Bipartisan immigration agreement reached with Senate and White House

by Jerry Kammer and George E. Con

WASHINGTON - Leading Democrats and Republicans in the Senate hammered out a surprisingly sweeping agreement with the White House Thursday to give a dramatic bipartisan push to a potentially historic immigration reform that promises both to seal the nation's porous borders and provide hope of future citizenship to millions of workers now in the United States illegally.

The deal brought together influential conservatives and liberals and was hailed by President Bush as an "important first step toward a comprehensive immigration bill" less than a year after a similar effort ended in partisan acrimony when Republicans in the House deserted him in droves and only a day after it appeared the talks were about to collapse in failure.

"The agreement reached today," said Bush, "is one that'll help enforce our borders, but equally importantly, it'll treat people with respect. This is a bill where people who live here in our country will be treated without amnesty, but without animosity."

Even before the president saluted this new deal, though, those same critics were blasting both him and the compromise in the same terms they used to kill the 2006 bill, decrying it as an amnesty program that would reward illegal immigrants for breaking U.S. laws and do too little to plug the holes in the country's southern border.

"It's an amnesty plan," declared Rep. Brian Bilbray, the Carlsbad, Calif., Republican who heads the conservative Immigration Reform caucus in the House. "They've probably done more with this announcement to encourage illegal immigration than anything that's been done in a long time."

Interviewed on MSNBC, Bilbray added a shot at Bush, stating, "I think sadly the president is so misguided on this thing that he has totally lost his direction on it."

Rep. Duncan Hunter, R-Calif. (Alpine), who has made calls for tougher immigration policies a centerpiece of his long-shot presidential campaign, delivered a similar message directly to the president during a late-day meeting with Bush at the White House. He criticized the Senate compromise for its treatment of the border fence that Hunter pushed through Congress last year to fortify 854 miles of the border with Mexico. He said the new deal would reduce that barrier to only 370 miles and damage enforcement.

With a critical test vote on the compromise coming in the Senate on Monday - giving both sides only four days to rally their troops - the architects of the deal joined the White House in urging critics like the two San Diego County Republicans to actually study the deal before blasting it. Arizona Republican Sen. Jon Kyl

specifically urged Hunter to temper his criticism, contending the compromise does not change the border fence "one iota."

Only 24 hours earlier, many involved in the long process had begun to despair that they would succeed in finding ways to bridge the sizable chasm between conservatives most concerned about border security and law enforcement and liberals and Bush who wanted better treatment and a "path to citizenship" for the millions already working in the country illegally.

The negotiators had been meeting out of public view for more than two months, with Massachusetts Sen. Edward Kennedy the point man for Democrats and Kyl leading the Republicans. Brokering the talks were Homeland Security Secretary Michael Chertoff and Commerce Secretary Carlos Gutierrez.

Kyl, a conservative stalwart whose state has become the principal immigrant-smuggling corridor, was viewed as particularly influential because he had opposed last year's bill as "far too liberal" and insufficiently tough on enforcement. In the end, both sides compromised, driven in part by the belief that the country was demanding action and that this was the last chance to push through legislation while Bush is president. Most notably, liberals agreed to end what conservatives call "chain migration" by accepting a fundamental change in the current system that gives preference to family members of immigrants. Conservatives agreed to penalties for employers who hire illegals and a timetable that would permit the estimated 12 million illegal immigrants to get in line for eventual citizenship.

The agreement would:

- Permit those here illegally to immediately obtain a probationary card allowing them to stay and work while they pursue a new Z visa. They would have to pay a $5,000 penalty and fees and heads of households would have to return to their home country before getting the visa. Getting a green card could take eight to 13 years.

- Establish "triggers" that would have to be met before a temporary worker program is implemented. Those triggers include building 370 miles of border fence, amassing a Border Patrol force of 18,000 and a system to verify work eligibility.

- Establish a new "Y" visa that would allow immigrants to work here for up to six years as long as they return to their home country for a year every two years.

- Establish a new "point system" that would give green cards based on a new merit-based system that gives less priority to family ties.

- Require employers to verify the work eligibility of their workers and require workers to obtain more verifiable identification documents.

- Declare that English is the official language of the United States. An elated Kennedy said there had been doubt that compromise could be reached on such "an extremely complex, difficult, very emotional issue and where there's been a lot of divisions." But he said they did not want to let the moment pass. "I've been around here long enough to know that opportunities like this don't come very often."

Sen. Arlen Specter, R-Pa., called immigration "a third rail in American politics" and stressed to conservatives, "It is not amnesty. This will restore the rule of law. Without legislation, we will have anarchy."

Kyl said he was driven by demands from the voters back in Arizona for a fix. He was joined at a Senate press conference by another conservative Republican who had opposed last year's bill but now embraces this compromise, Sen. Saxby Chambliss, R-Ga., who said only a bipartisan bill can succeed.

"I've never seen a more emotional, more sensitive, a more politically charged issue," he said.

Notably, there were more Republicans at the announcement as only one Democrat - Dianne Feinstein of California - joined Kennedy. New Jersey Democratic Sen. Robert Menendez, who had been a key negotiator on the agreement, rejected it, saying it would tear apart families.

Feinstein pleaded for support from Democrats, saying, "What we have tried to do here is listen to both sides ... and try to come together in a bill that will not certainly please everyone, but a bill which will solve the basic problems."

Feinstein also could claim a personal victory because the compromise includes a plum that she hopes to deliver to growers and farm workers in California and elsewhere. Known as Agjobs, the provision would provide a path to citizenship for an estimated 1.5 million farm workers who agree to stay in the fields for another several years. Their spouses and children who stayed behind in their home countries would be allowed to join them.