

Immigration Bill Dies in Senate; Bipartisan Compromise Fails To Satisfy the Right or the Left

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Byline: Jonathan Weisman

Washington Post Staff Writer

Body

The most dramatic overhaul of the nation's **immigration** laws in a generation was crushed yesterday in the **Senate**, with the forces of the political **right** and **left** overwhelming a **bipartisan compromise** on one of the most difficult issues facing the country.

With 53 senators against moving on to a final vote and 46 in favor, supporters fell dramatically short of the 60 votes needed to overcome the delaying tactics and parliamentary maneuvers that have dogged the **bill** for weeks. With no way to cut off debate, **Senate** Majority Leader Harry M. Reid (D-Nev.) pulled the **bill** from the **Senate** floor for the second time this month, and this time it is not likely to come up again before a new president comes to power.

The **bill** would have coupled tough border enforcement measures and a crackdown on employers of illegal immigrants with a pathway to citizenship for 12 million illegal immigrants, a new guest-worker system for foreigners seeking entry and dramatic changes to the system of legal migration. A dozen senators spent nearly six months hammering out a **bill** that stretched for 761 pages with Homeland Security Secretary Michael Chertoff and Commerce Secretary Carlos M. Gutierrez.

Chertoff said the administration will continue trying to enforce existing **immigration** laws, building border fences and beefing up border patrols. But, he said, without the additional resources in the **bill** and its much more stringent system to verify the legality of job applicants, the flood of illegal **immigration** is not likely to recede. Employers will still have no real way to unmask undocumented job applicants. Texas ranchers will continue to protest efforts to build fences on their land, and Arizonans will continue to try to block radar towers, he warned.

Chertoff angrily dismissed critics, especially conservatives, who said they could not support the **bill** until the administration shows it can enforce the laws on the books, accusing them of saying, "We need better weapons, but we'll give you the weapons after you win the war."

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"The American people don't have faith in their government's ability to win a war, enforce border security or even process passport requests," said Sen. Jon Kyl (R-Ariz.), one of the bill's sponsors.

"Legal immigration is one of the top concerns of the American people, and Congress's failure to act on it is a disappointment," said President Bush, who has pushed a comprehensive reworking of immigration laws since he came to Washington. "A lot of us worked hard to see if we couldn't find a common ground -- it didn't work."

Rarely does a legislative fight get as emotional as the battle over immigration. A flood of angry phone calls from opponents of the overhaul shut down the Capitol switchboard before the vote, overwhelming the message from a small klatch of immigrant-rights demonstrators urging passage outside the Capitol. Latino lawmakers from the House flooded onto the Senate floor to encourage senators to keep the legislation alive and let the House have a turn.

The bill's opponents painted the fight as a battle between U.S. citizens and a government that has grown insensitive to an illegal-immigrant invasion that threatens the nation's fabric. Proponents said the Senate had succumbed to the angry voices of hate, venom and racism.

Sen. Edward M. Kennedy (D-Mass.), one of the bill's architects, compared the fight to the Senate's long struggle for civil rights legislation against segregationist opponents.

"You cannot stop the march for progress in the United States," he said.

To that, Sen. David Vitter (R-La.), among the bill's most aggressive foes, snapped: "To suggest this was about racism is the height of ugliness and arrogance."

In truth, opposition to the bill was far more complex than proponents were letting on. In crafting a delicate compromise, the bill's 12 architects created a measure that was reviled by foes of illegal immigration, opposed by most labor unions and unloved by immigration advocates. Opposition came not only from radio hosts such as Rush Limbaugh and Michael Savage but also from the American Civil Liberties Union and the AFL-CIO.

The outcome was a major blow to Bush, dealt largely by members of his own party. The president made a last-ditch round of phone calls in the morning to try to rescue the bill, but with his poll numbers at record lows, his appeals proved fruitless. Thirty-seven Republicans voted to sustain the filibuster, including Senate Minority Leader Mitch McConnell (R-Ky.), along with 15 Democrats and liberal Sen. Bernard Sanders (I-Vt.). Thirty-three Democrats, 12 Republicans and Sen. Joseph I. Lieberman (I-Conn.) voted to cut off debate and move to a final vote.

With such a resounding defeat, Bush lost what is likely to be the last, best chance at a major domestic accomplishment for his second term.

Maryland's senators, both Democrats, voted to keep the bill alive. Democrat James Webb and Republican John W. Warner of Virginia voted to kill it.

"You get up to the plate. You take a whiff, and you strike out. What happened today was pretty final," said Sen. Mel Martinez (R-Fla.), one of the bill's architects.

Republicans on both sides acknowledged the immigration fight had riven the GOP. Republican Senate aides, speaking on the condition of anonymity because they were divulging internal deliberations, said Senate Minority Whip Trent Lott (R-Miss.) was furious with McConnell over the leader's refusal to confront the bill's most implacable opponents, who had virtually commandeered the Senate floor, blocking the introduction of amendments, refusing to offer amendments of their own and then complaining that an unfair process was preventing them from improving the bill.

Lott told McConnell that Sens. Vitter, Jim DeMint (S.C.) and Jeff Sessions (Ala.) were becoming the uncompromising faces of the Republican Party, a prospect that could set it back for years as the Latino vote grows in power.

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McConnell went along with Reid's novel attempt at an end run around the triumvirate, collapsing 26 amendments into one giant "clay pigeon" and then splitting it apart into 26 distinct pieces to vote on. But when DeMint, Vitter and Sessions assailed Reid as unfair, McConnell stayed silent. Indeed, he virtually disappeared from the Senate floor, until he came to vote against the bill.

"I had hoped for a bipartisan accomplishment, and what we got was a bipartisan defeat," he said several hours later. The tally was expected to come in on a knife's edge, but when Alaska's fence-straddling senators, Republicans Ted Stevens and Lisa Murkowski, filed their votes against ending debate together, GOP support collapsed. Sen. Sam Brownback (R-Kan.), a presidential candidate who last year was a standard-bearer for a similar bill, switched his vote.

Ultimately, the GOP leadership split in half, with Lott and Republican Conference Chairman Kyl voting for the bill, and McConnell and Republican Policy Committee Chairman Kay Bailey Hutchison (Tex.) voting against.

"I do think this has created real divisions within the party, within our Senate caucus, within the Republican Party more generally," DeMint said.

Graphic

IMAGE; By Michel Du Cille -- The Washington Post; Democratic Sens. Richard J. Durbin, left, Patty Murray and Edward M. Kennedy discuss their defeat on the issue.

IMAGE

IMAGE; Photos By Michel Du Cille -- The Washington Post; Sens. David Vitter (R-La.), left, Elizabeth Dole (R-N.C.) and Jeff Sessions (R-Ala.), among the opponents of the immigration overhaul supported by President Bush, talk to reporters after the vote that killed the proposal.

IMAGE; Sen. Edward Kennedy (D-Mass.), one of the pact's 12 architects, compared the immigration fight to the Senate's struggle for civil rights legislation.

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