



Update from U.S. Senator John Cornyn

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When we started debating the Hagel-Martinez immigration bill on the Senate floor last week, I knew a solid majority – 60 or more Senators – favored a proposal that I considered to be an amnesty bill. Quite frankly, I feared the majority would band together and reject all common-sense amendments, even those that strengthened our control of the border and reinvigorated respect for our laws.

So far, it has turned out differently. Because the status quo is unacceptable and only benefits smugglers, criminals and unscrupulous employers, so our overall strategy was to avoid torpedoing the process. That would have meant no bill, and no increased border security. Instead, we tried to improve the legislation in preparation for a House-Senate conference, where it could be improved even more. My goal is to avoid the mistakes made in the failed 1986 amnesty, which led only to even more illegal immigration. After last week, I'm convinced our strategy is working.

More than a dozen amendments have been considered, and we were able to make significant improvements in Hagel-Martinez. There was serious give-and-take on the floor; we lost several votes as well. But the net result is marked improvement in border security, limits on future inflows, encouragement for assimilation and compensation for state expenses from illegal immigration. Majority Leader Frist indicated that I would be appointed to the conference committee, and I'm increasingly confident we will carry a more acceptable Senate version to that conference.

Here are highlights of last week's debate:

- An amendment by Sen. Kyl and myself banning felons, repeat criminals, and illegal aliens already ordered deported (i.e. absconders) from any amnesty was approved, 99-0. This is the same amendment that Minority Leader Reid labeled "a poison pill" only weeks ago. It will prevent up to 600,000 criminals and absconders from obtaining permanent status.
- An amendment by Sen. Bingaman limits the number of allowable new green cards to 200,000 per year. That is half the level of new foreign workers as the original McCain-Kennedy bill.
- An amendment by Sen. Sessions will add some 370 miles of fencing along our southern border in appropriate locations. The amendment provides enough flexibility to the Department of Homeland Security to place physical barriers in strategic locations. We should not slow lawful commerce with Mexico, and this proposal will not do that, but our Border Patrol says it will materially increase their ability to enforce the law.
- An amendment I sponsored will require employers and the Secretary of Labor to certify that there are no U.S. workers available before a foreign worker can obtain a green card. While Sen. Kennedy later added language allowing a foreign worker to file an application on his own, the critical language in my amendment – which will protect U.S. workers – stayed in and will be considered by the conference committee.
- Another amendment I sponsored will provide money to hospitals and schools that are struggling due to illegal immigration. The amendment I sponsored would require any undocumented worker requesting legal status to pay \$750 to compensate states and counties for costs of health care extended to noncitizens. This could raise more than \$7 billion, and Texas governments would receive a significant portion of those funds.
- A strong Senate majority approved a provision making English our national language. This is not "English only" legislation. But it encourages all new entrants to learn English -- to maximize their opportunities, to assimilate and enjoy all benefits of our country. The bill currently includes language from a bill that I co-sponsored with Sen. Alexander that would provide financial grants and incentives.

I strongly believe we have neglected our border and immigration systems for too long, and badly need a comprehensive reform bill to correct decades of inaction. Even with these improvements, however, I am not convinced the Hagel-Martinez bill as written is a net plus for our country. It does not provide for a real guest worker program, with a return to country of origin. It rewards illegal document fraud by allowing

Social Security payments for those who stole identities to work here illegally. It does appear the bill will be approved by a 2 to 1 majority, however, and it represents our only real opportunity to interrupt and correct the unacceptable current situation.

The actual final legislation will be written in conference committee, later this year. I'll be a member of that committee. I hope you'll continue to provide me with your advice and suggestions as we move this important reform forward.

Best regards,

Senator John Cornyn