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BOEHNER'S LATEST BLOW TO IMMIGRATION

By Lawrence Downes
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House Speaker John Boehner threw an incendiary device into the immigration-reform debate yesterday. But it could just have been a smoke bomb.

Politico reported that he promised Republicans in a closed meeting on Tuesday that he would not allow an immigration bill to come to a vote unless a majority of Republicans supported it.

That is, he would invoke the "Hastert rule," an informal, often-violated principle named for the former speaker who codified it, in which only the majority of the majority gets to decide what passes, shutting out the Democratic minority completely. Given that a hard-line faction of House Republicans will never accept an immigration bill that includes legalization for millions of undocumented immigrants – a key element of comprehensive reform that hard-core Republicans condemn as unthinkable "amnesty" – that could mean death on arrival for the bipartisan legislation now moving through the Senate.

Mr. Boehner has suspended the Hastert rule before, in order to pass necessary legislation and to sidestep ridicule for his party. But Politico, citing an anonymous source, quoted Mr. Boehner as saying: "I have no intention of putting a bill on the floor that will violate the principles of our majority and divide our conference. One of our principles is border security. I have no intention of putting a bill on the floor that the people in this room do not believe secures our borders. It's not gonna happen."

Mr. Boehner has the famously difficult job of presiding over a governing body that includes some Tea Party members rabidly opposed to governing. There is an Over-Our-Dead-Body caucus on immigration that will never consider anything President Obama or the Democrats want, especially if it includes anything involving legalization. More border security, of course – but amnesty, never.

We can only hope that Mr. Boehner was telling these people what they wanted to hear, with tactically vague language leaving open the possibility that at some future date, comprehensive legislation could make it through the House. This could happen after the House has passed its own version of immigration reform, maybe an array of individual bills on border and workplace enforcement and other things, and after that legislation is merged with the Senate bill in a conference committee.

This is all theorizing, since the Senate hasn't even finished its bill yet. But if Mr. Boehner does the right thing, he would go a long way to leading his party out of the wilderness of immigration extremism. If he bends to the will of the hard-liners, he wouldn't.

None of this changes the fact that Mr. Boehner's message is the wrong one – what those Republicans wanted to hear was bad for their party and bad for the country. The United States can't enforce its way to an immigration solution. Deporting millions of people through new enforcement and sealing the border tight – if such things were even possible – will not keep the immigration system from failing.

No matter the Tea Party zealots will tell you, it is possible to pass a bill that includes the smartest and soundest immigration policy, that solves the Republican Party's broken relations with Latinos, that secures the border and that gives the country the 21st-century immigration system it needs.

Such a bill could pass – there are enough Republicans and Democrats to send it straight through both houses and onto Mr. Obama's desk.

But it would need the help of that thing – what do you call it? Majority rule. Democracy. An up-or-down vote.