



Court pick could buy time on immigration

By Silla Brush and Jared Allen
May 26, 2009

President Obama's decision to nominate federal appeals court Judge Sonia Sotomayor to the Supreme Court may help him delay a thornier challenge: what to do with millions of illegal immigrants living in the United States.

The nomination of the first Hispanic justice drew praise Tuesday from the Latino community at a time when many are growing anxious over inaction on broad legislation that would put illegal immigrants — most from neighboring Mexico — on a path to citizenship. Hispanic lawmakers have been pressing Obama to deliver for a key demographic that helped put him in office, with immigration reform the top priority.

The White House has yet to commit fully to taking up broad immigration policy changes this year, with Obama instead pushing forward in tough fights over healthcare, climate change and closing the military prison at Guantánamo Bay, Cuba.

Former President George W. Bush twice failed to enact "comprehensive immigration reform" and Obama has kept a relatively low profile on the topic. While many advocates say the two are not directly related, some admit Obama has bought himself a little time with the nomination.

"The Latino community — and not just Latinos, but anyone who's had a set of life experiences like Sotomayor — will always remember Barack Obama for this," said Rep. Xavier Becerra (D-Calif.), vice chairman of the Democratic Caucus and the only Hispanic in House leadership. "This will inspire people who were hungry to see a reform of our broken immigration system to stand behind the president on this issue and behind the decisions he makes."

Senate Democrats and allied interest groups say they're committed to legislation by the end of Obama's first year in office. But the stark realities of the calendar, the harsh politics of the issue and unemployment figures nearing double digits are fully within view.

Even some of the movement's biggest advocates are lowering expectations, saying much depends on Obama's desire to enact sweeping healthcare changes and the president's own popularity in the months ahead.

Obama is set to hold a high-profile meeting on immigration with key lawmakers June 8, but the congressional calendar is already bogged down with complicated legislation.

Any effort on immigration must overcome the politics that shreds party unity on the issue and the grassroots opposition from talk radio and cable television that helped kill Bush's attempts.

"I'm not sure I would even expect anything to pass in this Congress, much less this year," said James Gimpel, a professor at the University of Maryland and expert on immigration politics. "I think it's a lot to expect."

On the campaign trail, Obama spoke sparingly about reforming the country's immigration laws. Still, he won widespread support among the Latino electorate, with 67 percent of the vote. Sen. John McCain (R-Ariz.) won only 31 percent, despite co-sponsoring legislation with Sen. Edward Kennedy (D-Mass.) that came to symbolize the push for legalization.

Obama's favorability rating among Latinos continues to climb. A little more than a year ago, Obama had ratings in the mid-60 percent range; a recent poll by Matt Barreto, professor at the University of Washington, put that figure at 81 percent.

But an immigration debate in 2009, which would further affect Obama's ratings, would come during a recession. Unemployment numbers — already near 9 percent — are likely to exceed 10 percent by next year.

"There is just no way it's going to happen this year. It's just fantasy," said Mark Krikorian, of the Center for Immigration Studies, a conservative think tank that opposes legalization of illegal immigrants.

The recession has lawmakers consumed with other issues. Even among Democrats, only 34 percent in January said immigration reform was a top concern, down 14 percent from two years ago, according to a study by the Pew Research Center.

Still, most members of the Congressional Hispanic Caucus (CHC) express optimism that a debate is possible this year.

"One thing has nothing to do with the other," said Rep. Nydia Velázquez (D-N.Y.), leader of the CHC, referring to Sotomayor's nomination and immigration legislation. "But I think both are making significant progress, even though they are moving on two distinct tracks."

Frank Sharry, head of America's Voice, a group lobbying for comprehensive immigration reform, said he and other advocates see a window for legislation between September and March of next year, and they hope legislation can pass early next year. They're buoyed by hearings that Sen. Charles Schumer (D-N.Y.) called recently to start the debate.

Sharry sees at least three factors that will play a role in whether the White House pushes for immigration reform: progress on healthcare reform, the general state of the economy and Obama's favorability ratings.

"I don't think we're going to get a lot of the president's political capital or attention until the healthcare debate is resolved," Sharry said, noting just one of the factors.

A lobbyist for the AFL-CIO, which opposed proposals under President Bush that called for a guest-worker program, also tempered expectations.

"I think we're optimistic that we can get in this first year at least a solid proposal," said Sonia Ramirez. "Whether we'll get enactment of a piece of legislation — that's a pretty hefty goal. I'm not sure we can get there yet."