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TELEVISION REVIEW 'THE SENATORS' BARGAIN'; Pg. 1

A Grand Pact Goes Wrong

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As House members made their way to the Capitol to cast their votes on health care legislation on Sunday, tens of thousands of immigrants and advocates crowded onto the National Mall in Washington to demand immigration reform, many of them shouting the Obama campaign slogan, "Yes, we can."

"The Senators' Bargain," a documentary on HBO2 on Wednesday that chronicles how liberals lost the 2007 battle to fix the immigration system, is a study in "No, we can't."

The film is part of a series, "How Democracy Works Now," which, given the current partisan rancor in Congress, sounds downright sarcastic. But the film, which took years to make, is not a satire. It is timely. Last week the White House and central members of Congress took the first steps toward resurrecting immigration reform, and this documentary provides scary insight into the ways of Washington and the expediencies that trump reason and goodwill.

But mostly it's a bruised, elegiac look back at a Democratic defeat.

The tone is not so much indignant as wistful, attuned to the lyricism of lost causes and the-dream-shall-never-die romance of failure.

Partly, of course, that's because a crucial figure in the battle for immigration reform was Senator Edward M. Kennedy, who died of brain cancer in 2009. In 2007 he brokered a bipartisan agreement, known as the grand bargain, that unraveled even after concessions that went against Senator Kennedy's long-held convictions. Senator Kennedy is shown making brief, amiable appearances at meetings, where he is treated with gentle reverence, less the lion of the Senate than a lionized symbol of a greater, more gracious era.

After a particularly resounding legislative setback, Senator Kennedy, a Massachusetts Democrat, bucks up his staff by citing the Red Sox -- not the 2004 World Series victory, but "The Impossible Dream" season of 1967. He laughs when a staff member points out that the Red Sox didn't actually win the World Series that year, then drifts into a sotto voce reverie: "Actually, the, uh, the last I remember going up there with my brothers-in-law, it was a great, great time, great series."

In more mean-spirited hands, the film could paint Senator Kennedy as one of the unwitting culprits in the failure of the grand bargain, because he favored old-school Senate floor tactics that ultimately served the bill's conservative opponents. But the filmmakers, Michael Camerini and Shari Robertson, are too sympathetic to the cause and to those who fought quixotically to keep it alive for parenthetical sniping.

The real hero is Frank Sharry, a leading advocate of immigration reform who in 2007 worked the back channels, advising Senator Kennedy's team as well as the Bush White House, which wanted to leave office with a victory on immigration reform.

The camera follows Mr. Sharry and his allies as they toil for long hours in shabby offices, negotiating, coaxing, pleading and, most of all, waiting. Mr. Sharry is one of the more effective lobbyists, as fluent in Karl Rove-ese when cajoling West Wing advisers as he is in Spanish, addressing pro-immigration groups.

The deal he tried to preserve, a compromise that would allow 12 million illegal immigrants to legalize their status, was hailed as "the last, best chance" for reform by Senator Lindsey Graham, Republican of South Carolina. The Republican primary campaign quashed that cooperative spirit; any talk of legalization for illegal immigrants was branded with a scarlet letter, A, for Amnesty (fueled, in part, by the former CNN commentator Lou Dobbs).

Even Senator John McCain, Republican of Arizona, who had co-sponsored a similar piece of legislation in 2006, steered clear of the issue unless asked.

Reform proponents on the Hill had to tap the other Arizona senator, Republican Jon Kyl, who sought ever more restrictive measures to appease the right wing of his party. And Senator Kennedy in turn lost critical support from liberal colleagues when he agreed to new criteria for granting legal status, a points system that favored higher education over family ties, or as Mr. Sharry puts it, a French Ph.D candidate with no family ties in the United States over a home health worker with relatives and a job here.

Even that concession didn't do the trick. And at the moment, at least, the revised points system is no longer part of a new blueprint for immigration reform recently floated by Senator Graham and Senator Charles E. Schumer, Democrat of New York. President Obama has embraced their proposal, but has backed away from earlier promises to propose legislation in 2010, saying he would first seek to forge "bipartisan consensus."

It may yet turn out that the grand bargain wasn't the last hope for immigration reform, or even the best, but "The Senators' Bargain" is a cautionary tale for those who plan to wage the next battle.