2-13-2013

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Mexico Taking Low-Key Approach on Latest U.S. Immigration-Reform Initiatives

by Carlos Navarro
Category/Department: Mexico
Published: 2013-02-13

Momentum seems to have picked up in the US Congress for comprehensive immigration reform, but President Enrique Peña Nieto’s administration appears content to take a wait-and-see stance in order not to rock the boat. This low-key approach was evident during Peña Nieto’s visit to Washington a few days before his Dec. 1 inauguration. At a joint appearance with US President Barack Obama, Peña Nieto said Mexicans "fully support" the idea of immigration reform. But he added, "More than demanding what you should do or shouldn't do, we do want to tell you that we want to contribute. We really want to participate with you."

Former officials say Mexico is very keen on following the US immigration reform process but is holding back for now. "We're interested, and we'll help if you think we can, but we're not going to take an active role," said Andrés Rozental, who served in the Secretaría de Relaciones Exteriores (SRE) during the administration of former President Carlos Salinas de Gortari (1988-1994).

Others note that the Peña Nieto administration’s decision to remain on the sidelines, at least initially, seems to be a strategic effort to avoid the appearance of meddling in US affairs and minimize any potential backlash among conservatives in the US.

"Until now, the conservative US legislators have kept quiet, but it won't be too long before they start to discredit the new plan of immigration reform," columnist José Santiago Healy wrote in an El Diario de Yucatán blog.

Ex-Presidents Fox, Calderón took more visible role

While the Peña Nieto government is lying low, his two predecessors were more outspoken about immigration-related policy in the US. Former President Felipe Calderón (2006-2012) was a very vocal critic of efforts by Arizona and other states to pass restrictive laws targeting undocumented immigrants (SourceMex, April 28, 2010).

The Calderón government filed a brief in federal court in support of a lawsuit challenging the constitutionality of Arizona’s Senate Bill 1070, which among other things required local law-enforcement officials to determine the status of people if there was "reasonable suspicion" that they were undocumented immigrants and to arrest people who were unable to provide documentation proving they were in the country legally (SourceMex, April 27, 2011).

The Mexican decision to support the constitutional challenge to SB 1070 prompted Arizona Gov. Jan Brewer to accuse the Mexican government of "meddling" in matters beyond its borders.

Still, some analysts like Andrew Selee of the US-based Woodrow Wilson International Center for Scholars noted that Calderón took a lower-key approach than his predecessor, ex-President Vicente Fox (2000-2006) and only intensified his rhetoric about the urgent need for immigration reform when it appeared that an immigration-reform initiative in the US Senate in 2007 would not pass (SourceMex, May 23, 2007).
Fox was up front about his open push for immigration reform and attempted to leverage his friendship with ex-US President George W. Bush to seek changes in US immigration law (SourceMex, Nov. 17, 2004, and July 26, 2006). But there was a lot of suspicion in the US about Fox’s intentions. In an interview with the Los Angeles Times, consultant and former diplomat Gabriel Guerra Castellanos said Fox’s constant advocacy in favor of immigration reform increased "those suspicions in the US that the Mexican government actually wanted to open the safety valve" by sending the underemployed north of the border.

Fox’s point man on immigration was his foreign relations secretary Jorge Castañeda, who resigned after serving only a little more than two years. Castañeda, a controversial figure because of his strong anti-Cuba stance, cited frustration at a stalemate in negotiating an immigration-reform agreement with the US (SourceMex, Jan. 15, 2003). "His resignation signals that the migration negotiations are going nowhere fast," Frank Sharry, executive director of the US-based National Immigration Forum, said following Castañeda’s departure. "It signals that he was not going to be able to realize the Fox administration’s top foreign-policy priority."

There was also evident frustration among other members of the Fox government. Mexico's UN Ambassador Adolfo Aguilar Zinser embarrassed the president when he openly questioned US treatment of Mexico. In a speech at the Universidad Iberoamericana in early November 2003, Aguilar Zinser accused the US government of seeking only a "close relationship of convenience and subordination" with Mexico, while offering preferential treatment to European partners. This prompted Fox to remove him immediately to avoid further damaging relations with the US (SourceMex, Nov. 19, 2003).

For now, the Mexican Congress is following the lead of Peña Nieto, avoiding rhetoric and expressing their support for the efforts of US President Barack Obama and a bipartisan group of eight senators to offer the opportunity to millions of undocumented immigrants in the US to gain citizenship.

The Senate initiative has four principal elements: border enforcement, employer enforcement, handling of the flow of legal immigration (including temporary agricultural workers and high-skilled engineers), and a pathway to citizenship for those who entered the nation illegally.

President Obama’s proposal contains some of those same principles, but his plan does not make proposals to assist undocumented immigrants contingent on securing the border, a measure in the Senate plan. In addition, Obama offers some specific steps, including the opportunity to give undocumented immigrants "provisional legal status" after they register, pass background checks, and pay fees and penalties.

**Mexican Congress praises US proposals**

Senators from Peña Nieto’s Partido Revolucionario Institucional (PRI) welcomed the new impetus in the US to implement immigration reform. “This immigration initiative, supported by President Barack Obama, presents a great opportunity for our country,” said Sen. Emilio Gamboa Patrón, the PRI floor leader in the upper house.

Gamboa Patrón noted that the Mexican Congress will monitor developments in the US very closely but said his party would ensure that Mexico takes steps to help the process, which could potentially benefit millions of Mexican families that reside north of the border.

The PRI leader also cited the need for Mexico to continue tax, labor, and energy reforms to strengthen the domestic economy, which would complement the changes in US immigration policy.
"There is a need for us to continue reforms that Mexico needs to boost its domestic growth," said Gamboa.

There were similar comments from the opposition Partido de la Revolución Democrática (PRD) and the Partido Acción Nacional (PAN), offering praise to the US Senate initiative and the Obama proposal. In a press conference on Feb. 8, PRD president Jesús Zambrano, secretary-general Alejandro Sánchez Camacho, and federal Deputy Amalia García called for the federal government and the Mexican Congress to form a common front to discuss strategy on how Mexico could best contribute to the process. The PRD officials said they planned to meet with Foreign Relations Secretary José Antonio Meade and Sergio Alcocer Martínez de Castro, deputy secretary for North American affairs, to discuss a strategy to remain in contact with the US Congress. "We are certain that an immigration-reform initiative will be approved that will govern the migratory flows with efficiency, security and justice," said Zambrano.

Rodrigo Iván Cortés, the PAN’s secretary for international relations, expressed optimism about the chances that an immigration-reform law would finally be passed in the US Congress. He said the involvement of Sen. John McCain (R-AZ) in the bipartisan proposal offered in the Senate was a positive signal. McCain and the late Sen. Ted Kennedy (D-MA) were the architects of the immigration-reform initiative in 2007 that eventually stalled in the US Congress. "To see names like John McCain on the initiative is a sign of its viability," said Cortés. Other senators promoting the legislation include Sens. Michael Bennet (D-CO), Dick Durbin (D-IL), Jeff Flake (R-AZ), Lindsey Graham (R-SC), Robert Menendez (D-NJ), Marco Rubio (R-FL), and Charles Schumer (D-NY).

But given the failure of previous reforms, there is still a measure of skepticism in Mexico. "The probability that this latest effort will come to fruition is greater than in recent years, but there is nothing definite," said columnist José Santiago Healy. "I would put the probability at 50-50, even with Obama investing his time and political capital on this measure."

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