

SENATE VOTES BILL DESIGNED TO CURB ILLEGAL MIGRANTS

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Body

The Senate today passed a comprehensive bill intended to curtail illegal immigration after breaking a procedural deadlock that had delayed a vote for two days.

The bill was approved by a vote of 69 to 30. It was supported by 41 Republicans and 28 Democrats and opposed by 19 Democrats and 11 Republicans.

The final vote, after seven days of debate, was closer than the margins by which the Senate passed similar bills in 1982 and 1983. Those votes were 80 to 19 and 76 to 18. Opponents of the bill, especially growers of fruits and vegetables, were better organized this year.

'It's a Balanced Proposal'

Senator Alan K. Simpson, Republican of Wyoming, chief sponsor of all three bills, appealed for his colleagues' support today, saying: "It's a balanced and well-intended proposal which, if enacted, would promote the general best interest of the United States."

The bill passed today would prohibit employers from hiring illegal aliens, provide more money for enforcement of immigration laws and offer legal status to illegal aliens who entered the United States before Jan. 1, 1980, and had lived here continuously since then.

The measure now goes to the House, which passed a similar bill last year by a vote of 216 to 211. That bill died in a conference committee after Senate-House negotiators failed to resolve differences between the two versions.

Some lawmakers said the legislation had a better chance of becoming law in this Congress because it was sponsored in the House by Representative Peter W. Rodino Jr., Democrat of New Jersey, who is chairman of the Judiciary Committee. But the bill is still opposed by many Hispanic groups, by civil rights groups, by some labor unions and by farmers who have depended on illegal aliens to pick crops.

Critics fear the legislation would increase employment discrimination against Hispanic people, but Mr. Simpson and other supporters said there were safeguards to prevent such bias. Proponents said the legislation was needed to stop the exploitation of illegal aliens by employers in agriculture, manufacturing and other industries.

The bill's prohibition on hiring illegal aliens would take effect immediately. But the program giving legal status to illegal aliens could be delayed for up to three years while the Government adopted "more effective enforcement measures" to halt the influx of illegal aliens.

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Social Security Delays Vote

Today's vote was delayed by a partisan fight over Social Security. Senator John Heinz, Republican of Pennsylvania, had proposed an amendment to the bill expressing the sense of the Senate that the Social Security trust fund should be removed from the Federal budget to protect Social Security from budget cuts. Over the objections of Senate leaders from his own party, Mr. Heinz wanted the Senate to vote on his proposal before taking a final vote on the immigration bill.

But the Senate decided, in effect, to postpone consideration of the Social Security issue, referring it to the Budget Committee and the Finance Committee for further study. By a vote of 79 to 20, the Senate directed the committees to report legislation assuring that "alterations will not be made in Social Security benefits for the purpose of reducing the Federal deficit."

In a separate action today, the House Ways and Means Subcommittee on Social Security approved a bill to remove the Social Security trust fund from the overall budget in the fiscal year 1987.

'Virtually No Alternative'

Mr. Simpson's bill would make the most significant changes in immigration law in at least two decades. Senator Pete Wilson, Republican of California, said he had decided to vote for the bill because "there is virtually no alternative being offered by anyone" and "the American people are clamoring for a response" to the problem of illegal immigration.

Senator Edward M. Kennedy, Democrat of Massachusetts, said he could not support the bill because it would let as many as 350,000 aliens enter this country as seasonal farm workers.

But Mr. Simpson said the farm worker program would make the bill more attractive to President Reagan because "his California constituents have been taken care of." Many growers of perishable fruits and vegetables are in California, and they contend that they need alien workers to pick their crops, which will rot if not harvested at the proper times.

Support in Administration

The Administration generally supported the bill.

The Senators from New York and Connecticut voted for the bill. The Senators from New Jersey, Bill Bradley and Frank R. Lautenberg, both Democrats, voted against it.

These are major provisions of the immigration bill:

- * Employers would be subject to civil penalties of \$100 to \$2,000 for each illegal alien they hired. If there was a "pattern or practice" of violations, the employer would be subject to a penalty of \$3,000 to \$10,000 for each illegal alien hired.

- * The Government would offer legal status to illegal aliens who entered the United States before Jan. 1, 1980, and have lived here continuously since. The Congressional Budget Office has estimated that 952,000 illegal aliens would be eligible for legal status and that 570,000 would apply and be accepted.

- * Aliens who gained legal status would first become temporary residents and then, after two and a half years, could become permanent residents if they could show a knowledge of the English language and of American history and government. Aliens could apply for citizenship after five years as permanent residents.

- * The bill expresses the "sense of Congress" that there should be an increase in the Border Patrol and other enforcement activities of the Immigration and Naturalization Service. The bill would authorize \$840 million for the agency in 1987, a rise of 44 percent from the current fiscal year.

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* Farmers could bring up to 350,000 aliens into the United States to harvest perishable fruit and vegetables. The workers could stay in this country for up to nine months a year and could move from one farm to another in a designated region. This program would end after about three years unless Congress continued it.

* Under a separate program, farmers would have three years to end the employment of illegal aliens. In that period, the farmers could continue using illegal aliens as seasonal workers but would be required to reduce the number by one-third each year.

* Federal law-enforcement officers would have to obtain a warrant before entering open fields to search for illegal aliens.

* States would be required to check the status of aliens applying for welfare, food stamps, Medicaid and other benefits, to make sure they were not illegal aliens.

In addition, illegal aliens who obtained legal status under the bill could not receive Federal welfare, Medicaid or food stamp benefits for six years.

However, they might qualify for benefits under state programs. The Federal Government would reimburse the states for the cost, providing \$300 million in each of the first two years, and \$600 million in each of the following four years.

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