A Better Senate Bill on Immigration

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Body

The **_Senate_** passed a sensible **_immigration bill_** last week, providing for strengthened enforcement of **_immigration_** laws at the nation's borders and workplaces, tighter requirements for immigrants to receive certain public benefits and the development of a new national database for verifying the **_immigration_** status of prospective employees.

The **_Senate_**'s version is superior to the harshly punitive **_bill_** the House passed in March, which would deny due process to asylum applicants and permit states to deny public education to the children of illegal immigrants. House conferees should follow the **_Senate_**'s lead on both issues. The House **_bill_**'s public education provision, which ignores a contrary Supreme Court ruling, has rightly drawn a veto threat from President Clinton.

The original **_Senate immigration bill_**, submitted last year by Alan Simpson of Wyoming, would have done more harm than **_good_**. Responding to a perceived popular anger against foreigners at a time of economic uncertainty in America, it sought to cut legal as well as illegal **_immigration_**. The **_bill_** would have needlessly hurt employers' ability to recruit workers with special training and skills and imposed gratuitous hardships on immigrant families. Senators Spencer Abraham, Republican of Michigan, and Edward Kennedy, Democrat of Massachusetts, led a successful effort in the Judiciary Committee to remove most legal **_immigration_** restrictions from this **_bill_**.

Then Senator Patrick Leahy, a Vermont Democrat, amended provisions that would have unrealistically required refugees to arrive with a full set of valid travel documents and denied them any appeal from unfavorable rulings by **_immigration_** officers at the point of entry. The House **_bill_** still contains these denials of due process. The **_Senate bill_** contains regrettable restrictions on other kinds of **_immigration_** appeals, but keeps asylum accessible.

The **_Senate_** reasonably required, as did the House, that immigrants count the incomes of their sponsors as well as their own when applying for means-tested benefits. That is less generous than the current standard, but America's underfinanced welfare system should not have to bear the burden of those not genuinely in need. Public education is different, as the Supreme Court has ruled and the **_Senate_** recognized. Children here because their parents came to this country illegally should not be barred from public schools.

The **_Senate bill_** also requires the government to establish a national database so that employers can verify the status of job applicants. The American Civil Liberties Union and the new libertarians of the Republican right oppose this provision as an expansion of Big Brother government. But excluding illegal aliens from employment requires an identification less open to fraud than current paper documentation systems. The **_Senate_** made its pilot programs for the database mandatory. The House made them voluntary. Either is acceptable, provided that Congress insists that the final program protect **_immigration_** data from abuse.

Both the **_Senate_** and House **_bills_** usefully provide for nearly doubling the number of **_Immigration_** Service enforcement agents.

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Immigrants have historically enriched America and still do so today, especially when they bring entrepreneurial energies and valuable technical skills. The United States is also a **_better_** country for admitting those who flee persecution abroad. Still, those people whom **_immigration_** law excludes should be kept out as effectively as possible. The **_Senate_** has come up with a **_bill_** that can help do that. The House should drop its unacceptable education and asylum provisions and go along.

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