

## **San Francisco Chronicle**

### **Editorial**

#### **Beyond a Border Fence**

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FOR THOSE expecting a quick agreement on immigration reform between President Bush and a Democratic-led Congress -- hold your horses.

Immigration is far from being a done deal on Capitol Hill -- despite seeming like a sure thing the day after the Nov. 7 Democratic triumph at the ballot box.

"We probably went from a 5 percent chance for an agreement to at least a 50-50 chance," Stuart Anderson, executive director of the **National Foundation for American Policy**, a nonprofit think-tank in Arlington, Va. Anderson was a top immigration aide to former Energy Secretary and U.S. Sen. Spencer Abraham, R-Mich, when he chaired the Senate subcommittee on immigration.

Only a 50-50 chance? How could that be? On the surface, the Democratic victory seemed to sweep away most of the obstacles in the way of reform legislation emerging from Capitol Hill.

Most important, hardline immigration restrictionists, such as U.S. Rep. James Sensenbrenner, R-Wis., who authored the draconian legislation that would have turned illegal entry to the United States into a criminal offense and helped trigger the largest pro-immigration demonstrations in U.S. history, are no longer in the majority in the House. In addition, some of the most extreme anti-illegal immigration voices such as Rep. J.D. Hayworth, R-Ariz were silenced by voters on Nov. 7.

On the plus side, President Bush, who is on record as supporting the "compromise" immigration bill approved by the Senate last spring, is still in office. In addition to tough "enforcement" provisions, including a 700-mile border fence, the bill would establish a temporary guest-worker program and provide a way for many of the 12 million illegal immigrants on U.S. soil to become citizens. Both parties have seen which way the political winds are blowing. An estimated 70 percent of Latino voters voted for Democratic candidates. Exit polls suggest that their vote was influenced by the harsh Republican approach to immigration reform.

These developments should grease the wheels for quick passage of an immigration reform bill.

But it's notable that immigration is not on the list of priorities of the House Democrats' "Six for '06" legislative agenda.

Some Democrats are skittish that Republicans will use immigration reform legislation as part of a counterattack to win back the House and Senate in the next election, two short years away. In addition, not all Democrats -- including some of the newly elected lawmakers -- support providing a pathway to citizenship for illegal immigrants.

Despite these obstacles, it would be a national tragedy if Bush and a new Democratic-led Congress let the chance to pass meaningful immigration legislation slip through their fingers.

They should not simply rubber stamp the Senate "compromise" bill, which emerged as a result of some tough bargaining and dealmaking on Capitol Hill. The worst outcome would be if Congress approved flawed legislation that ended up having the same unintended consequences as the 1986 Immigration Reform and Control Act, which was cobbled together from a set of not-very-smart compromises.

Congress must take a close look, for example, at the recommendations of the Task Force on Immigration and America's Future, co-chaired by Spencer Abraham and Lee Hamilton (available at [www.migrationpolicy.org](http://www.migrationpolicy.org).) The task force shows how our legal immigration flow is completely out of whack with the needs of the U.S. economy, and argues that reform must encompass legal immigration as well.

The reality is that pro-reform forces are now in closer alignment than they have been in years. It would be an act of political malpractice to squander this rare and extraordinary opportunity to rework an immigration system that is past due for repair.