



Written by [Jack Kenny](#) on May 11, 2013

## Senate Panel Rejects Border Security Amendment to Immigration Bill

The Senate Judiciary Committee Thursday [voted down](#) an amendment to require certification of border security before a bill to grant legal status and a “path to citizenship” to the estimated 11-12 million people here illegally could take effect.

The amendment, offered by Iowa Republican Charles Grassley, would have required the Homeland Security secretary to certify that the southern border was secure for six months before any illegal immigrants could receive legal status. Republicans Jeff Flake of Arizona and Lindsey Graham of South Carolina — two members of the bipartisan “Gang of Eight” that has sponsored the bill — joined with the committee’s Democrats to defeat the amendment 12-6.



“We are going to make sure that we have border security first,” Grassley said. “The legislation doesn’t do it.” Grassley, the committee’s ranking Republican, did get approved an amendment to require complete surveillance and 90-percent effectiveness of enforcement along the entire 1,969-mile border. The original bill would apply the 90-percent effectiveness requirement only to high-risk sectors of the border. If border officials have not reached the surveillance and enforcement goals after five years, the bill would create a border commission to advise the Department of Homeland Security on how to reach its goals.

Other Grassley [amendments](#) adopted by the committee would add the Senate and House Judiciary Committees to the list of bodies the secretary of Homeland Security must report to on implementation of its border strategy, and an annual auditing requirement for the Comprehensive Immigration Trust Fund. In all, the committee approved some two-dozen amendments, including six offered by Republican members. They include proposals to: direct the Citizen and Immigration Service Ombudsman to assist victims of crimes committed near the border; add private land representatives to the Department of Homeland Security Oversight Task Force; and require bi-annual reports on the progress of the Southern Border Security Strategy. An amendment offered by Sen. John Cornyn (R-Texas) to add human trafficking to the list of violent crimes that must be reported by the FBI’s Uniform Crime Reporting Program was also approved.

But other Republican amendments, aimed at either bolstering border security or delaying or defeating legalization provisions, were rejected or withdrawn, leaving the bill’s backers pleased with the day’s work.

“It is a better bill now than it was this morning,” Flake said, an opinion shared by some, though not all, of his colleagues. For instance, Senator Ted Cruz, a freshman Republican from Texas, [observed](#), “The



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committee has voted down every serious border security amendment that has been presented here today.”

The hearing was the first of many the Judiciary Committee will hold on the legislation, as some 300 amendments to it have been filed. The bill was the subject of a [hearing](#) earlier in the week by the Senate Homeland Security and Governmental Affairs Committee, with lawmakers from both parties raising questions about the effectiveness of its border security provisions. Sen. Heidi Heitkamp, a freshman Democrat from North Dakota, told a panel of Homeland Security Department officials at Tuesday’s hearing that the legislation won’t pass unless the public is convinced of a “sea change” in border security enforcement. Voters want “an absolute commitment to making sure this happens,” she said.

“We do not have a secure border today,” declared Oklahoma Senator Tom Coburn, the committee’s ranking Republican. “If in fact the American people can’t trust that the border is controlled, you are not going to be able to pass this bill.”

Government reports say border crossings are down since 2000, when 1.68 million people were apprehended on the Southwest border, according to U.S Customs and Border Protection. Last year, the number was about 357,000. Effectiveness of border security has ranged from 87 percent in the Tucson, Arizona sector to 71 percent along the Rio Grande River, according to a Government Accountability Office report, based on Border Patrol data. On questioning from Coburn, Border Patrol Chief Michael Fisher acknowledged that the rates don’t take into account the number of illegal crossings agents don’t detect.

The bill includes tougher sanctions against employers who hire undocumented workers, something Obama administration officials say will help reduce the incentives for people to move into the country illegally. “You need to address the magnet that attracts people for illegal work” by enforcing employer sanctions, said Assistant Homeland Security Secretary David Heyman. The bill contains “a number of different tools and devices” also including improved technology along the border, he said.

But committee chairman Tom Carper (D-Del.) said he was concerned that the Border Patrol hadn’t implemented advanced radar systems on planes to watch the U.S-Mexican border. “Aircraft without an advanced sensor on board to help detect illegal activity on the ground is of very little value,” he said. Only one of three helicopters used near McAllen, Texas, is equipped with the sensors, and just one of 17 single-engine C-206 airplanes has been fitted with an advanced infrared camera system, he noted.

Carper also said U.S. border agencies need to work with Mexican authorities to reduce the number of illegals crossing from Central America. People from El Salvador, Honduras, and Guatemala are coming into Mexico and the United States, he said, “because of murder and mayhem in their countries.”



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