

# Senate Kills Amendment to Immigration Bill

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By ROBERT PEAR

WASHINGTON, June 27 — The Senate voted 53 to 45 this afternoon to kill a measure that would require illegal immigrants to return to their home countries before they could obtain even temporary legal status.

The vote came as the Senate began to consider a score of amendments to a bill that would bring about the biggest overhaul in immigration policy in more than 20 years. The amendment that was defeated was sponsored by Senator Kay Bailey Hutchison, Republican of Texas, and would have required adult illegal immigrants to leave the United States within two years if they wanted to apply for legal status in the form of “Z visas.”

The vote does not mean that the “touchback requirement” is eliminated altogether. The overall bill already embodies such a requirement, and another amendment would make the bill stricter in that regard — although not as strict as the Hutchison amendment would have.

Many Democrats and Hispanic groups had complained that the Hutchison proposal would have been unworkable. Eight Republicans voted to kill the amendment offered by their Texas colleague, while five Democrats voted against tabling it.

Shortly afterward, the Senate voted by 79 to 18 to kill a proposal by Senator Jim Webb, Democrat of Virginia, that only those immigrants who have been in the country at least four years be eligible for eventual legal status. Mr. Webb had said his amendment would help uphold “the rule of law.”

As expected, the debate was emotional. “Change is not easy,” said Senator Edward M. Kennedy, Democrat of Massachusetts and an architect of the bill. “There is much to criticize in this bill.” But Congress must act rather than cede immigration policy to the cities and states, he said.

But Senator Jeff Sessions, an Alabama Republican and a leading critic of the bill, said he continued to be “flabbergasted and amazed” that people think the bill would work. Instead, he said, it would bring a new flood of illegal immigrants.

The action on the amendments came a day after the Senate voted, 64 to 35, to take up a revised version of a comprehensive immigration bill that was pulled from the Senate floor nearly three weeks ago.

The vote did not guarantee passage of the bill, which calls for the biggest changes in immigration law in more than 20 years. But it did clear the way, with four votes more than the 60 needed, for the Senate to debate numerous amendments. A final vote could occur late this week.

Senator Kennedy said “there is new life in this legislation,” which embodies President Bush’s top domestic priority.

Many conservatives said they were still determined to defeat the measure because it would offer legal status to most of the nation’s estimated 12 million illegal immigrants.

One of the leading critics, Senator Jim DeMint, Republican of South Carolina, insisted Tuesday on a full reading of 27 amendments that had, for procedural reasons, been put together in one package.

A Senate clerk, Kathleen Alvarez, began reading page after page of legislative language. This went on for about 45 minutes. Finally, opponents of the bill withdrew their demand after being told they could study the package of amendments overnight.

The vote earlier Tuesday reflected lobbying by Mr. Bush and a new willingness by the Senate majority leader, Harry Reid, Democrat of Nevada, to let the Senate work its will on the legislation, which he pulled from the floor on June 7.

Since then, in an effort to pick up votes, supporters of the bill have added \$4.4 billion to pay for border security measures and a crackdown on employers who hire illegal immigrants.

Mr. Bush kept up the pressure on Tuesday, saying, “Our spirit is invigorated when people come here and realize the blessings of America.”

In an apparent gaffe, he seemed to suggest that the bill would provide amnesty. Speaking to supporters of an immigration overhaul, Mr. Bush said, “Amnesty means that you’ve got to pay a price for having been here illegally, and this bill does that.”

The White House press secretary, Tony Snow, moved swiftly to clarify the remark.

“In speaking about comprehensive immigration reform, President Bush misspoke,” Mr. Snow said. “This has been construed as an assertion that comprehensive immigration reform legislation before the Senate offers amnesty to immigrants who came here illegally. That is the exact opposite of the president’s long-held and often-stated position.”

Mr. Reid said the White House must deliver about 25 Republican votes to ensure passage of the measure, which he said “is not a Democratic bill, it’s the president’s bill.”

On the roll call Tuesday, 39 Democrats joined 24 Republicans and one independent in voting to take up the revised immigration bill. Twenty-five Republicans, 9 Democrats and one independent voted no.

Mr. DeMint and Mr. Sessions said they believed that at least 51 senators would probably vote for the bill if it cleared all the procedural hurdles needed to reach that point. A 60-vote majority is needed to overcome some of those hurdles.

The Senate began debating the bill on May 21 and worked on it for nearly two weeks. Mr. Reid pulled it from the floor after the Senate voted, 50 to 45, against ending debate.

The bill seemed to have collapsed at that time, when only seven Republicans voted to end the debate.

Several senators who voted to revive the bill on Tuesday emphasized that they had not decided how to vote on final passage. That may depend, they said, on how the bill changes as a result of amendments.

On the other side of the Capitol, the House Republican Conference adopted a resolution on Tuesday saying it “disapproves of the Senate immigration bill.” The vote, 114 to 23, indicated the problems facing the legislation.

“There are large numbers of House Republicans who have serious concerns about the Senate bill,” said the House Republican leader, Representative John A. Boehner of Ohio.

In the Senate, Republicans are pushing an amendment that would punish people who overstay their visas and would require illegal immigrants to leave the United States if they wanted to apply for legal status.

“If you overstay your visa, you will be detained until you are deported,” said Senator Mel Martinez, a Florida Republican who helped write the amendment and said that it was “a confidence-builder, to show people that we are serious about enforcement.”

Senators of both parties are trying to change a section of the bill that would require employers to check government databases to verify that employees were eligible to work in the United States. The requirement would apply to all current and future employees, including citizens.

About 146 million people are employed in the United States. But people are continually changing jobs and entering or leaving the work force, so employers typically hire 50 million to 60 million people a year, according to the Labor Department.

Under the proposed amendment, employers would have to use the new electronic verification system for current employees only when the government had reason to believe that the workers were “unlawfully employed,” based on Social Security and tax data.

Michael Chertoff, the secretary of homeland security, attacked this proposal, saying it would “allow unscrupulous businesses to continue to freely hire illegal workers.”

David Stout contributed reporting.