

## Gang of Eight plots path to Senate supermajority

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Senate immigration negotiators are targeting as many as two dozen Republicans for a show-of-force majority — which they believe may be the only way a reform bill will have the momentum to force the House to act.

Reform proponents are looking for votes far beyond the usual moderate suspects to senators in conservative bastions such as Utah, Georgia and Wyoming. The senators landed on the list because they're retiring, representing agricultural states, anxious to get the issue behind the party, important to persuading skittish House Republicans or all of the above.

But bringing along many of these staunchly conservative targets will require almost flawless execution by the Gang of Eight, along with lots of political momentum, a few more Democratic concessions and, perhaps above all else, the continued backing of Sen. Marco Rubio (R-Fla.).

Senators and their immigration reform allies insist the goal of 70-plus votes laid out last month by Gang of Eight leaders Sens. Chuck Schumer (D-N.Y.) and John McCain (R-Ariz.) is more than just attainable under the right circumstances — it's imperative. The legislative strategy for passing a bill is based largely on the theory that an overwhelmingly bipartisan vote in the Senate is essential to getting it through the Republican-controlled House.

Schumer is trying to persuade Republicans by emphasizing what's already in the bill, such as an overhaul to the agricultural visa program that the industry endorsed. Rubio is pressing the Judiciary Committee, which will take up the bill this week, to strengthen the border security requirements. Sen. Lindsey Graham (R-S.C.) may address concerns about the Boston bombings with an amendment mandating broader background checks for so-called high-risk immigrants.

"Once you start to see the momentum that has been behind this — and that we anticipate will continue through the mark-up and onto the floor — I think that it's going to be the type of thing where a lot of Republicans will want to jump all at the same time," said Marshall Fitz, an immigration policy strategist at the liberal Center for American Progress.

The loose vote-counting exercise underway among lawmakers and advocacy groups is both preliminary and based on many variables.

There's no track record with many of the targets. Only five of the 23 Republicans who voted for final passage of a reform bill in 2006 are still in office. That group includes McCain, Graham, Susan Collins of Maine, Lisa Murkowski of Alaska and Senate Minority Leader Mitch McConnell of Kentucky.

So much is not known: how the bill markup in the Senate Judiciary Committee plays out, to what extent the Gang of Eight succeeds in defending its careful compromise, and whether Democrats insist on a gay rights amendment that could cause Republicans to flee.

Undecided Republicans said they're waiting to see if the Judiciary Committee can amend the bill to their liking. But the changes they're seeking are likely to alienate Democrats.

If things don't fall into place just right on any of those fronts, even 60 votes would be a struggle.

But if they do, reform proponents see a scenario in which Republicans move en masse behind the legislation. And that means red-state Democrats such as Jon Tester of Montana, Mary Landreiu of Louisiana, Mark Begich of Alaska and Mark Pryor of Arkansas could follow.

"If we were to pass this bill with, say, over 50 Democratic votes, which I do think is possible, and only eight or nine Republicans, it would pass and get to 60, but it would bode poorly for the House," Schumer said at a breakfast last month sponsored by The Christian Science Monitor. "We're looking not to get 61 votes, obviously that is a minimum. I'd like to get — maybe this is hopeful — but it would be wonderful if we could get a majority on both sides."

"It is very doable," McCain quickly chimed in.

On the Republican side, the list of targets identified by immigration advocates and congressional aides could be divided into tiers: the first tier includes about six to eight senators, other than the four GOP members of the Gang of Eight, who are most likely to vote yes; the second is a group of persuadable senators; and then there is a coveted subset of tea party stars, including Rand Paul of Kentucky and Mike Lee of Utah, who would be as influential as anything else in wooing House Republicans.

None of the senators approached by POLITICO committed to vote for the bill and wouldn't for some time. But their statements early on in the process provide an important baseline for judging their movement as the debate unfolds.

The Republican senators who appear most likely to support the bill include Collins, Murkowski, Dean Heller of Nevada, Mark Kirk of Illinois, Rob Portman of Ohio and Kelly Ayotte of New Hampshire.

At the lower end of the first tier are senators like Orrin Hatch of Utah, Saxby Chambliss of Georgia, Pat Toomey of Pennsylvania, Lamar Alexander and Bob Corker of Tennessee.

Alfonso Aguilar, a Republican immigration strategist, said the first tier should also include North Dakota's John Hoeven and Nebraska's Mike Johanns, who both expressed interest to him in fixing the agriculture visa program. Plus, Aguilar noted, Johanns isn't seeking reelection.

The second tier of senators, who are less likely to back the bill but could be swayed, includes John Barrasso of Wyoming, John Thune of South Dakota, Mike Crapo and Jim Risch of Idaho and Johnny Isakson of Georgia. This is a group that could vote yes if Rubio is still on board and other conservatives are falling into line.

"The key is Rubio," said Aguilar, executive director of the Latino Partnership for Conservative Principles. "Without Rubio, this bill would not get anywhere with Republicans. He gives them the cover."

But it will take more than Rubio and momentum to pull in Republicans, who are demanding a series of changes that would make the bill more conservative.

Hatch, who spent years working on immigration issues with the late Sen. Ted Kennedy (D-Mass.), said he wants a larger increase in the availability of high-skill visas, but was "encouraged" by the Gang of Eight bill.

"It's a real legitimate attempt to try to solve some of the problems," said Hatch, who is considered a possible yes vote in the Judiciary Committee. "It's a pretty good effort."

Risch said he wants tighter benchmarks for border security that would need to be met before the country's 11 million undocumented immigrants can receive green cards — a sentiment echoed by Portman, Alexander and others.

"Some of the triggers might be inadequate," Risch said. "I'm not sure they are true triggers."

But, he added: "Most everyone up here wants to see something done. Not only that, we can agree on the vast majority of things that need to be done."

Portman has talked with members of the Gang of Eight about tightening the requirements on employers to check the status of every worker.

"Until the border control is more effective, and until there is a better way to deal with interior enforcement, it is difficult to see how this would work," Portman told Ohio reporters on a conference call last week. "So, am I interested? Absolutely. The system is broken; it needs to be fixed. But it can only be fixed if we deal with these enforcement issues."

Ayotte said she is pleased the bill is going through regular order. Chambliss said the bill includes “some good basic principles, and “not deal killers I see, right now.” Corker said he was open to it, as did Isakson.

“I’m not ready to embrace it,” Isakson said, declining to specify what he would change. “There’s not a red flag but not a green one either.”

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