Cloture Vote: Failed 57-42
- **7.** <u>Senate Budget Resolution</u>, McCain Amendment 360 aims to "deter" the migration of unaccompanied children without protecting against inadvertent removal of those who qualify for asylum or other relief under our law. **PASSED 58-42**

# The 'Deport Them All Caucus' Quotes

Quotes from the most anti-immigrant members in Congress during the DHS shutdown debate and attempts to repeal the President's executive actions on immigration

"Now when it destroys their civilization, when it destroys their economy, they look for another place to go. And where do they come? They come here. And then what you see is a progressive lower standard of living." - Rep. John Fleming

http://www.rightwingwatch.org/content/louie-gohmerts-bizarre-explanation-why-central-american-gang-violence-hoax

"These edicts go far beyond a refusal to enforce duly-passed immigration law. They provide illegal immigrants with work permits, Social Security, and Medicare—taking jobs and benefits directly from American workers."

http://www.sessions.senate.gov/public/index.cfm/2015/1/after-house-passes-bill-to-defend-u-s-constitution-and-workers-sessions-puts-question-to-senate-dems

Jeff Sessions during Loretta Lynch confirmation hearing: "If a person comes here and is given a lawful right under the President's executive amnesty to have a social security and a work authorization card, but what if someone prefers to hire an American citizen first, would you take action against them? Do you understand this to mean that those that are given executive amnesty are entitled to as much as anybody else in America to compete for a job in America?" (Starts at 1:20) <a href="https://www.c-span.org/video/?323993-1/us-attorney-general-nominee-confirmation-hearing">https://www.c-span.org/video/?323993-1/us-attorney-general-nominee-confirmation-hearing</a>

Steve King lamented that a "deportable" was sitting next to the First Lady during the State of the Union: https://mobile.twitter.com/stevekingia/status/557673638066135045

"There's no way on God's green earth" he'd vote for a bill allowing Obama's executive actions to go forward, he told reporters Wednesday." Congressman Mo Brooks 2/25/15

http://thehill.com/business-a-lobbying/233810-whip-list-house-republicans-split-on-clean-homeland-security-

 $\underline{funding?utm\_campaign=briefingroom\&utm\_source=twitterfeed\&utm\_medium=twitterfeed}$ 

# Anti-Immigrant and Hate Groups Testify Before Congress January – March 2015

Republicans in the 114th Congress held 20 hearings to advance its Mass Deportation Agenda and invited anti-immigrant and hate group-affiliated witnesses to testify at these hearings. In the span of two months, anti-immigrant witnesses were called to testify 12 times. The majority of the witnesses are affiliated with the Center for Immigration Studies, a group tied to white supremacist group and a key component of the nativist lobby.

# **Congressional Hearings on Immigration and Anti-immigrant witnesses:**

- 3/17/2015: House Oversight joint subcommittee, <u>The Fiscal Costs of the President's Executive Actions on Immigration</u>
  - Steven Camarota, Director of Research, Center for Immigration Studies
  - o Robert Rector, Senior Research Fellow, Heritage Foundation
- 3/17/2015: Senate Judiciary Committee, <u>Immigration Reforms Needed to Protect</u>
   Skilled American Workers
  - John Miano, Fellow, Center for Immigration Studies
- 2/25/2015: House Oversight joint subcommittee, <u>A Review of the Department of Homeland Security's Policies and Procedures for the Apprehension, Detention, and Release of Non-Citizens Unlawfully Present in the United States</u>
  - Jessica Vaughan, Director of Policy Studies, Center for Immigration Studies
  - o Jamiel Shaw, California State Director, The Remembrance Project
- 2/12/2015: House Oversight joint subcommittee, <u>The President's Executive Actions on</u> Immigration and Their Impact on Federal and State Elections
  - o Kris Kobach, Of Counsel, Immigration Reform Law Institute
  - Hans A. von Spakovsky, Senior Legal Fellow, Heritage Foundation

- 2/11/2015: House Judiciary Committee, Interior Immigration Enforcement Legislation
  - o Frank Morris, Board Member, Center for Immigration Studies
  - o Dan Cadman, Senior Fellow, Center for Immigration Studies
- 2/4/2015: Senate Homeland Security Committee, <u>Deferred Action on Immigration</u>: <u>Implications and Unanswered Questions</u>
  - o Shawn Moran, Vice President, National Border Patrol Council
- 2/3/2015: House Judiciary Committee, <u>Examining the Adequacy and Enforcement of</u>
   Our Nation's Immigration Laws
  - o Jessica Vaughan, Director of Policy Studies, Center for Immigration Studies
  - o Jan Ting, Board Member, Center for Immigration Studies



The Alliance for Citizenship is a national coalition of organizations determined to pass immigration reform with a path to citizenship for 11 million aspiring Americans. Officially launching as a campaign after the 2012 Presidential election, A4C has helped unite forces from across the political spectrum in order to push for a permanent solution to our nation's broken immigration system.

For more information: www.allianceforcitizenship.org

The Alliance for Citizenship 1250 I Street NW, Ste. 250 Washington, DC 20005