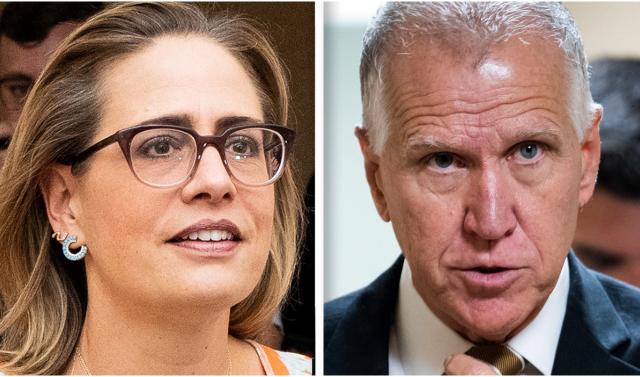
CONGRESS

Immigration deal for 'Dreamers' appears to run out of time

Likelihood of a deal in the lame-duck period dwindled in recent days



Sens. Kyrsten Sinema of Arizona, who recently announced she was switching her registration from Democrat to independent, and Thom Tillis, R-N.C. (Bill Clark and Tom Williams/CQ Roll Call file photos)

By Caroline Coudriet and Suzanne Monyak Posted December 15, 2022 at 5:52pm

Sens. <u>Kyrsten Sinema</u> and <u>Thom Tillis</u> appear to have run out of time to pass a bipartisan immigration deal this month that would legalize roughly 2 million so-called Dreamers in exchange for stronger border security.

The pair have been working on a framework for compromise legislation to move through Congress before the next session in January, when Republicans will control the House and lawmakers and advocates expect worse prospects for immigration deals.

House Speaker <u>Nancy Pelosi</u>, D-Calif., asked at a press conference Thursday about the potential for congressional action on border security — a central element of the Sinema-Tillis talks — said "there's not going to be anything happening in this Congress as we go out."

Sen. <u>Bob Menendez</u>, D.-N.J., who has advocated to legalize undocumented immigrants and been involved in negotiations, confirmed the Senate talks around the Sinema-Tillis deal had concluded for the year. So did two other sources familiar with the negotiations.

The Sinema-Tillis framework, which they circulated among Senate offices in recent weeks, would put roughly 2 million undocumented immigrants brought to the country as children, known as Dreamers, on a path to citizenship in exchange for heightened border security measures.

Menendez said he was willing to concede additional resources for border security, but that Republicans wanted to "fundamentally change the nature of our asylum process in a way that just can't be achieved."

"Once again, the Republicans have walked away from Dreamers and from the opportunity to make something reasonable happen," Menendez said.

Time element

The likelihood of a finalized immigration deal in the lame-duck period after the midterm elections dwindled rapidly in recent days. The push was led by Tillis, R-N.C., and Sinema of Arizona, who recently announced she was switching her registration from Democrat to independent.

Last week, Tillis said he did not see the deal as a candidate for the fiscal 2023 government funding package, meaning the bill would require its own floor time.

Congress still faces a lengthy to-do list before lawmakers are set to leave Washington for the holidays, including a government funding package and the national defense authorization bill.

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Tillis sounded pessimistic on a Senate deal during this Congress two days ago, when he told reporters that "time is running out."

A congressional aide familiar with the immigration talks said Sinema and Tillis, who had engaged in immigration negotiations for months, ran out of time to put forward an immigration deal that could pass both chambers before the end of this Congress.

Even though no immigration legislation will reach the Senate floor this term, the aide said, Sinema and Tillis have the framework for an immigration compromise ready to be introduced next Congress.

Any immigration measures that would legalize portions of the undocumented population would draw Republican opposition and face a steeper climb next session in a Republican-led House.

Democratic Sen. <u>Alex Padilla</u> of California, who chairs the Senate Judiciary Committee's immigration panel, said he was "frustrated" in response to reports that the negotiations had faltered.



"I'll never give up trying," Padilla said. "It's only going to get more urgent."

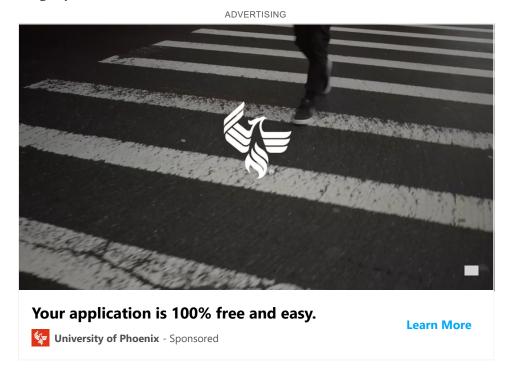
Sen. Mark Kelly, D-Ariz., who said previously he was involved in the proposal, stopped short of declaring negotiations this session over but acknowledged there are "challenges here in the schedule."

"If it was up to me, we would stay here until this gets done," Kelly said.

Framework details

The future of those Dreamers is uncertain. A federal judge is currently weighing the legality of the Deferred Action for Childhood Arrivals program, or DACA, which allows Dreamers to apply for work authorization and deportation relief. If the Supreme Court eventually strikes down the program, hundreds of thousands of Dreamers could lose protections.

The Department of Homeland Security is also bracing for a rise in migrant crossings at the U.S.-Mexico border when a pandemic-era policy ends next week. A federal judge in separate litigation has ordered the border policy, known as Title 42, to be lifted on Dec. 21 for the first time in nearly three years, after finding the directive was illegally issued.



Border security measures under consideration in the Tillis-Sinema deal included extending the Title 42 order legislatively beyond that date and expanding immigration detention.



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