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## Feature Story

### Capitol Vérité: Inside Immigration Policymaking

**By Shari Robertson and Michael Camerini  
Documentary Filmmakers**

February 2011

*Award-winning filmmakers Shari Robertson and Michael Camerini are the team behind the ambitious documentary project [How Democracy Works Now: Twelve Stories](#), a series of films about the debate over comprehensive immigration reform in the United States. Between 2001 and 2007, they captured 1,400 hours of footage in Washington, DC and at various locations around the country, peering behind the curtain of a complicated legislative process and an issue crowded with constituents and special interests. Due to the unprecedented access to the inner workings of congressional politics and policymaking the filmmakers received, the Migration Information Source asked them to share their impressions of their experience on Capitol Hill. For even more discussion about the drive for comprehensive immigration reform in the 2000s, check out this [Q&A session](#) with the filmmakers.*

To put it kindly, we were aliens when we first arrived in Washington, DC in the late summer of 2001. We had everything to learn and no time to do it. From the perspective of 2012 it may be hard to remember, but in Congress and on Capitol Hill during the summer of President George W. Bush's first year in office, a major immigration overhaul was taking shape so fast that even the people creating it could barely keep track. We'd landed in a whirlwind, determined to catch history in the making.

We had just spent the previous year on the festival circuit with our film about political asylum, ***Well-Founded Fear***. Dozens of Q&A sessions had become long, energetic discussions of people's thoughts and feelings about immigration. The subject set audiences on fire! The great thing, though, was that you could never be sure exactly what side a given audience member would take. Over time, we realized that our audiences' strong and often emotional opinions mirrored the debate in



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Washington, confounding every stereotype, cutting across party and class lines, and dividing those who strived to influence policy: Democrats and Republicans, labor and business, opponents and advocates.

In the end, all the arguments came down to policy disagreements. How should the country handle the "immigration problem"? We knew that if we seriously wanted to explore the mysteries of policymaking in the United States, we'd never find a better thread to follow, especially at that moment when all signs indicated there would be a monumental political battle over immigration legislation within a year.

But how do you even start to shoot something so abstract? Even figuring out what to wear wasn't exactly easy. We knew we'd have to fit in with the culture of Capitol Hill in order to gain any access at all. We could see that staffers and lobbyists dressed for business and that tourists did not. But the dress of the other essential category, the press — ostensibly the one that included us — was confusing. Though reporters could just as easily have passed for congressional staffers, the television crews consistently dressed as if they'd just dropped by on the way to a sports bar, apparently at real pains never to be mistaken for the people they were there to cover.

We knew we didn't really fit into any category on the Hill. We are not journalists or even TV producers; we make documentary films. Going a long way to put the people we're filming as much at ease as possible is basic to how we work. We get infinitely deeper stuff that way. Still, no matter how great the rapport, picking up a camera changes pretty much any situation, and neither of us had ever — in 30-odd countries where we'd filmed — entered an atmosphere as paranoiacally camera-conscious as Washington.

Once we became friendly with a couple of the jeans-and-t-shirt television crews, we learned that the sanctioned times and places to shoot in Washington are well-understood — public events, press conferences, official statements, interviews, encounters at designated informal locations, and photo opportunities. That means everything else is not sanctioned. If a crew is working an event and the subject's talk turns to something personal or gossipy, the protocol is to move the boom mic away and put the camera down. On stage is fair game, while backstage is either out of bounds or "Gotcha!" — which means you'll get kicked out fast.

That's the deal in Washington. People wielding power grant hyper-controlled access to the media in return for necessary publicity. But since that publicity is, well, necessary, the professional media corps is constantly rebalancing the power relationship. The sports-casual uniform is a strong visual signal to subjects: "I am not here because I'm impressed. I'm just doing my job, which determines your access to publicity."

**"How Democracy Works Now is truly a landmark in political documentary filmmaking. The series as a whole is an education in itself, presenting virtually every angle, actor, and significant moment in one of the key unresolved policy disputes of our time. Detailed and nuanced portraits of individual legislators and advocates emerge, in a vital rendering of policy and politics as an intensely human enterprise. Given the centrality of immigration to our national identity, this series is ultimately a window not only on American politics but on the character of the country."**

— David R. Ayón, Senior Advisor at the Woodrow Wilson International Center for Scholars and Senior Fellow at Loyola Marymount University

The adversarial codependence was fascinating. But we knew we couldn't let it apply to us. We weren't doing that job. We were travelers ready to bring back tales of wonder from this foreign, unknown world. To do so, we needed to get into as many different places where individual actors (people working in Congress, lobbyists, labor union leaders, advocates, and activists) were actually involved as we could. And we needed to be able to stay there until something happened — to piece together a window into the process of legislating social change and how that process meshed with the machinery of politics in the United States. Basically, we'd only come for the backstage stuff!

So like a lot of great Washington solutions, we ended up splitting the difference. In case we needed to look "real," maybe for introducing ourselves to the next new person we needed permission from, we did our best imitation of staffers. And once we had the permission or

needed to fade into the background in public, we could just pick up our equipment to look enough like the rest of the media to disappear.

Luckily, the nearly continuous process of explaining our project to our intended subjects was instructive in itself. We were ambitious and carved out a wide swath of targets — Senate and House offices, advocates across the spectrum, lobbyists from the Chamber of Commerce and other business groups as well as their negotiating partners in labor. We were interested in anyone who played a role, or hoped to play a role, in shaping legislation.

Mostly, we did manage to communicate our genuine fascination with how this process worked. The idea of an almost ethnographic, "fly-on-the-wall" documentary probably made more sense to the people we were asking to let us film than it ever made to our colleagues in the media. Our objective, even before we could articulate it all that specifically, seemed to mesh with a secret vein of altruism in a lot of the key players. It made sense to them that somebody should tell this story from the inside — from the perspective of the people living it at the time. Once they decided they could trust us, they were incredibly generous.

Washington is an industry town, though, hierarchical and demanding. Information is currency and discretion is power. Staffers are notoriously careful, but most other people connected to politics or policy stay on guard as well. However genuine we two outsiders seemed to be, it was not an easy start. Probably the biggest thing in our favor in August 2001 was that events were moving so fast, we were the least interesting or dangerous element in the mix. And there was, truly, a sense of living in a historic moment.

The week before Labor Day, we'd done enough groundwork to start shooting. On Friday, September 7, we filmed a Senate hearing — what many later called a "love fest" — wherein US Chamber of Commerce President Tom Donohue and Representative John Sweeney (R-NY), along with conservative lobbyist Grover Norquist and former President of the National Council of La Raza Raul Yzaguirre, convinced Senators Ted Kennedy (D-MA) and Sam Brownback (R-KS) that labor, business, and both Democratic and Republican advocates would be with them on immigration reform. We stuck around to get the backstage strategizing between advocates and staffers afterward. An aide from the Brownback office flinched, "Should they be here filming this?" And the answer, delivered in earnest but with a laugh, was, "Don't worry — we'll pass this bill before they finish their film!" The following Tuesday was 9/11. Everything afterward would be different.

We kept on filming, though, in Washington as well as Kansas, Iowa, Arizona, and other states for another six years. It was amazing how one thing led to another. Certainly not everyone we asked for permission to film agreed — plenty of people said no, both on Capitol Hill and among the advocates on both sides of the issue. But the people who did agree and who allowed us to film them at work were incredibly good teachers. As we began to understand the larger political reality surrounding the immigration reform issue, we branched out to film things that weren't specifically related to immigration (like primary campaigns and interoffice politics) because they had a direct bearing on other things that were.



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Very soon we were in way over our heads, shooting all the time. It was great. Shari woke up one morning and wrote a little note, just to remember: "No one ever sees this, quite this way. It's too huge, too sprawling, far too random and entropic. We had no idea it would be like this — so rich, so necessarily reducible to small stories, individual lives, and personal aspirations that intersect and cross back in all sorts of beautiful, unexpected ways."

We'd wanted to understand everything about how this country legislates a complicated social issue — and to see what it looks like when compromise happens — so that we could pass it all on, but we had no idea what that ringside seat would feel like. Making documentaries can be a pretty humbling experience. For the entire shoot, you're walking on eggshells. Your existence can never be about you, yet you are always on stage before your subjects.

The tradeoff is the incredible privilege of getting inside a situation not as an actor, but as an almost invisible observer, moving in the midst of the action but often with a full 360-degree view of the stage. While that remarkable bubble of access lasts — and none of them last forever — you live a storyteller's dream come true. And for months at a stretch, over six years, we inhabited this story.

So we kept on learning — with and from the people we were filming. Understanding the larger political reality became the big, invisible lesson of our own experience. After the rocket launch of momentum before 9/11 and the instant freeze that thawed too slowly to recover it afterward, we could see from everything we shot that immigration itself would never be dealt with in a vacuum. Whatever technical policy formulation was put forward, regardless of its genius or flaws, story after story showed us that contextual conditions would have to be exactly right for any reform to happen.

Some factors were simple and predictable far in advance. Election cycles, for example, determine windows of possibility for legislative action and thus strategies for actors on both sides of a policy fight. The exact number of days and hours that a deal could stretch might vary, but according to the desired outcome — and there are stories in the series that run both ways — the need to act or to stall could have been marked years ahead on a calendar.

The tricky factor within this structured predictability, though, is that no issue stands alone. Everything is connected, all the calculations influence each other, the network of interests is inevitably huge, and a single piece of news or even a rumor can turn the whole universe upside down. Luck matters. We witnessed that a few times, and it led us to appreciate what people mean when they talk about political will. It's the essential factor that can trump the rest, as mysterious and powerful a force as luck itself.

This elusive political will, at least from what we saw, can be rooted in different things — basic values, certainly, and beliefs about leadership or what is best for the country. Perhaps surprisingly, though, it often seemed to rise and fall in harmony with what sitting politicians understood the country, or at least their constituents, wanted. Popular support alone doesn't create true political will, but the lack of it can surely thwart it.



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Public opinion about immigration reform changed over the years we were filming, from a generally positive view of immigration and a desire to fix a broken system to an active and widespread concern about illegality and suspicion of immigration in every form. How and why this shift occurred is embedded in the granular details of our story. The feedback loop that shaped the national conversation determined the latitude for legislative compromise that might have made a new deal possible. Over the years, as opponents of reform multiplied exponentially, that latitude was gradually reduced to a sliver.

But the determination of certain key players both inside and outside Congress to find a workable deal endured. That's why we kept filming, hoping to capture the huge and serendipitous set of circumstances, strategy, luck, and — once we finally understood it — political will that would add up to 60 votes on a comprehensive immigration reform bill on the Senate floor. That essential number — 60 — is another good example of the predictable factors known years in advance. How to reach it, though, remains a puzzle to this day.

We filmed from August 2001 until the end of June 2007, following the threads that emanated from that original idea for an immigration reform bill that Senators Kennedy and Brownback would have sponsored. Throughout those years, the bill and the deals kept evolving, adapting to each month's context and angling to exploit every window of possibility. Finally, what everyone knew to be the last best chance for immigration reform came and went, and we put our equipment down.

We were left in only the visible half of our costumes — Michael in a suit and tie, Shari in high heels — without the big camera and long boom pole that had so often made us disappear into the otherness of the media. We were just filmmakers again — filmmakers with 1,400 hours of footage

seriousness of the media. We were just filmmakers again — filmmakers with 1,700 hours of footage that we hoped could be shaped to do justice to the remarkable story we had witnessed. We were numb, like most of the people who shared the same adventure over the previous six years, but we also knew that within this story were valuable lessons for the next time the immigration issue would resurface on the national policy agenda. We felt an incredible urgency to get the films done.

More than four years later, we still feel the urgency of the task. ***How Democracy Works Now: Twelve Stories*** is a huge project, and the kind of editing the material demands is neither quick nor cheap. Eight of the stories have been cut, and the ninth is on the way this spring. We do intend to finish. Together, the 12 films will make up one very big story, and though we surely didn't realize it when we arrived in Washington, it's exactly the story we would have wanted to find in 2001.

Once the grand, so far invisible arc is there to see, we hope that it, along with each individual film's tale, will be a resource for understanding our remarkable system of government and politics like nothing that has come before. That was what the experience of making these films offered us.

The process of sifting and editing these many stories has influenced our perspective on immigration policy and the possibility for reform, no doubt. We have seen and analyzed the obstacles in dozens of forms, enough to imagine plenty more ahead. The stalemate of the past five years has hardly been a surprise. But we have also seen how surely this American democracy reflects back the countless opinions it receives, and how surprisingly responsive it is to the aggregate will. Over the years we filmed, the country was moving away from good feelings about immigration, sentiment tilted increasingly against action, and reform efforts were repeatedly stymied. The system worked perfectly.

That's the factor that makes us ultimate optimists about reform. The country has lived through several years now of the bleak demonstration of what lack of a federal solution to the "immigration problem" feels like. On both sides of the issue, people are getting tired of piecemeal fixes. There's work still to be done by reform advocates, since a significant majority of the public has yet to understand enough about the issue to be not just persuaded, but sure that reform is what they want.

When that starts to happen (and polls seem to indicate that it could be starting already), the political response will follow — in the appropriate window, with the right circumstances, with a lot of luck, and only, of course, with the necessary political will. Who will be the actors to bring that essential and mysterious component? That's a huge, unanswered question right now. It's certainly another story.

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 Migration Information Source, ISSN 1946-4037  
 MPI • 1400 16th St. NW, Suite 300 • Washington, DC 20036  
 ph: (001) 202-266-1940 • fax: (001) 202-266-1900  
[source@migrationpolicy.org](mailto:source@migrationpolicy.org)