

Published on *National Catholic Reporter* (<https://www.ncronline.org>)

May 22, 2013 at 6:30am

Immigration Reform Clears A Hurdle

by Michael Sean Winters

Distinctly Catholic

Comprehensive Immigration Reform cleared its first major legislative hurdle yesterday as the Senate Judiciary Committee voted 13-5 to send the bill to the full Senate.

To be clear, nothing passes in Congress by such a lopsided vote anymore. 13-5 is a real bipartisan achievement. These days in Washington, you could not get a 13-5 vote in committee if you proposed that the sun rises in the east. All manner of praise goes out to the eight senators who negotiated the compromise legislation that passed the committee yesterday. They have not only achieved an important policy objective, they have helped remind the Senate how it once functioned and how it can function again.

As predicted in these pages many months ago, one of the last issues on the table yesterday was an amendment to extend family unification provisions to same-sex couples. On the merits, I have no objection to this idea per se, but there are two central reasons why it should not be included. First, as a matter of politics, it has long been obvious that including same sex couples would become a poison pill and key Republican senators would abandon their support. Second, even if you support federal recognition of same sex marriage, this was not the vehicle to achieve it.

It fell to two stalwart liberals, Sen. Charles Schumer of New York and Sen. Richard Durbin of Illinois, both members of the Gang of 8 that negotiated the compromise measure in the first place, to state that while they personally supported including same sex couples, they knew that doing so would kill the bill and therefore stood firm in opposition to it. The chairman of the committee, Sen. Patrick Leahy, withdrew the proposal. This was not easy for any of the three men to do. They are among the strongest supporters of gay rights on Capitol Hill and no one can seriously question their commitment to the LGBT community.

But, they did the right thing and shame on anyone, pundit or advocate, who chastises them for what they did.

It will take the Congressional Budget Office about two weeks to 'score' the bill and run the math. A full debate in the Senate could begin at anytime after that. There will still be hurdles to overcome. Sen. Orrin Hatch achieved a partial relaxation of restrictions on the ability of high-tech companies to hire foreign engineers, but indicated he will push for an even greater relaxation in the full Senate debate. You can expect other groups to try and amend the bill. The USCCB has indicated it would like to see the waiting time for full citizenship lowered from the current 13 years to less than 10 years. But, while I would like to see a faster path to citizenship too, I recognize that this bill can only pass if it garners the votes of people who really do not think there should be any path to citizenship for undocumented Americans. The key is to pass something that brings people out of the shadows. Everything else is gravy.

Final passage is a long way off. In a very hopeful sign, Sen. Mitch McConnell urged fellow Republicans yesterday not to try and block the bill from a full floor vote through a filibuster or other parliamentary maneuver. It is vital that the margin of victory be so overwhelming that the bill goes to the House with a full head of steam.

In the House, the key decision will rest with Speaker John Boehner as to whether or not he will bring some version of the Senate measure to the floor without the support of a majority of the GOP caucus. Boehner suspended the so-called 'Hastert Rule' to pass the tax hikes at the beginning of the year. I am certain he could not suspend that rule on another budgetary issue or he would lose his speakership. But, I suspect, with a little prodding from the bishops and from GOP pollsters, he can convince his caucus that while many of them may need to vote against the bill, failure to pass it has the potential of forcing even more Latino voters into the waiting arms of the Democrats and that the Republicans have no shot as a national party of winning back the White House if they can't do a better job attracting the votes of growing immigrant communities.

The Church's voice will be critical here. There are economic reasons to support immigration reform, but the core reasons are moral. 'You shall not oppress a stranger; you know the heart of a stranger, for you were strangers in the land of Egypt.' (Ex 23:9) The Chosen people of God were so instructed by Moses. This clear and unequivocal command from our scriptures has become central to Catholic social teaching. As Cardinal Dolan said last month on a conference call with reporters, caring for immigrants is not some left wing cause, it is the teaching of the Church.

Next week, the Nuns on the Bus will mount their second nationwide campaign, this year focusing on immigration reform. Later next month, the bishops will host their second 'Fortnight for Freedom,' and on that same conference call, Cardinal Dolan, Archbishop Gomez and Bishop Wester all voiced support for the idea that part of the focus for the fortnight this year be on immigration reform. In the first place, certain restrictive laws in Alabama and Arizona pose direct threats to the Church's right to minister to immigrants. Secondly, many immigrants today still come to America seeking religious freedom denied them in their native land. But, as important as these two initiatives are, the most important thing in the next few months is that the pulpits of our churches ring out with calls for justice for immigrants. It is true that not as many Catholics attend Mass as a generation or two ago, but on any given Sunday, there are still 20 million Catholics in the pews. Barack Obama beat Mitt Romney handily, with a little less than five million vote margin. Do the math.

Today is time to celebrate, but not rest. It is time to keep the pressure on. And, if you run into any of the members of the Gang of 8, give them a hug and a kiss and wish them well. They have taken an intractable issue and found a way to get people out of their foxholes and bunkers, reach across the aisle, and

accomplish something that will benefit the country. No one will get all they want out of such a compromise, but 11 million Americans, and they are Americans, will be able to come out of the shadows and live lives of greater dignity. Attempts to improve the bill must be measured against the raw politics of getting a bill across the finish line. We are closer today than at anytime in almost three decades. But, the race is not yet won and only the voice of religiously motivated voters will be able to give enough Republicans cover to get across the finish line.

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