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## The Caucus

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### HBO Film Documents Immigration Battle

By *JULIA PRESTON*

**Updated** The opening minutes of “The Senators’ Bargain,” a documentary film appearing tonight on HBO2, show Senator [John McCain](#) at a Congressional hearing in 2006, reading out loud from a newspaper article describing the death from broiling in the desert that befalls many immigrants trying to cross the border illegally.

“The brain cooks and the delirium starts,” Mr. McCain, Republican of Arizona, reads somberly, explaining why he will join Senator [Edward M. Kennedy](#) of Massachusetts, one of the most liberal Democrats, in sponsoring a bill to give legal status to millions of illegal immigrants.

The documentary, directed by Shari Robertson and Michael Camerini, is an insiders’ chronicle of the maneuvering and deal-making in the [immigration](#) debate that ended in June 2007 with the collapse of the bill that Mr. Kennedy had championed to the end. A civics lesson on how the sausage of such ambitious legislation is made, the film is also an affectionate portrait of Mr. Kennedy, at the end of his career, as he strives to lock in his legacy with a last bill on immigration, his signature issue along with health care.

But as the cameras follow the action down Congressional hallways, the cooperative mood among lawmakers steadily fades. The film also serves as a eulogy for the bipartisan spirit that Mr. McCain and Mr. Kennedy exude at the start.

The documentary is one of 12 films on the inner workings of Washington by the directors. Although it took years to make, its timing is fortuitous, after tens of thousands of immigrants demonstrated on the Washington Mall on Sunday in an effort to keep immigration on [President Obama](#)’s agenda.

After his proposal with Mr. McCain stalled in 2006, Mr. Kennedy made a bargain in 2007 with President George W. Bush and a tougher Republican negotiator, [Jon Kyl](#), the other Republican senator from Arizona. Mr. Kennedy agreed to changes in the immigration system that would give priority to foreigners with education and skills over family ties. Cecilia Muñoz, a lobbyist for the National Council of la Raza, observes that the new approach was a repudiation of the family-based system Mr. Kennedy had helped to establish in 1965, in the first bill he marshaled through Congress.

As popular opposition to the bill surges, it is Mr. Kyl who takes to the Senate floor to explain to furious voters why he is even talking to Mr. Kennedy. If senators from opposite sides of the aisle want to “work together to find solutions,” he protests, “every now and then you have to sit down and talk to each other.”

But as the negotiations unraveled under the pressure of popular discord, Mr. Kyl voted against bringing the bill that he had negotiated to the floor.

Dissension was not only on the right. In one revealing scene, Senator [Robert Menendez](#), Democrat of New Jersey, berates immigrant advocates, accusing them of selling out on a bill he dismisses as xenophobic, leaving several of the exhausted lobbyists in tears.

At the end, Mr. Kennedy, ever affable with his staff and confident in the “chemistry” of the Senate, appears isolated. In the final scene, he appears alone on the floor after the debate, with a bittersweet promise to “endure today’s loss and begin anew.”

Many of the lead players in the film are still in the game, but on different teams. Esther Olavarria, Mr. Kennedy’s indefatigable staff negotiator, is now an aide to Homeland Security Secretary [Janet Napolitano](#). Ms. Muñoz is a policy adviser in the White House. Two leading lobbyists, Frank Sharry and Angela Maria Kelley, are trying one more time to legalize illegal immigrants, in a Congress where the faint bipartisan impulses left at the end of this film have faded entirely.

Update: PS: Responding to a Caucus item about *The Senators’ Bargain*, a documentary film about the 2007 immigration debate, members of the staff of Senator John Kyl, a Republican from Arizona, noted that it left an impression he had abandoned his support for the bill he negotiated. In June of that year, Mr. Kyl voted once against ending debate on the bill, arguing that conservatives had not been fully heard. But in a second round three weeks later, Mr. Kyl voted in favor of sending the bill to the floor, to show he continued to support it.

*See a related review by [Alessandra Stanley](#).*