



Message from FAIR President, Dan Stein

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can and must be done to deal with this nation's illegal immigration crisis without the passage of even one new law.

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FAIR Members and Supporters, Thank You So Much!

Our members and supporters span all walks of life, cross political boundaries and make up a wide range of ethnic groups. But all are Americans and all agree that the impacts of immigration are dramatic and poorly understood.

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This issue of the FAIR Immigration Report is devoted entirely to a single topic, because this has been an unusual and extraordinary few months for our organization, our movement, and even for our nation. During a six-week period in May and June, one of the most remarkable political debates of our time was played out in Washington, D.C., and all across the nation. FAIR, I am proud to say, played a pivotal role in ensuring that the voice of the American people was heard loud and clear.

The bill we helped defeat with your support and the support of hundreds of thousands of people like you, would have done irreparable harm to this nation and to the interests of future generations. Had President Bush and a small number of senators had their way, the United States of 20 years from now would have been unrecognizable to most of us and, I believe, a far less desirable place to live.

The events of the past few months confirm to me the critical nature of the role that FAIR plays in the immigration debate. Day after day nights and weekends included our staff worked to uncover the truth about the massive amnesty and guest worker program that was being hatched behind closed Senate doors. We then turned this information and the extensive network of activists and media partners we have cultivated into the most impressive example of participatory democracy that has taken place in generations.

Working together, we thwarted extraordinary efforts by the President of the United States, leading members of Congress, and an array of lavishly financed special interest groups who were determined to erase our borders and effectively erase our national identity.

The role that FAIR played in this high stakes drama was certainly the highlight of my 25 years with this organization. And the sense of empowerment that many people feel as a result of defeating this terrible piece of legislation will have a ripple effect as Americans everywhere endeavor to retake control over their own government.

Having worked successfully to prevent the President and Congress from passing a disastrous immigration bill, we are fully committed to moving forward to ensure that positive immigration reforms are enacted and implemented. Defeating the Bush-Kennedy immigration sell-out is only the first step and FAIR will not let the matter rest. We know there is much more work to be done to carry out the overwhelming will of the public.

We thank you and everyone else who played an active role in defeating this legislation. It could not have happened without everyone pitching in. We hope that the role FAIR played disseminating information, working with talk radio, generating phone calls to Capitol Hill has justified your support of our organization as we move on to fight the next battles in this ongoing effort to create an immigration policy worthy of this great nation.

We the People . . . Prevail!

The announcement of the Senate's "Grand Bargain" on immigration on May 17 touched off one of the most remarkable legislative battles in recent memory and demonstrated that the voice of the American people still matters. Over a period of six weeks this spring, the American people fought their own Senators and president for the future of their nation and in the end prevented passage of legislation that would have irreparably changed this nation for the worse.

FAIR is proud of the critical role that we, as the nation's leading immigration reform organization, played in the ultimate defeat of the "Grand Bargain." But it was the American people, whose determination to preserve the American Dream for themselves and their children, finally forced the leaders of both political parties and the President of the United States to back down.

The public outcry in opposition to the Grand Bargain was unprecedented, according to those who observe Washington closely. No issue in decades has generated the volume and intensity of calls, faxes and emails to Congress and the White House that were generated by the effort to derail the massive illegal alien amnesty and guest worker bill that Senate leaders and the Bush Administration had planned.

Killing the Bill Was a Team Effort

The defeat of the Bush-Kennedy illegal alien amnesty came down to a single factor: The American public simply said "NO." They said it repeatedly and emphatically, and finally the politicians in Washington were forced to listen.

But, before they could say no, the American people had to know what was in the bill and how and when to respond. Gathering and disseminating that information on a timely basis is what FAIR does, and over the course of the six weeks that this bill was under consideration, every department within our organization played a critical role.

Government Relations

FAIR's government relations staff, headed by Julie Kirchner, spent countless hours gathering information from and providing critical information to allies of true immigration reform in Congress. Years of building relationships with members of Congress and their staffs allowed FAIR to learn of important developments, sometimes even before they happened, so that we could respond to them effectively.

In addition to the personal contact with people on Capitol Hill, the government relations staff read and analyzed thousands of pages of legislation and amendments to find and expose the loopholes the bill's authors deliberately wrote into the legislation.

Field

Over many years, FAIR's field staff, led by National Field Director Susan Tully, has helped develop a vast network of local immigration reform groups. These are highly motivated activists who were prepared to take action when the bill was introduced. All along, we knew that the success or failure of this legislation would depend on a relatively small number of senators. Having activist groups in those senators' states proved pivotal in getting them to oppose the bill.

The FAIR field staff used the information provided by government relations to inform local activists about what they needed to do to be effective. The leaders of these local immigration reform organizations were then able to generate phone calls and emails at precisely the most opportune moment.

Media

The media, particularly talk radio, educated the rest of the American public about what was in this bill and eventually turned public opposition into an irresistible force. Reporters and producers often learned important information about the bill from FAIR and then disseminated it to the public. Again, this was possible because of the many years that Dan Stein and Ira Mehlman have spent developing relationships and a reputation for accuracy with media. The recent addition to the staff of Bob Dane, with a strong background in radio, helped solidify the media effort.

The FAIR Staff

No matter where in the organization people work on a daily basis, every person at FAIR played a role, put in long hours, and filled in where needed.

FAIR Members

FAIR's members and supporters made phone calls, personal visits, held rallies and marches, gave donations, and sent letters of support and encouragement.

The Amnesty That Wasn't, In a Nutshell

Thanks to the tremendous effort of the immigration reform advocacy movement and the unprecedented response of millions of Americans all across the country, the Bush-Kennedy bill died before it ever had a chance to reach a final vote in the Senate.

The Bush-Kennedy bill (we do not use a bill number because during the six weeks the measure was under consideration it had three different bill numbers) was described by people across the political spectrum as one of the worst pieces of legislation on immigration or any other issue that anyone could remember. Even its most vocal Senate supporters and President Bush conceded that the bill had serious flaws, but argued that it was the best they could do. As FAIR and others repeatedly demonstrated throughout the debate, it wasn't a flawed bill, it was a disastrous bill.

If passed, the legislation would have rewarded illegal aliens with "Z" visas, allowing them to live and work in the U.S. indefinitely and eventually become U.S. citizens. Businesses that have routinely flouted laws against hiring illegal aliens would have been given legal access to more foreign guest workers in spite of the fact that current guest worker programs are rife with fraud and allow employers to flagrantly bypass American workers in favor of foreign workers and pay them lower wages. In exchange for satisfying the demands of the illegal aliens and the people who have been hiring them, the bill offered yet another set of promises to the American public (all of which have been made and broken before) about enforcement in the future.

Here are some of the disastrous provisions that were averted when the American public rose up and convinced the Senate to kill the bill:

- Amnesty for virtually every illegal alien in the country before Dec. 31, 2006. If passed into law, the inability of the government to verify the information provided by applicants would have resulted in countless millions of people receiving amnesty fraudulently.
- All illegal aliens would have been eligible for "Z" visas, allowing them an indefinite stay in the U.S. with the right to work here. The bill would have required the government to conduct background checks on applicants and issue the "Z" visas within 24 hours of application.
- Virtually no illegal aliens would have been left behind. Even gang members and people with outstanding orders of deportation would have been eligible.
- Illegal aliens would have had to pay no back taxes, but if they had Social Security taxes deducted from their wages while working here illegally, they would have been eligible to claim benefits.
- Through a variety of provisions, hundreds of thousands of new guest workers would have entered the U.S. labor market every year.
- Rather than eliminate family chain migration, levels would have tripled over the next decade.
- Enforcement "triggers" would not actually have been required before the "Z" visa amnesty and guest worker provisions kicked in.
- The Secure Fence Act, signed into law in 2006, requires that 700 miles of fencing be constructed along the southern border. Under the Bush-Kennedy bill, only 370 miles would have been needed to be in place in order to trigger the amnesty program.
- The price tag for the legislation over the lifetimes of the illegal aliens who would have received amnesty would have been \$2.6 trillion, according the Heritage Foundation.

Rejection of the Bush-Kennedy Immigration Sell-Out Came from the Core of America

Many of the members of Congress who found themselves on the wrong side of public opinion on the Bush-Kennedy illegal alien amnesty bill blamed their stunning political defeat on “hysteria” whipped up by right wing talk radio.

In reality, public opposition to the proposed legislation was neither hysterical nor exclusively from the political right. Vehement opposition to the massive, expensive and unwarranted immigration scheme came from the very heart of America and encompassed people across the political spectrum. In the end, according to a CBS News poll, only 13 percent of the public approved of the plan.

Conservative talk radio did play a crucial role in defeat of the bill. Republican senators — Jeff Sessions of Alabama, Jim DeMint of South Carolina, David Vitter of Louisiana, and Tom Coburn of Oklahoma — were among the most visible and vocal opponents. Just as eloquent and passionate was opposition from Democrats who could not abide such a sell-out of our nation’s values and its middle class. Democrats such as Byron Dorgan of North Dakota, Claire McCaskill of Missouri, and even Vermont’s Socialist Senator Bernie Sanders, stood up on the floor of the Senate day after day to rail against the surrender of our national sovereignty to special interests.

Americans who describe themselves as politically conservative opposed the bill in large numbers, but so did substantial numbers of self-described liberals. Organized labor — a core Democratic constituency — was split on the issue with traditional trade unions actively working to defeat the bill. And virtually no one, of any political persuasion, had even the slightest trust in the government’s commitment or ability to enforce immigration laws in the future, even if this bill had been enacted.

The breadth of the political coalition that came together to defeat the Bush-Kennedy amnesty made it truly a victory for the American people, not just a particular ideological slice of the American electorate.

The battle over this bill reaffirmed the strategy that FAIR has employed since its inception to build support for immigration policies that truly reflect the national interest. Throughout the recent debate, we worked with members of Congress and Americans on both sides of the aisle across the political spectrum. We have long believed that the immigration debate exists between the national interest and special interests. And, as an organization that represents a membership with a wide spectrum of political opinion, FAIR was able to work with members of both parties who ultimately recognized the need to put the national interest first.

Timeline of Events

May 17

The so-called Grand Bargain on immigration is announced by a dozen members of the Senate who have been meeting for weeks behind closed doors, led by Senators Edward Kennedy (D-Mass.) and Jon Kyl (R-Ariz.), who was President Bush's point man on the bill. The plan is promoted as "comprehensive immigration reform" because, as its authors claim, it addresses the demands of all parties concerned. The bill includes a "pathway to legalization" — a euphemism for amnesty — for virtually every illegal alien in the country; access to millions of new foreign guest workers for business interests; and a renewed commitment to addressing illegal immigration in the future to satisfy the concerns of an American public increasingly fed up with a lack of enforcement. Critics of the bill immediately point out that the plan amounts to amnesty for illegal aliens and a sell-out of middle class workers, while the promises about future enforcement have all been made and broken many times in the past. Opponents also note that the bill was crafted by just a handful of senators, with extensive input from business organizations and ethnic advocacy groups, and is being rushed to the floor without going through the usual subcommittee and committee process, and without so much as a single public hearing.

May 18

Fresh from a highly successful Hold Their Feet to the Fire event in Washington that brought dozens of the nation's leading radio talk show hosts together, FAIR begins to activate this network, providing them with details of the Grand Bargain. Within days, the nation's radio airwaves begin buzzing over the immigration sell-out. In addition, providing constant updates to our extensive network of local activist groups and FAIR members, the word begins to spread and the public begins to voice its opposition to the Bush-Kennedy amnesty bill.

MEMORIAL DAY WEEKEND

After a week of deliberation on the Bush-Kennedy amnesty bill, senators head home for a recess where they run into a lot of very unhappy constituents. Sen. Kyl encounters outright hostility from his constituents in Arizona, who had just re-elected him on a platform of opposition to amnesty for illegal aliens. Hundreds of leading Arizona Republicans sign an open letter to Kyl expressing their deep disappointment in his about-face. Georgia Senator Saxby Chambliss, the ranking Republican member of the Immigration Subcommittee, is booed at a function in his state.

EARLY JUNE

Returning to Washington after hearing directly from the voters, Majority Leader Harry Reid (D-Nev.) brings up the bill for debate. Ignoring all questions and concerns about the costs and operational feasibility of their plan, the Senate leadership is determined to hold a vote on the measure almost immediately and provides almost no opportunity for other members of the Senate to offer amendments. Sen. Kyl admits that the bill has generated overwhelmingly negative public reaction, but notes that the number of calls have diminished and that, in his view, it indicates that the public is not as adamantly opposed to amnesty as they might appear. On June 7, Reid calls for a vote on cloture, a procedural maneuver to cut off debate. The cloture motion, which requires 60 votes to pass, fails to reach that number, and the bill is seemingly dead.

Mid-June

On the day that the bill is quashed the first time, President Bush, traveling in Europe,

responds to the news defiantly, declaring that he'll be seeing the media at the bill signing ceremony. Senate supporters of the bill, most notably Trent Lott (R-Miss.), rail against the influence of talk radio in killing the bill and threaten what amounts to the curtailment of freedom of speech. Upon his return to Washington, the President makes a rare trip to Capitol Hill to meet with legislators and cajole them into reviving the bill. Over the next two weeks, the White House uses the little "political capital" it has left to convince reluctant Senators to support a cloture vote and allow the debate to continue. To further sweeten the pot, the Bush Administration agrees to spend an additional \$4 billion on border security up front as a sign of good faith.

The make-over: To satisfy complaints that the amendment process had been curtailed, Democratic and Republican leaders carefully select 27 amendments that could be considered. The most important objective of the leaders is not to allow anything that would upset the delicate compromise they have reached. In a parliamentary maneuver so rarely used that no one can recall when it was last employed, Reid bundles these hand-picked amendments into a "clay pigeon" amendment. Senators have the opportunity to debate and vote on these as divisions of the clay pigeon. This procedure only serves to anger other members of the Senate who smell a fix a conclusion that is confirmed by Sen. Lott when he states publicly that the whole procedure is a sham and that the amendments will be tossed in the trash when the bill reaches a conference committee with the House.

JUNE 26

Sen. Reid calls for another cloture vote so that debate on the clay pigeon may proceed. Under heavy pressure from party leaders and the White House, cloture is approved 64-35, as many members are reluctant to be seen as obstructing continuation of the debate. What ensues over the next two days is some of the most rancorous debate most people can remember, as senators from all across the political spectrum complain bitterly about provisions of the bill and the heavy-handed tactics that are being employed to get it passed.

The public reacts: With the return of the Bush-Kennedy amnesty and guest worker bill, the most intense period of citizen lobbying in recent memory kicks into high gear. FAIR, once again, alerts a growing number of talk radio programs who saturate the airwaves from coast to coast with discussion of the immigration sell-out afoot in Washington. In addition, the 24-hour cable news networks led by CNN's Lou Dobbs devote unprecedented coverage to the debate.

JUNE 27

Harry Reid's plan to neatly dispose of each division of the clay pigeon and maintain the farce that the bill is subject to open debate appears to be moving along smoothly until it hits a snag. An amendment offered by Montana's Democratic Senators Max Baucus and Jon Tester is not tabled and they are unable to move on to other divisions of the clay pigeon. Reid opts to call for another cloture vote the following morning in hopes of getting the bill back on track.

JUNE 28

After a night of intense arm-twisting by the Senate leadership and the White House, Reid and other Senate supporters of amnesty appear glum as the second cloture vote approaches. Everyone agrees that the vote is still too close to call. Talk radio has continued to generate unprecedented calls to the Capitol. Arch-opponents of the amnesty legislation, Sen. Jeff Sessions (R-Ala.) and David Vitter (R-La.), both remark on the floor of the Senate that the public is making its voice heard as never before and, in fact, the Capitol switchboard has crashed as a result of the volume of calls.

Supporters of amnesty Reid, Kennedy, Dianne Feinstein (D-Calif.) and Arlen Specter (R-Pa.) — make impassioned pleas to approve the cloture motion and keep the debate moving forward. However, the intensity of public opposition simply cannot be ignored. When the votes on cloture are registered, opponents of the illegal alien amnesty bill have not only the 40 votes required to block cloture, but an absolute majority opposed to cloture. By a vote of 46 to 53, cloture is defeated, meaning that the bill's supporters cannot end the debate and force a vote, and the bill is effectively dead.

We, the people...prevailed.

Kill the Messenger

Congressional Amnesty Advocates Want to Muzzle Talk Radio

Talk radio provides a forum for the American people to voice their concerns amidst a political atmosphere in Washington that is increasingly divorced from the interests of ordinary citizens. It was this reality that has led FAIR to forge close ties with radio talk show hosts all across the country and to organize the Hold Their Feet to the Fire event in April.

Talk radio sprang into action when the Bush White House and Senate leaders tried to push through their flawed illegal alien amnesty and guest worker bill. From coast to coast and around the clock, talk radio hammered away, exposing the bill's serious flaws and the true motives of the sponsors who were preparing to sell out the interests of the American people. Talk radio provided millions of Americans with information about how this legislation would affect their lives that they were not likely to read in The New York Times or hear about on network newscasts.

Talk radio is credited (or blamed) with the defeat of the Bush-Kennedy amnesty bill, and the Washington power elite who wanted the legislation passed don't like it one bit. From Trent Lott on the right to Dianne Feinstein on the left, backers of the amnesty bill are so angry that they are now openly talking about curtailing freedom of expression on the nation's airwaves.

Over the six weeks that the bill was before the Senate, talk radio educated the American public that the Bush-Kennedy bill amounted to a massive illegal alien amnesty, open-ended access to cheap foreign labor for employers, trillions of dollars in costs to the American people, and would likely have a minimal effect on stopping future illegal immigration even if the government actually implemented the enforcement provisions. Talk radio encouraged listeners to call their elected representatives, and Americans responded in unprecedented numbers. Rather than viewing calls from constituents as healthy participation in America's democracy, many senators were outraged that the public dared to throw a wrench into their plans.

In response, legislators are now considering reviving the so-called Fairness Doctrine, which would effectively mandate blandness in broadcasting. The Fairness Doctrine was repealed in 1987 as the expansion of broadcasting through cable and satellites, and later the Internet, provided a forum for all points of view to be aired.

Throughout this debate, all voices were heard, but the voices of the people were heard the loudest.

FAIR is especially proud of the role we played in supplying the powerful medium of talk radio with the information needed to inform the American people about how immigration affects them. Talk radio has openly acknowledged the fact that they could not have been as effective in doing their jobs without FAIR's accurate and timely information. For our part, we understand that we could not do our job educating the American public without the ability to reach millions of citizens every day through talk radio.

We, the people...prevailed.

What Next?

Moving Forward on Immigration Reform After the Defeat of the Bush-Kennedy Amnesty Bill

In the years, and certainly the weeks, leading up to the intense debate about the Bush-Kennedy immigration bill, we heard a familiar refrain: Unless we pass a bill that includes amnesty for illegal aliens and guest workers for American employers, this nation cannot enforce its immigration laws.

The American public rejected not only the bill that was proposed, but the premise under which it was being debated. The position of the Bush Administration and congressional supporters was that before we can even think about enforcing our laws, we must satisfy the demands of the people who break our laws.

Contrary to what supporters of the amnesty-first approach have been saying, there are many things that can and must be done to deal with this nation's illegal immigration crisis without the passage of even one new law:

Enforce employer sanctions. The government has the authority to prosecute and fine employers who knowingly hire illegal aliens. When employers understand that they will be penalized for breaking the law, the supply of jobs for illegal aliens will dry up.

Implement document reform. Without a coherent system of documenting who has the right to be in this country and work here, it will be nearly impossible to enforce our immigration laws. Laws calling for such reforms have already been approved, but not fully implemented.

Establish a universal work authorization system. Congress has already approved pilot programs that allow employers to verify work eligibility. They can and should make the procedures mandatory and universal.

Secure our borders. Congress has approved numerous measures designed to secure our borders. These include construction of more than 800 miles of actual fencing, electronic monitoring of other areas of the border, and increasing the manpower of the Border Patrol. None of the measures called for has been fully implemented.

Increase interior enforcement. Congress has already authorized a build-up of our interior immigration enforcement capacity. This authorization needs to be followed up with appropriations to make it happen.

Increase cooperation with local law enforcement. Local police departments are increasingly interested in having their officers trained to identify and detain suspected illegal aliens. A 1996 law, signed by President Clinton, already authorizes the provision of such training for local law enforcement.

Fund increased detention facilities. The Bush Administration has vowed to end the "Catch and Release" policy. To assure that, Congress will need to fully fund their commitment to increase the number of detention beds available.

Fully implement the entry/exit system. Congress has already authorized a system that requires a record of not just people who enter the U.S. on legal visas, but a system that matches those records with people as they leave the country. Without such a system, the substantial problem of visa overstayers will persist.

FAIR Members and Supporters, Thank You So Much!

Our members and supporters span all walks of life, cross political boundaries and make up a wide range of ethnic groups. But all are Americans and all agree that the impacts of immigration are dramatic and poorly understood. Americans desperately want immigration that is respectful of and responsive to Americans domestic needs as a community. Sound border security and an end to chain migration will help reduce immigration to manageable levels at numbers that do not overwhelm the U.S. or set off massive overcrowding.

Your commitment to FAIR and the nation will have a huge impact on future generations. Thank you for your efforts to defeat the Senate amnesty bill. Your steadfast support encouraged us. It provided the financial support to ensure the citizens of this country had a strong voice in the advocacy of sound policies under strong leadership. And whether you made a phone call, gave a donation, sent a letter or extraordinarily all of the above, we could not have been successful without you.

We cannot thank you enough for your support and encouragement during this long, tough battle. FAIR is a lucky organization to have members like you. Where would we be without you?