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To: Interested Parties

From: Immigration Hub

Ref: **Battleground Voters Support Legalization in the Build Back Better Act**

Over the past year, the Immigration Hub has been conducting national polling, including surveys of battleground voters, on top immigration topics with leading national pollsters and data analysts. Consistently, the Hub has found that Democrats' immigration policy solutions in the Build Back Better plan and President Biden's immigration blueprint are overwhelmingly popular and can counter Republican attacks in 2022. Democrats must not be silent on the issue, rather socialize their policy solutions and deliver on the promise of legalization - a popular and widely supported policy - to effectively disrupt rightwing electoral attacks and energize key swaths of voters. **A win on the Build Back Better Act's legalization proposal will not only transform millions of lives and be a major boost for our economy, it will be a powerful and compelling tool to energize and persuade voters for the upcoming midterms.**

Democrats' Legalization and Border Solutions Overwhelming Supported and Stand the Test of Rightwing Attacks

- **Overwhelming support for the current legalization proposal, the Immigration Permit Program, in the Build Back Better Act.** According to a [November 2021 poll by Data for Progress](#), **75% of voters, including 88% of Democrats and 81% of Independents** support work permits and protection from deportation for Dreamers and undocumented immigrants. In another national [survey by Civiqs](#), **nearly 70% of registered voters, including 65% of Independents and 92% of Democrats** also broadly supported the immigration permit program in the legislation.
- **71% of battleground voters support a pathway to citizenship for undocumented immigrants** living in the U.S. if certain requirements are met over deporting them, including 88% of Democrats, 75% of independents, and 53% of Republicans. In fact, **69% of battleground voters think this policy will help our economic recovery.** ([Global Strategy Group, October 2021](#))
- **54%-46% margin, battleground voters prefer building “a functioning immigration system that processes people in a fair, orderly, and humane way”** over the Republican enforcement-only approach that relies on “more border security, more border patrol agents, and crackdowns on illegal immigration.” ([Global Strategy Group, October 2021](#))
- **By a 56%-44% margin, battleground voters would prefer America be “a world leader in helping refugees, including accepting some to live here”** over America focusing on itself and taking in fewer refugees. ([Global Strategy Group, October 2021](#))
- **Efforts supported by Democrats to build a fair, orderly, and humane system at the border are very popular.** Voters will respond positively if President Biden executes on the original immigration agenda he laid out during his campaign, and communicates on it forcefully. When voters are exposed to messaging on how the president is taking decisive action to manage the border, President Biden's approval rating on the border moves dramatically from the negative ratings mentioned earlier (35% approve/54% disapprove) into a positive position (52% approve/42% disapprove). ([Global Strategy Group, Hart Research, and BSP Research, June 2021](#))
- In an advertising test, where an Immigration Hub's ad centered on President Biden's legalization and border policy solutions and a Republican “open borders” ad were shown to battleground voters, **the GOP ad failed to dampen support for legalization of undocumented immigrants: About three in five agree that immigration is good for their community (63%), strengthens the U.S. economy (60%), and favor a pathway to citizenship for undocumented workers (61%).** ([BlueLabs Analytics, July 2021](#))

- In the same advertising test, the **Immigration Hub’s “pro-legalization and border solution” ad moved critical voters in favor of President Biden and Democrats.** Voters under 50, women, and college-educated voters were more likely to approve of Biden’s job on immigration. Additionally, 46% of voters (v. 42% in favor of a Republican) who viewed the Hub’s ad were more likely to support the Democrat in a generic Senate race. **White college-educated voters and white women were more likely to be moved by this messaging strategy.** ([BlueLabs Analytics, July 2021](#))
- While voters do see a problem at the border, **what the majority of voters want are solutions that fix the immigration system in a fair and humane way in line with America’s values – which is where Democrats should focus their messaging.**
- **Democrats should also illustrate how Republicans are blocking progress and solutions on this issue.** By a 25-point margin (47% to 22%), voters believe Republicans are blocking Biden from taking action on **immigration** instead of working with him. But by a 33-point margin (61%-28%), voters want Republicans to work with Biden on bipartisan solutions to fix our country’s immigration system. ([Global Strategy Group, October 2021](#))

Inaction on Immigration Will Cost Democrats More Than Republicans, Delivering on Legalization Can Energize and Persuade Critical Voting Blocs

- **Two in three battleground voters say they would be “upset” if these immigration legalization proposals do not pass (66%),** including 90% of Democrats and 75% of independents. **Nearly half say they would be less likely to vote for their senator** if they learned they had voted against these bills (48%). ([Global Strategy Group, October 2021](#))
- **In looking at unmotivated Democrats** – self-identified Democrats in these battleground states who say they are feeling less motivated to vote in the 2022 election (13% of respondents in this survey) – **four in five (80%) say passing these permanent protection bills is urgent.** ([Global Strategy Group, October 2021](#))
- **Nearly nine in ten unmotivated Democrats (86%) say they will be upset if these legalization proposals do not pass,** and another **60% say they would be less likely to vote for their senator** if they learned they had voted against these bills. ([Global Strategy Group, October 2021](#))
- In a survey of Latino voters in battleground states, when asked who would deserve blame if immigration reform does NOT pass this year, Latinos are equally split with 30% blaming Biden/Democrats, 31% blaming Republicans and 40% blaming both parties equally. However, **when given the alternative scenario, that immigration reform does pass, Democrats emerge with a +47 margin with 57% crediting Biden/Dems to only 10% crediting the GOP.** This is particularly the case with key political segments such as Latino independents (48% credit Dems, 8% credit GOP, +40) and undecided Latino voters (45% credit Dems, 6% credit GOP, +39, and Latinos in Texas 61% credit Dems, 10% credit GOP, +51). ([BSP Research and EquisLabs, May 2021](#))

Bottom Line: Democrats can greatly enhance their prospects in 2022 by delivering the Build Back Better Act that includes immigration. Legislative success on this key campaign promise, accompanied by strong messaging, will help mobilize Democrats and persuade moderate voters. Republicans have centered anti-immigrant attacks in multiple races spanning the last several election cycles. This strategy failed in 2018 and 2020 because the majority of voters do not align with the extreme position of the Republican Party on immigration; however, voters can be shifted if there is no Democratic alternative. To counter the attacks from the right, Democrats will need more than just effective rhetoric; they need this major policy win that shows Republicans are obstructionists and Democrats are the party that gets the job done. For more information and analysis, view the primary [findings](#) of the Immigration Hub, People’s Action, SEIU and Voto Latino.

What is the Immigration Permit Program in the Build Back Better Act?

The immigration permit program for long term residents in the BBB bill would be a historic breakthrough for undocumented workers who have contributed to America, worked through the pandemic and continue to be essential to our economic recovery. The program would provide work permits and protection from deportation for immigrants who have been present in the U.S. since January 1, 2011. This proposal **does not confer one single new benefit** to the immigrants who would get status– all they would get is the status quo. And because of current law–the status quo is very restrictive.

This is a temporary program for people who have lived here for over 10 years and paid their fair share of taxes without being eligible for safety net services for decades. The average beneficiary has been living in American communities, working and paying taxes for 20 years.

- **Every Democrat has voted for green cards for millions of undocumented immigrants.** The House bill provides temporary legal status for people who have lived in the U.S. for more than a decade. These immigrants have been here for over 10 years paying the same taxes as everyone else.
- **Immigrants were there for the rest of America during the depths of the pandemic** It's time to free them up to make their full contribution by legalizing them.
- **Democrats have been promising immigration reform for decades.** Legalizing Dreamers and longtime resident immigrant workers is extremely popular. In an October 2021 battleground poll of registered voters conducted by Civisq, nearly 70% of voters surveyed support the immigration permit program, including 65% of Independents and 92% of Democrats.

This proposal does not provide any new or additional benefits for individuals with parole.

- **Benefits for immigrants are heavily restricted and the individuals covered by this bill have only limited access to safety net services.** Individuals who have immigration permits - “parole” as it’s called in the law:
 - Are ineligible for Supplemental Security Income (SSI).
 - Are required to wait at least 5 years before becoming eligible for other major federal welfare programs (Medicaid, SCHIP, TANF, SNAP.)
 - Won’t be able to qualify for EITC – even if they have citizen children -- unless everyone in the household has a social security number.
- **Current law bars most immigrants who entered the U.S. after 1996 from “federal means-tested public benefits” during the five years after they secure qualified immigrant status.** This waiting period is often referred to as the five-year bar. Individuals with parole would be subject to this bar upon being granted qualified status, and would therefore have to wait before being eligible for federal means-tested public benefits that include Medicaid (except for emergency services), CHIP, TANF, and SNAP. The bar for SSI is permanent.

This proposal should pass muster with the Senate Parliamentarian.

- This proposal has been crafted to address the objections that the Senate Parliamentarian posed during the previous path to citizenship proposals.
- Eligibility for safety net benefits is an essential component of being considered under Byrd Bath rules that require a proposal to have a budgetary impact that outweighs its policy impact.