

Senate immigration overhaul blocked by Republican right

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The failure of the US Senate to garner sufficient votes Thursday to cut off debate on a comprehensive immigration bill effectively killed the principal piece of domestic legislation that both the congressional Democratic leadership and the Bush administration had sought to enact in the current legislative session.

The immigration bill, while backed by the White House as well as both the Democratic and Republican leaderships in the Senate, was the object of a relentless and viciously racist and nativist campaign by the Republican right in recent weeks.

In response, the Senate sought to placate this right-wing opposition, taking a legislative package that already included provisions for the virtual militarization of the US-Mexican border and for the imposition of draconian conditions upon undocumented workers seeking to legalize their status in the US and making it even more reactionary.

The vote that sank the legislation came over an amendment backed by sections of the Senate's Democratic caucus—but opposed by its leadership—that would have placed a five-year limit on a provision establishing a guest-worker program. This program enjoyed strong backing from the Bush administration, agribusiness and major sections of corporate America.

This provision—which has many of the features of the infamous *bracero* program that existed half a century ago—would effectively have created a new class of hundreds of thousands of super-exploited immigrant workers brought into the country on a temporary basis to work without any rights or the ability to bring their families with them. The program would allow these workers to work in the US for only two years and then force them to return to their own countries for one year. After the third round of such migrant labor, they would be barred from reentering the country.

The amendment to place a time limit on the program was backed by Democratic Senator Byron Dorgan of North Dakota and others close to the trade union bureaucracy, who warned that the guest-workers could end up taking “American jobs.”

While the amendment was defeated last week by a single vote, this time, in a cynical political maneuver, a group of right-wing Republican Senators who had previously opposed it switched sides and voted for it as a means of scuttling the entire legislative package. It amendment passed by a margin of 49 to 48.

The unraveling of the bill became unstoppable as the Senate leadership proved unable to come even close to the 60 votes needed to bring the debate—and the introduction of still more amendments—to a close. Only 45 Senators voted for cloture, with 50 against.

The legislative meltdown came nearly a year after the Senate, then under Republican leadership, failed to pass a similar “compromise” immigration bill.

The Bush administration and the corporate interests that favor a steady, albeit more regulated, flow of cheap immigrant labor had hoped that the ascension of a Democratic leadership in Congress would make it easier to get the legislation passed. Instead, while making repeated concessions to the anti-immigrant right, the Democrats proved incapable of overcoming its opposition.

Indeed, a sizeable number of congressional Democrats themselves opposed the bill from the right. As the *Washington Post* pointed out Friday, this layer saw a necessity to politically identify themselves with anti-immigrant sentiments in order to win re-election next fall. “House Democrats were tepid in their support, demanding that Republicans bring at least 60 to 70 votes so that freshman Democrats from marginal districts would be able to vote no,” the *Post* reported.

Within the Republican Party, the defeat—brought about by the votes of 38 out of 49 Republican senators—provided another indication of the increasing political isolation of the Bush presidency. A large number of leading Republicans—including all but one of the 10 announced candidates for the party's presidential nomination—have decided that opposing the immigration legislation and attempting to whip up anti-immigrant chauvinism is critical to their political survival.

The chances of getting enough Republican votes to push the measure through the House appeared even slimmer than in the Senate. House Democratic Caucus Chairman Rahm Emanuel of Illinois told the *Post* he was skeptical that the White House could produce the minimum of 40 Republican votes needed to pass the legislation. “If Bush could not get the votes in the Senate, what was he going to do in the House?” he asked.

The push for immigration “reform” began in late 2005 with the Republicans who then controlled the House passing legislation that would have turned some 12 million undocumented immigrant workers into criminals, subject to arrest by local police. The measure, authored by the then-Republican House Judiciary Committee Chairman James Sensenbrenner of Wisconsin, also would have made it a crime for anyone—social workers, medical professionals, friends, co-workers and even family members—to provide help to an undocumented worker, turning them into the equivalent of “alien smugglers.”

This provocative measure sparked massive demonstrations by immigrant workers last spring, bringing millions into the streets in cities across the country.

A Senate bill passed last summer bore much in common with the current legislation, and the two houses of Congress proved unable and unwilling to work through the differences between the two measures.

The latest version of the bill that failed to make it to a vote in the Senate this week—the Border Security and Immigration Reform Act of

2007—is a thoroughly right-wing piece of legislation.

It placed strong emphasis on beefing up security on the US-Mexican border, a trend that has already sharply increased tensions between the two countries. The bill provided for a border wall consisting of 370 miles of security fencing equipped with ground-based radar and camera towers, with the number of Border Patrol agents deployed on the frontier to be doubled. The inevitable result will be an increase in the number of deaths on the border, which has already climbed to 5,000 since a crackdown was begun in 1994.

In addition, the bill called for constructing 20 new detention camps capable of holding more than 20,000 undocumented workers detained by authorities.

The section of the bill portrayed as a means of legalizing the status of the estimated 12 million undocumented workers now living and working in the US—which would go into effect only after the crackdown on the border is achieved—includes features that are so onerous, that millions, if not an outright majority of these workers, would be excluded.

The supposed path to legality is strewn with obstacles that would prove insurmountable. These include the requirement that undocumented workers pay a \$1,000 fine as well as additional fees to get a new Z-visa allowing them temporary legal status. For a family of four the expenses could rise to as high as \$9,000, placing the process beyond the reach of many people who are working for sub-standard wages. The law also requires applicants to return to their home countries to retrieve the Z-visa, opening up the possibility that they would be denied reentry.

Applying for a Green Card and permanent residency would be allowed only after the current visa backlog has been eliminated—a process expected to take eight years or more—and would again require a return by applicants to their home countries. At that time, an additional penalty of \$4,000 would have to be paid.

For most applicants, getting a Green Card would take more than a decade, during which they would be confined to a legal limbo, denied basic social benefits, unable to bring their spouses, children or other family members into the US and uncertain whether they would ever be granted full legal status. Moreover, the Z-visa holders would be subject to deportation if they failed to maintain full-time employment.

In their efforts to appear “tough on illegal aliens,” the Democrats and Republicans have crafted a punitive and tortuous system that will effectively lock out huge numbers of those that it purports to aid.

In addition, the legislation would have brought about a fundamental change in immigration policy, scrapping measures that previously emphasized family reunification in favor of a new “merit system” that would favor the wealthier and better educated at the expense of the vast majority of working class immigrants. The system essentially subordinates immigration to the needs of corporate America for immigrants with money or skills, while eliminating four out of five of the family-based categories under which green cards have been provided until now.

None of these features have prevented the Republican right from mounting a reactionary and racist campaign portraying the legislation as an act of treason. While a distinct minority—one recent poll found that even 62 percent of Republicans favored letting undocumented immigrants obtain citizenship under the terms outlined in the bill—this rabid political layer has largely driven the debate. Its views are substantially amplified by the news media, with CNN providing its anchor Lou Dobbs with a nightly platform to fulminate against the supposed threat posed by immigration and demand repression and

deportation as a solution to the issue. MSNBC employs Republican rightist Pat Buchanan to harp on the same issue, while Fox News has a stable of such demagogues.

To placate this layer, the Senate succeeded in passing a series of amendments making the legislation even more right-wing. These included declaring English the “national language” of the US, an unconstitutional measure that would effectively deny the rights of recent immigrants to information and legal documents in their native tongues, while demonizing the tens of millions of Americans who speak Spanish and other languages.

It likewise added further vindictive provisions, including one that would deny earned income tax credit for newly legalized immigrants, forcing them to pay higher taxes than other workers until they receive permanent legal status.

Finally, a police state measure was added, that would have handed over all of the information provided in applications by immigrants denied legal status to the Department of Homeland Security and other US police and intelligence agencies.

It is significant that none of these right-wing-inspired amendments was sufficient to torpedo the bill, since the bulk of Senate Democrats, led by Edward Kennedy and Majority Leader Reid, remained committed to its passage no matter how reactionary or draconian the provisions. But the passage of a single “liberal” amendment, putting a termination date on the guest-worker program, aroused such opposition, particular among business interests, that the bill was swiftly killed.

The defeat of this retrograde piece of legislation as a result of the attacks of the extreme right provides a telling indication of the state of American politics. Neither the Democrats nor the Republicans are able to advance any policy to ameliorate the mounting social crisis within the US, and, within both parties, politicians are utilizing immigration as a scapegoat in attempt to divert mass anger over deteriorating living standards and mounting social inequality.

Working people must reject these reactionary appeals, recognizing that there is no way to defend their interests against the international banks and corporations that dominate global capitalism outside of the unification of working people of every nationality in a common struggle. This means upholding the right of workers all over the world to live and work in the country of their choice, with full and equal rights.



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