

# The Menendez Method



*May 29, 2008; Page A16*

Republicans in Congress are usually to blame for blocking immigration reform. So it's worth noting that last week's effort to fix a broken guest-worker program for migrant farm workers died at the hands of a Democrat.

Earlier this month, the Senate Appropriations Committee approved the Emergency Agricultural Relief Act with a bipartisan vote of 17 to 12. Introduced by California Democrat Dianne Feinstein, the measure would have modified the broken H-2A visa program for migrant farmhands by, among other things, streamlining the application process to encourage participation.



**Robert Menendez**

The amendment also would have given *temporary* legal status to the illegal farm workers already here if they passed a background check and met other requirements. No one wants to reward lawbreaking. But the reality is that an estimated three-quarters of the agriculture labor force is here illegally. Congress is kidding itself if it thinks Americans in an economy with 5% unemployment and better job opportunities would do this work if only these Mexicans would return home. The far more likely scenario is that growers will continue to move operations south of the border if they can't find labor in the U.S. at a price that allows growers to stay competitive.

In any case, we're now stuck with the status quo thanks to Robert Menendez of New Jersey, who objected on the Senate floor and thus had the reform struck from a larger spending bill. His office says he thwarted the reform because the "provisions were tilted in favor of businesses while doing too little to help immigrant workers." This is hard to believe, because the amendment had been negotiated with both growers and farm workers, which is why it had the support of industry groups like the American Farm Bureau, as well as labor outfits like the United Farm Workers of America.

The likely story is that Mr. Menendez was carrying water for Hispanic political activists who dislike this kind of piecemeal reform, even if it solves a genuine problem and would help millions of migrant workers. Such groups as the National Council of La Raza figure they can wait until next year when Democrats will probably run the entire government and they won't have to make any compromises on citizenship. They give immigration reformers a bad name. It's also possible Mr. Menendez was doing Majority Leader Harry Reid's handiwork by denying Republicans any achievement this year.

H-2A reform has been knocking around the Senate since 2006, and there's little doubt that it would pass if it ever got a Senate vote. Its failure, despite such support, is one more example of why voters so loathe Washington. Senator Menendez has now shown that GOP restrictionists aren't the only ones more interested in playing politics with immigration than in solving the problem.