

National Latino Congreso

The Politics and Policy Convention of the Latino Community
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www.latinocongreso.org

National Convening
Organizations

Immigrant Justice Report Card Interim Progress Report-March 2010

Hispanic Federation
www.hispanicfederation.org

**League of United Latin
American Citizens**
www.lulac.org

**Mexican American Legal
Defense and Educational
Fund**
www.maldef.org

**Mexican American
Political Association**
www.mapa-ca.org

**National Alliance of
Latin American &
Caribbean Communities**
www.nalacc.org

**National Day Laborers
Organizing Network**
www.ndlon.org

**National Hispanic
Environmental Council**
www.nheec.org

**Southwest Voter
Registration Education
Project**
www.svrep.org

**William C. Velásquez
Institute**
www.wcvi.org

Introduction

The National Latino Congreso (NLC) provides this Interim Progress Report of the Immigrant Justice Report Card (IJRC) as a resource to policymakers, the media, and the voting public. The IJRC Interim Progress Report provides a statistical review of the voting and sponsorship records of all members of Congress, yielding a percentile score for each individual legislator based on their level of support for progressive immigration-reform/immigrant-rights legislative proposals.

The NLC (www.latinocongreso.org) is the policy and politics convention of the nation's 50 million-strong Latino community. NLC delegates, joined by many more active observers in attendance, met in January 2010 and resolved that the enactment of fair and just immigration reform is a top national priority. The NLC also directed the creation of the IJRC.

The IJRC Interim Progress Report scores votes and sponsorships on selected key immigration-related legislation in the 100th and 111th Congresses. The interim report examines fifteen Senate votes and four Senate bills, along with seven House votes and ten House bills. The scored legislation includes both progressive immigration reform proposals and regressive anti-immigrant proposals.

The NLC will continue to monitor voting and sponsorship records in order to release a final IJRC at or near the end of the current congressional session.

Preliminary Highlights

1) Despite strong national public support for progressive immigration reform, a majority of House members evidence overall records of non-support for pro-immigrant measures and support for anti-immigrant measures, while

Voting record and sponsorship data was collected by the **Hispanic Federation**, the **William C. Velasquez Institute**, the **Mexican American Legal Defense and Educational Fund** and the **League of United Latin American Citizens**. These organizations are NLC conveners. See the following link for a full listing of the votes and bills scored, as well is a description of the methodology. (http://www.wcvi.org/justice/reportcard/reportcard_home.htm).

only a bare plurality of Senators demonstrated consistent support for pro-immigrant measures.

- Polling data shows consistent national public support for progressive immigration reform legislation. A 2009 survey by the Benenson Strategy Group showed that majorities of Democrats, Republicans and Independents all favor comprehensive immigration reform that includes a path to citizenship for the undocumented. (See http://amvoice.3cdn.net/ea94778f39d6c895c3_zvm6beppq.pdf)
- In the House, 155 Representatives show pro-immigrant voting/sponsorship records while 236 Representatives show anti-immigrant voting/sponsorship records. A group of 42 Representatives show a mixed record.
- In the Senate, 47 Senators show pro-immigrant voting/sponsorship records, while 46 Senators show anti-immigrant voting/sponsorship records. A small group of six (6) Senators show a mixed record.

2) Many Congress Members show voting/sponsorship records that are inconsistent with the significant number of immigrant-profile constituents in their districts, as measured by significant numbers of Latino, Asian, and/or Foreign-Born residents.

- According to the U.S. Census Bureau, 2006-2008 American Community Survey 3-Year Estimates, 225 House districts and 27 states (54 Senators) had significant numbers of immigrant-profile constituents during 2007-2009.¹
- 120 or 53.3% of House members with a significant number of immigrant-profile constituents show a record of support for pro-immigrant measures.

¹ According to *U.S. Census Bureau, 2006-2008 American Community Survey 3-Year Estimates* there were 225 legislative districts and 27 states (54 Senators) with significant numbers of immigrant-profile constituents during 2007-09. For the purposes of this analysis, an immigrant-profile constituency is described as a state or congressional district having a significant total number of Latinos, Non-Latino Asians, or Foreign Born Populations. For representatives, if the congressional district contains 50,000 or more Latinos, Asians, or Foreign Born total populations, the member is considered to have a significant number of immigrant profile constituents. For Senators, if the state contains 250,000 or more Latinos, Asians, or Foreign Born total populations, the member is considered to have a significant number of immigrant profile constituents. Studies show that these profiles are comparatively more supportive of pro-immigrant policy proposals. For example, WCVI surveys of Latinos and Latino voters in 2006 and 2008 show very high support for generous legalization programs for the undocumented (from 74% to 96%) and little support for increased security measures and/or deportations.. For more information see http://www.wcvi.org/latino_voter_research/polling_data.html

- 12 or 5.3% of House members with a significant number of immigrant-profile constituents show a mixed record on immigration measures.
- 93 or 41.3% of House members with a significant number of immigrant-profile constituents show a record of non-support for pro-immigrant legislation and of support of anti-immigrant legislation (2 had no voting record).

| Table 1: US House of Representatives: Number of Congressional Districts with 50,000 or more Latino, Non-Latino Asian, or Foreign Born Populations (Immigrant Constituency Populations) by Score Breakdown | | | | |
|---|---------------|--|-----------------------------------|--|
| | Profile Total | # of Districts with Scores 70% and Above | # of Districts with Scores 50-69% | # of Districts with Scores 49% and Below |
| Congressional Districts with 50,000 or More Immigrant Constituency Populations | 225 Districts | 120 (53.3% of Profile Total) | 12 (5.3% of Profile Total) | 93 (41.3% of Profile Total)* |
| Congressional Districts with Less than 50,000 Immigrant Constituency Populations | 210 Districts | 35 (16.7% of Profile Total) | 30 (14.3% of Profile Total) | 145 (69.0% of Profile Total) |

Note: Congressional District Populations Based on Data from U.S. Census Bureau, 2006-2008 American Community Survey 3-Year Estimates.

**Denotes figure includes 2 Representatives with no voting record.*

- 36 or 66.7% of Senators from states with a significant number of immigrant-profile constituents show a record of support for pro-immigrant measures.
- 4 or 7.4% of Senators from states with a significant number of immigrant-profile constituents show a mixed record on immigration measures.
- 14 or 25.9% of Senators from states with a significant number of immigrant-profile constituents show a record of non-support for pro-immigrant legislation and of support of anti-immigrant legislation.

Table 2: US Senate: Number of Senators with 250,000 or more Latino, Non-Latino Asian, or Foreign Born Populations (Immigrant Constituency Populations) by Score Breakdown

| Group | # of Senators with Scores 70% and Above | # of Senators with Scores 50-69% | # of Senators with Scores 49% and Below |
|---|---|----------------------------------|---|
| Senators with 250,000 or More Immigrant Constituency Populations (Profile Total: 54 Senators) | 36 (66.7% of Profile Total) | 4 (7.4% of Profile Total) | 14 (25.9% of Profile Total)* |
| Senators with Less than 250,000 Immigrant Constituency Populations (Profile Total: 46 Senators) | 12 (26.1% of Profile Total) | 1 (2.2% of Profile Total) | 33 (71.7% of Profile Total) |

Note: State Populations Based on Data from U.S. Census Bureau, 2006-2008 American Community Survey 3-Year Estimates.
**Denotes figure includes 1 Senator with no voting record.*

House Records by Immigrant-Profile Subgroup Constituencies

- Of the 225 House districts with significant numbers of immigrant-profile constituencies, 185 districts had 50,000 or more Latino constituents.
- 96 or 51.9% of House members with a significant number of Latino constituents show a record of support for pro-immigrant measures.
- 10 or 5.4% of House members with a significant number of Latino constituents show a mixed record on immigration measures.
- 79 or 42.7% of House members with a significant number of Latino constituents show a record of non-support for pro-immigrant legislation and of support of anti-immigrant legislation.

- Of the 225 House districts with significant numbers of immigrant-profile constituencies, 57 districts had 50,000 or more Asian constituents.
- 39 or 68.4% of House members with a significant number of Asian constituents show a record of support for pro-immigrant measures.
- 4 or 7.0% of House members with a significant number of Asian constituents show a mixed record on immigration measures.
- 14 or 24.6% of House members with a significant number of Asian constituents show a record of non-support for pro-immigrant legislation and of support of anti-immigrant legislation.

- Of the 225 House districts with significant numbers of immigrant-profile constituencies, 194 districts had 50,000 or more Foreign-Born constituents.
- 113 or 58.2% of House members with a significant number of Foreign-Born constituents show a record of support for pro-immigrant measures.
- 10 or 5.2% of House members with a significant number of Foreign-Born constituents show a mixed record on immigration measures.
- 71 or 36.6% of House members with a significant number of Foreign-Born constituents show a record of non-support for pro-immigrant legislation and of support of anti-immigrant legislation.

Table 3: US House of Representatives: Number of Congressional Districts with 50,000 or more Latino, Non-Latino Asian, or Foreign Born Populations (Immigrant Constituency Populations) by Score Breakdown

| Member by Scores | Congressional Districts with 50,000 or More Latino Population | % of Total | Congressional Districts with 50,000 or More Non-Latino Asian Population | % of Total | Congressional Districts with 50,000 or More Foreign-Born Population | % of Total |
|-----------------------------------|---|-------------|---|-------------|---|-------------|
| Members with Scores 70% and Above | 96 | 51.9% | 39 | 68.4% | 113 | 58.2% |
| Members with Scores 50-69% | 10 | 5.4% | 4 | 7.0% | 10 | 5.2% |
| Members with Scores 49% and Below | 79* | 42.7% | 14* | 24.6% | 71* | 36.6% |
| Total Members | 185 | 100% | 57 | 100% | 194 | 100% |

*Note: Congressional District Populations Based on Data from U.S. Census Bureau, 2006-2008 American Community Survey 3-Year Estimates.
Denotes figure includes 2 Representatives with no voting record.

Senate Records by Immigrant-Profile Subgroup Constituencies (See Table 4):

- Of the 27 states with significant numbers of immigrant-profile constituencies, 25 states (50 Senators) had 250,000 or more Latino constituents.
- 32 or 64% of Senators with a significant number of Latino constituents show a record of support for pro-immigrant measures.
- 4 or 8% of Senators with a significant number of Latino constituents show a mixed record on immigration measures.
- 14 or 28% of Senators with a significant number of Latino constituents show a record of non-support for pro-immigrant legislation and of support of anti-immigrant legislation.

- Of the 27 states with significant numbers of immigrant-profile constituencies, 13 states (26 Senators) had 250,000 or more Asian constituents.
- 19 or 73.1% of Senators with a significant number of Asian constituents show a record of support for pro-immigrant measures.
- 1 or 3.8% of Senators with a significant number of Asian constituents showed a mixed record on immigration measures.
- 6 or 23.1% of Senators with a significant number of Asian constituents show a record of non-support for pro-immigrant legislation and of support of anti-immigrant legislation.

- Of the 27 states with significant numbers of immigrant-profile constituencies, 22 states (44 Senators) had 50,000 or more Foreign-Born constituents.
- 30 or 68.2% of Senators with a significant number of Foreign-Born constituents show a record of support for pro-immigrant measures.
- 4 or 9.1% of Senators with a significant number of Foreign-Born constituents show a mixed record on immigration measures.
- 10 or 22.7% of Senators with a significant number of Foreign-Born constituents show a record of non-support for pro-immigrant legislation and of support of anti-immigrant legislation.

Table 4: U.S. Senate: Number Senators with 250,000 or more Latino, Non-Latino Asian, or Foreign Born Populations (Immigrant Constituency Populations) by Score Breakdown

| Member Scores by Party | Members of States with 250,000 or More Latino Population | % of Total | Members of States with 250,000 or More Non-Latino Asian Population | % of Total | Members of States with 250,000 or More Foreign-Born Population | % of Total |
|-----------------------------------|--|-------------|--|-------------|--|-------------|
| Members with Scores 70% and Above | 32 | 64.0% | 19 | 73.1% | 30 | 68.2% |
| Members with Scores 50-69% | 4 | 8.0% | 1 | 3.8% | 4 | 9.1% |
| Members with Scores 49% and Below | 14* | 28.0% | 6* | 23.1% | 10* | 22.7% |
| Totals | 50 | 100% | 26 | 100% | 44 | 100% |

*Note: State Populations Based on Data from U.S. Census Bureau, 2006-2008 American Community Survey 3-Year Estimates.
Denotes figure includes 1 Senator with no voting record.

3) Regional differences in legislative records of Members of the House and Senate on immigration-reform and immigrant rights legislation appear, with varying levels of consistency among Census-defined divisions within regions.

- A majority of Senators from the Northeast (76.5 % with a score of 70 or better) and West regions (55.6% with a score of 70 or better) show a record of support for pro-immigrant measures.
- Half of Senators from the Midwest region (50% with a score of 70 or better) show a record of support for pro-immigrant measures.
- Only a little more than a quarter of Senators from the South region (28.1% with a score of 70 or better) shows a record of support for pro-immigrant measures.
- In the Midwest, Senators from states in the East North Central division show a stronger record of support for pro-immigrant measures than those from the West North Central division.
- In the South, Senators from states in the South Atlantic division show a stronger record of support for pro-immigrant measures than those from the East South Central and West South Central divisions.
- In the West, Senators from states in the Pacific Division show a stronger record of support for pro-immigrant measures than those from the Mountain division.

Table 5: U.S. Senate: Number of Senators by Census Defined Regions and Divisions by Score Breakdown

| Region | Division | Total Members | Members with Scores 70% and Above | % of Total Members | Members with Scores 50-69% | % of Total Members | Members with Scores 49% and Below | % of Total Members | Total Delegation Grade % |
|-----------|---------------------------|---------------|-----------------------------------|--------------------|----------------------------|--------------------|-----------------------------------|--------------------|--------------------------|
| Midwest | | 24 | 12 | 50.0% | 3 | 12.5% | 9 | 37.5% | 59.8% |
| | <i>East North Central</i> | 10 | 7 | 70.0% | 3 | 30.0% | - | 0.0% | 83.7% |
| | <i>West North Central</i> | 14 | 5 | 35.7% | - | 0.0% | 9 | 64.3% | 39.9% |
| Northeast | | 17 | 13 | 76.5% | 1 | 5.9% | 3 | 17.6% | 84.1% |
| | <i>Middle Atlantic</i> | 5 | 4 | 80.0% | 1 | 20.0% | - | 0.0% | 91.8% |
| | <i>New England</i> | 12 | 9 | 75.0% | - | 0.0% | 3 | 25.0% | 80.2% |
| South | | 32 | 9 | 28.1% | 1 | 3.1% | 22 | 68.8% | 31.7% |
| | <i>East South Central</i> | 8 | - | 0.0% | - | 0.0% | 8 | 100.0% | 2.7% |
| | <i>South Atlantic</i> | 16 | 8 | 50.0% | 1 | 6.3% | 7 | 43.8% | 54.4% |
| | <i>West South Central</i> | 8 | 1 | 12.5% | - | 0.0% | 7 | 87.5% | 22.1% |
| West | | 27 | 15 | 55.6% | - | 0.0% | 12 | 44.4% | 59.4% |
| | <i>Mountain</i> | 17 | 6 | 35.3% | - | 0.0% | 11 | 64.7% | 38.6% |
| | <i>Pacific</i> | 10 | 9 | 90.0% | - | 0.0% | 1 | 10.0% | 88.1% |

Notes:

- In the House, only the West region (52% with a score of 70 or better) had a majority of members who show a record of support for pro-immigrant measures, while the Northeast region (48.1% with a score of 70 or better) had a healthy plurality in that category.
- House members from the Midwest (24% with a score of 70 or better) and South (26.6% with a score of 70 or better) show a much less strong record of support for pro-immigrant measures.

- In the Northeast region, there is a marked distinction between House members from the New England division (68.2% with a score of 70 or better) and those from the Middle Atlantic region (34.4% with a score of 70 or better) in records of strong support for pro-immigrant measures.

Table 6: U.S. House of Representatives: Number of Congressional Districts by Census Defined Regions and Divisions by Score Breakdown

| Region | Division | Total Members | Members with Scores 70% and Above | % of Total Members | Members with Scores 50-69% | % of Total Members | Members with Scores 49% and Below | % of Total Members | Total Delegation Grade % |
|-----------|---------------------------|---------------|-----------------------------------|--------------------|----------------------------|--------------------|-----------------------------------|--------------------|--------------------------|
| Midwest | | 100 | 24 | 24.0% | 9 | 9.0% | 67 | 67.0% | 37.5% |
| | <i>East North Central</i> | 69 | 19 | 27.5% | 5 | 7.2% | 45 | 65.2% | 41.5% |
| | <i>West North Central</i> | 31 | 5 | 16.1% | 4 | 12.9% | 22 | 71.0% | 29.8% |
| Northeast | | 54 | 26 | 48.1% | 7 | 13.0% | 21 | 38.9% | 60.9% |
| | <i>Middle Atlantic</i> | 32 | 11 | 34.4% | 3 | 9.4% | 18 | 56.3% | 47.1% |
| | <i>New England</i> | 22 | 15 | 68.2% | 4 | 18.2% | 3 | 13.6% | 79.9% |
| South | | 154 | 41 | 26.6% | 13 | 8.4% | 100 | 64.9% | 33.7% |
| | <i>East South Central</i> | 26 | 1 | 3.8% | 6 | 23.1% | 19 | 73.1% | 24.3% |
| | <i>South Atlantic</i> | 80 | 27 | 33.8% | 5 | 6.3% | 48 | 60.0% | 38.4% |
| | <i>West South Central</i> | 48 | 13 | 27.1% | 2 | 4.2% | 33 | 68.8% | 30.4% |
| West | | 127 | 66 | 52.0% | 13 | 10.2% | 48 | 37.8% | 62.8% |
| | <i>Mountain</i> | 49 | 26 | 53.1% | 8 | 16.3% | 15 | 30.6% | 67.8% |
| | <i>Pacific</i> | 78 | 40 | 51.3% | 5 | 6.4% | 33 | 42.3% | 60.0% |

Notes:

4) Certain House caucuses show very strong records of support for or opposition to pro-immigrant measures among caucus members.

- Members of the Asian Pacific American, Black, Hispanic, LGBT Equality caucuses show strong records of support for pro-immigrant measures, with scores at 88 or better.
- Members of the Labor and Working Families, Energy and Environmental, Border, and Native American caucuses also showed strong support for pro-immigrant measures, with scores ranging from 66.6 to 85.9.
- Members of the Law Enforcement caucus showed a middle level of support for pro-immigrant measures, with a score of 51.3.

- Members of the Blue Dog Coalition, Congressional Prayer, and Immigration Reform showed low levels of support for pro-immigrant measures, with scores of 37.2, 7.4, and 4.5 respectively.

| Table 7: U.S. House of Representatives: Delegation Grades for Select Caucuses | | |
|--|--------------------|-------------------------|
| Caucus | Delegation Grade % | Total Number of Members |
| Congressional Asian Pacific American Caucus | 93.6% | 24 |
| Congressional Progressive Caucus | 93.5% | 79 |
| LGBT Equality Caucus | 91.3% | 81 |
| Congressional Hispanic Caucus | 89.7% | 21 |
| Congressional Black Caucus | 88.4% | 41 |
| Congressional Labor and Working Families Caucus | 85.9% | 90 |
| Sustainable Energy and Environmental Caucus | 83.4% | 51 |
| Congressional Border Caucus | 76.6% | 9 |
| Congressional Native American Caucus | 66.6% | 97 |
| Law Enforcement Caucus | 51.3% | 100 |
| The Blue Dog Coalition | 37.2% | 53 |
| Congressional Prayer Caucus | 7.4% | 57 |
| Immigration Reform Caucus | 4.5% | 96 |
| Note: Caucuses taken from www.house.gov , as of 3/16/2010. Caucus Scores only take into account House of Representative members from States. U.S. Senators and Territory Representatives are excluded. Scores only reflect the analysis of the individual votes and positions of the members who happen to be part of the select caucuses listed and are not a measure of Caucus or Coalition Policy. | | |

Conclusion

The IJRC Interim Progress Report demonstrates an apparent mismatch between votes on immigration-related legislative proposals and the views of significant portions of their constituencies. The NLC strongly believes that the failure to enact progressive immigration reform legislation is contrary to good policy for the nation. Many of the flaws in the current United States immigration policy are well-known and universally acknowledged. The Congress' failure to enact comprehensive immigration reform in the last ten years therefore constitutes bad policy.

The IJRC Interim Progress Report suggests strongly that this failure to act is also bad politics. Many legislators with records of non-support for pro-immigrant legislative measures and support for anti-

immigrant measures represent districts that include large numbers of Asian, Latino, and/or Foreign-Born constituents. This is even more direct and specific than the national evidence of popular support for immigration reform, support that has not resulted in legislative enactment. Moreover, recognized demographic trends, which show continued growth and dispersion of all three of these communities, demonstrate that this mismatch may become even more pronounced unless Senators and House members change their practices to reflect greater support for progressive immigration reform legislation. After the 2010 Census and 2011 redistricting, an even greater number of districts will show significant immigrant-profile constituencies. Therefore, in even more districts, smart politics will support a change in patterns of voting on immigration-reform and immigrant-rights legislation. The IJRC Interim Progress Report provides an advance indication of the need for many current legislators to adjust their voting to match their current and future constituencies.

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