



## HBO Documentary Highlights Tough Battle for Immigration Reform

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Last night, HBO2 aired *The Senators' Bargain*, a [documentary \(http://screensaver.hbo.com/documentaries/the-senators-bargain/index.html\)](http://screensaver.hbo.com/documentaries/the-senators-bargain/index.html) about the years-long battle to reform the immigration system, which culminated in a dispiriting loss for proponents in 2007. The result of years of work by filmmakers Shari Robertson and Michael Camerini, it offers a behind-the-scenes look at the messy, frustrating, byzantine effort to steer contentious legislation through the bureaucratic muck of Congress. Its arrival is especially timely, given the torturous health care fight that's finally drawing to a close and the recent talk of resurrecting immigration reform.

Given that health care passed, you'd think that would bode well for immigration. After all, Congress just proved that it can actually pass big, controversial bills. Yet one of the things that *The Senators' Bargain* drives home is just how little comity remains among lawmakers of opposing parties. There were still vestiges of it in the period chronicled by the film, from 2001 to 2007. In one of many scenes of bipartisanship, a press conference announcing a "grand bargain" drew together senators as ideologically opposed as Ted Kennedy and Saxby

Chambliss. And in the early going, this heterogeneous mix of lawmakers stuck together, fending off incoming fire from the more extreme wings of their respective parties. But as negotiations ground on, the coalition slowly collapsed, overcome by rancor and demagoguery.

The documentary is, in many ways, a tribute to Kennedy, the "Lion of the Senate," but one of the most fascinating evolutions to watch is that of his original negotiating partner, Sen. John McCain, who appears only sporadically. At the start of the film, McCain is standing before an audience, reading a vivid newspaper account of horrors endured by illegal immigrants who cross the desert in pursuit of opportunity in America. "That's what this is all about," he tells the rapt crowd. "Ted Kennedy and I can't do this alone. *We must, we must* have an orderly and comprehensive immigration reform if we expect to address this problem."

The pair's first effort fell apart in 2006. The following year, as McCain's presidential campaign got underway and immigration heated up as an issue among GOP primary voters, he began backing away from the topic. Still, at the 2007 announcement of the new grand bargain, the film shows McCain standing with the bipartisan bunch at the podium. By the end of the movie, however, he's nowhere to be seen. Now that Sens. Chuck Schumer and Lindsey Graham are trying to revive immigration reform, I've been asking which Republican senators could conceivably join Graham as a cosponsor. I hear names like George Voinovich and Richard Lugar, but never McCain. The chatter in Washington, D.C.: that McCain remains bitter over his 2008 loss and the defection of so much Hispanic support.

The other notable evolution in the documentary is that of the legislation itself, which moves further and further to the right. The original McCain-Kennedy compromise combined increased enforcement, a guest-worker program, and legalization of undocumented workers already in the U.S. After that effort died, the grand bargain of 2007 included provisions that reversed decades of U.S. immigration policy, which prioritized family reunification—bringing over your wife from Vietnam, for instance—over educational achievement—say, recruiting European Ph.D.s. A new "point system" rewarded the latter more than the former. As Sen. Robert Menendez puts it at one point in the film, this "means a dramatic change in who gets to come to the United States of America." But that seemed to be the best deal the pro-immigrant forces could get. The rightward push, however, didn't stop; more senators introduced amendments to harden the bill's edges, until finally, the whole endeavor broke down.

Whether this merely reflects the electorate's rightward evolution on the issue is subject to debate. Immigrant advocates can point to plenty of polling showing that a majority of Americans back the core elements of comprehensive immigration reform. But what's undeniable—and you see bits of this in the film—is that the conservative opposition has always been angry, vocal, and effective at making lawmakers tremble. Given the current phenomenon of tea-party protests and the climate of economic insecurity, conservatives seem to be only more riled up.

This doesn't bode well for a renewed effort to tackle immigration reform. Nor does the

poisonous partisanship that has overtaken Capitol Hill. At the end of *The Senators' Bargain*, after the failure of the 2007 bill, Schumer offered this lament: "It's a sad day when we can't all pull together and avoid some of the nasty comments aimed at divisiveness and destructiveness. When you study why great countries fail, it's because they're unable to deal with the problems facing them, and they devolve into petty little disputes and appeals to the lowest common denominator." He concluded by saying, "Each of us takes some heart in the fact that we will be back." Perhaps that moment is coming soon. But brace yourself, because it won't be pretty.