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Senate Keeps Worker Program in Immigration Bill

By ROBERT PEAR and MICHAEL LUO

WASHINGTON, May 23 — The Senate this afternoon endorsed the concept of allowing up to 600,000 temporary workers a year to enter the United States under a broad immigration-reform bill, rejecting an amendment that would have scrapped the worker program.

The amendment, offered by Senator Byron L. Dorgan, Democrat of North Dakota, was rejected by a vote of 64 to 31 as the senators began what promise to be long deliberations on a final bill.

Many more amendments are to be offered, since lawmakers from both parties have called for substantial changes in the legislation and forced Senate leaders to extend debate beyond the Memorial Day recess.

The final form of the Senate legislation is uncertain at this point, given the many crosscurrents buffeting the bill. But the vote on the Dorgan amendment was an important early test, as the temporary-worker program is a key element of the legislation.

The intense lobbying since the bill emerged last week from three months of bipartisan negotiations is likely to be just a sample of what lawmakers will hear as they return home to their districts for the Memorial Day recess. And even assuming the Senate passes a bill, it will have to be reconciled with the House version, and the House has emphasized border security more and aid to immigrants less than has the Senate.

The Senate bill overcame its first hurdle on Monday, a simple vote to begin debate on the hugely contentious measure.

The decision to extend debate followed four hours of speeches in which supporters and opponents of the bill agreed that the nation had lost control of its borders but disagreed on almost everything else.

“There just simply is not enough time on this massive, massively important piece of legislation to do it all” in one week, said the Senate majority leader, Harry Reid, Democrat of Nevada.

The outlook for the bill is uncertain. President Bush strongly supports the measure, which incorporates many of his ideas. In the House, Democratic leaders say the president will have to deliver dozens of Republican votes that would be needed for passage.

Some senators who voted to take up the legislation said they did not support the bill in its current form but hoped to improve it with amendments.

The measure, as it now stands, would offer legal status to most of the 12 million illegal immigrants, strengthen security at the border and increase penalties for employers of illegal immigrants.

Democrats plan to offer amendments to eliminate or scale back provisions under which hundreds of thousands of temporary foreign workers would be admitted to the United States each year.

Critics contend that this program would create an underclass of immigrant workers who could adversely affect the wages and working conditions of Americans in some industries.

Republicans have drafted amendments to scale back the legalization program and to designate English as the national language.

Leading the opposition to the bill were three Republicans, Jim Bunning of Kentucky, Jeff Sessions of Alabama and David Vitter of Louisiana.

Mr. Sessions said the measure had been written behind closed doors, with no hearings or review by the Senate Judiciary Committee and no cost estimate by the Congressional Budget Office.

“The American people were not in those meetings,” Mr. Sessions said. “There are 85 senators who have no idea what’s in the bill.”

If Senate leaders had pushed the bill to final passage in one week, Mr. Sessions said, that would have been “a railroad job, for sure.”

Mr. Vitter said the bill offered “pure unadulterated amnesty.”

“If the American people knew what was in this bill,” he said, “there would be a massive outcry against it.”

Mr. Bunning said the bill would “reward lawbreakers” with “a large-scale get-out-of-jail-free pass.”

The chief Democratic architect of the bill, Senator Edward M. Kennedy of Massachusetts, defended it as a prudent, urgently needed compromise.

“Our security is threatened in the post-9/11 world by borders out of control,” Mr. Kennedy said. “Our values are tarnished when we allow 12 million human beings to live in the dark shadows of abuse as undocumented immigrants. Our competitiveness in a global economy is at risk when our employers cannot find the able workers they need.”

Mr. Reid criticized the measure on several grounds.

“The bill impacts families in a number of ways that I believe are unwise,” he said. “The bill also allows 400,000 low-skilled workers to come to America for three two-year terms, but requires them to go home for a year in between.

This is impractical both for the workers and for the American employers who need a stable, reliable work force.”

Moreover, Mr. Reid said he feared that the bill would create “a permanent underclass of people who are here to work in low-wage low-skill jobs, but do not have a chance to put down roots or benefit from the opportunities of American citizenship.”

The majority leader also criticized a provision under which illegal immigrants who gained legal status would have to return to their home countries to apply for green cards, or permanent resident visas.

This requirement “will cause needless hardship for immigrants and needless bureaucracy for the government,” Mr. Reid said.

Senator Bob Corker, Republican of Tennessee, said he was not trying to block the bill, but wanted time to understand it.

“I don’t know any piece of legislation that touches as many people in as many ways as this bill,” Mr. Corker said.

With its vote on Monday, the Senate agreed to limit debate, by invoking cloture, on a motion to take up the bill. The vote was 69 to 23, nine more votes than needed.

Senator Ben Nelson, Democrat of Nebraska, said: “I will vote for cloture, but not because I support the underlying bill. I will support cloture only because I hope we can significantly improve this bill.”

Thirty-eight Democrats, 30 Republicans and one independent voted to begin consideration of the bill. Four Democrats, 18 Republicans and one independent voted no.

The Texas senators, John Cornyn and Kay Bailey Hutchison, both Republicans, voted no, as did the Montana senators, Max Baucus and Jon Tester, who are Democrats.

Senator Lindsey Graham, a South Carolina Republican who helped forge the “grand bargain” on immigration, said he would make every effort to “keep the deal in place.”

He had harsh words for lawmakers who might try to block the bill without offering a solid alternative.

“Doing nothing is a national security nightmare for this country,” Mr. Graham said. “If your goal is to stop this bill and you don’t have an alternative that will secure our borders and deal with illegal immigration, you are not helping the country.”

In the section that the Dorgan amendment sought to undo, the bill would provide visas for 400,000 temporary workers a year. The number could be increased to 600,000 in response to demand from employers.

Senator Jeff Bingaman, Democrat of New Mexico, said he would offer an amendment to limit the number to 200,000 a year.

The bill, as written, “puts us on a par with Kuwait or other countries who just depend on foreign workers and have a second-class group of workers doing inferior jobs but not having any real rights or privileges,” Mr. Bingaman said.

Republicans insisted that temporary workers should truly be temporary.

But Mr. Bingaman said, “This idea of bringing people for two years, sending them back for a year, bringing them back for two years and then sending them back for a year is nonsensical.”

In writing the measure, senators bypassed the Judiciary Committee, where immigration bills normally originate.

The chairman of the committee, Senator Patrick J. Leahy, Democrat of Vermont, said, “The bill we have before us is a product of closed-door meetings between the administration and Republican senators, which was then put to Democratic senators as a framework for further negotiations.”

David Stout contributed reporting.