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House Democrats choose DACA over other immigration priorities in lame-duck session

BY RAFAEL BERNAL AND MIKE LILLIS - 11/16/22 8:43 AM ET

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(AP Photo/J. Scott Applewhite, File)

FILE – Susana Lujano, left, a dreamer from Mexico who lives in Houston, joins other activists to rally in support of the Deferred Action for Childhood Arrivals program, also known as DACA, at the U.S. Capitol in Washington on June 15, 2022. (AP Photo/J. Scott Applewhite, File)

House Democrats are preparing a legislative sprint to send immigration reforms to the Senate before they give up their majority in the lower chamber next year.

The lame-duck push is focusing on a bill to protect so-called Dreamers, beneficiaries of the Deferred Action for Childhood Arrivals (DACA) program. The decision, announced by House

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The choice to target DACA is itself a recognition that the lame-duck session is unlikely to yield structural change to the country's broken immigration system.

The DACA bill is separate from a House-passed bill to grant a path to citizenship to millions of farmworkers and a broader immigration proposal to implement a rolling registry — a sort of statute of limitations on illegal entry — for immigrants.

The House approved the farm workforce bill in March 2021, meaning the Senate could take it up before the current Congress ends in January, and a registry bill was introduced in both the House and Senate.

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Rep. Raul Ruiz (D-Calif.), head of the Congressional Hispanic Caucus, said the details are still being worked out. But the framework will be a piece of legislation — the Dream and Promise Act — that was passed by the House last year.

“DACA’s on life support,” Ruiz said. “We need to act with a sense of urgency.”

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It remains unclear how House leaders intend to move the proposal through the lower chamber. They could bring it to the floor as a stand-alone bill, as they did successfully in March of 2021. But with little time remaining in the short, lame-duck session, they may decide to attach it instead to a larger piece of must-pass legislation.

One option is the massive government spending bill Congress must soon enact to prevent a federal shutdown. Another is the proposal to authorize Pentagon spending.

“There’s different vehicles, [the] omnibus being one of them,” Ruiz said.

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Inclusion in a must-pass vehicle could determine the bill's chances, as it's unlikely to get support from 10 GOP senators on its own.

Several members of the Hispanic Caucus said that discussions have already begun with the Senate, where immigration reformers are working to secure at least some GOP support. But without additional funding for border security, any immigration proposal is almost certainly dead on arrival in the Senate, where support from 10 Republicans would be needed to avoid a filibuster.

Ruiz declined to say if Democrats are willing to go that far.

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"We're willing to negotiate, and that's all I can say," he said. "We want this to be a bipartisan bill."

approved the DREAM ACT for the first time in congressional history — another messaging effort that eventually nudged the Obama administration to adopt DACA less than two years later.

This time around is a little different. Support for the Dreamers has grown over the years, even among Republicans, and the decision to bring up the legislation twice in the same cycle appears designed to put political pressure on GOP senators to get on board.

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It's highly unlikely that Senate Republicans would vote in sufficient numbers to approve the reforms. But as the importance of the Hispanic vote grows in every election cycle, the simple act of bringing the legislation to the floor would force Senate Republicans to explain their opposition.

"We have time and time again stood on the right side," said Rep. Pete Aguilar (Calif.), vice chair of the House Democratic Caucus. "We're waiting for Republicans in the Senate to do the same."

While the scope of the proposal under discussion appears to be limited to the DACA program, some House Democrats are already pushing party leaders to go broader.

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Rep. Adriano Espaillat (D-N.Y.), for one, thinks Democrats should expand their proposal to include not only Dreamers, but their parents as well. And there's no better time to do it, he's arguing, than right now, before Republicans take over the House.

"I think this is the time," he said. "And businesses in some states, particularly agriculture, they want immigration reform. They need it; the economy needs it. I think we're done with the politics. Now it's time to take a cold shower and think with our heads."

One of Espaillat's closest allies in the immigration fight, Rep. Lou Correa (D-Calif.), said his priorities are DACA and broader reform, "and DACA should be one of our Caucus' top priorities."

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Dial up the pressure by stating facts. Young DACA recipients are the best kind of immigrants, the kind of immigrants that we should welcome to the USA, follow the law, pay taxes, are employed. They're nurses, police officers, soldiers. They're an integral part of the economy," Correa said.

"The American public supports DACA recipients. What's the holdup?"

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