

© 2006 CBS Broadcasting Inc.
All Rights Reserved

***PLEASE CREDIT ANY QUOTES OR EXCERPTS FROM THIS CBS
TELEVISION PROGRAM TO "CBS NEWS' FACE THE NATION. "***

CBS News

FACE THE NATION

Sunday, April 2, 2006

**GUESTS: Senator RICHARD DURBIN (D-IL)
Assistant Democratic Leader**

**Representative JAMES SENSENBRENNER (R-WI)
Chairman, House Judiciary Committee**

**DAVID BROOKS
Columnist, The New York Times**

MODERATOR: BOB SCHIEFFER - CBS News

PANEL: Gloria Borger - CBS News/US News & World Report

*This is a rush transcript provided
for the information and convenience of
the press. Accuracy is not guaranteed.
In case of doubt, please check with*

***FACE THE NATION - CBS NEWS
202-457-4481***

BOB SCHIEFFER, host:

Today on FACE THE NATION, reforming immigration in America, a debate. What should happen to the 12 million people in America who are here illegally? Should they be allowed to work toward citizenship or be sent back to their original countries? And what about building a fence along the border? Is that really feasible? We'll get two views on this contentious issue this morning. One from the deputy Democratic leader in the Senate, Dick Durbin of Illinois. The other from Republican Congressman James Sensenbrenner of Wisconsin, chairman of the House Judiciary Committee and sponsor of a crackdown bill in the House. David Brooks, columnist of The New York Times will join us to talk about this and the rest of the week's news, and I'll have a final word on moon walking. But first, immigration on FACE THE NATION.

Announcer: FACE THE NATION with CBS News chief Washington correspondent Bob Schieffer. And now, from CBS News in Washington, Bob Schieffer.

SCHIEFFER: And good morning again. Joining us from Chicago this morning where he'll be in place to see the world champion Chicago White Sox open the baseball season tonight, Senator Dick Durbin. With us here in the studio, Congressman James Sensenbrenner. And we're here to talk about the thing that Congress has been talking about all week and will be talking about all next week, and there's plenty of talk around the country about the very same thing, and that is immigration. What are we going to do about it? Two men with very different points of view.

Congressman Sensenbrenner, let me talk to you first. The bill that you have passed, and it has now passed in the House, really focuses on tightening the borders, on cracking down on illegal immigrants. Among other things, this bill calls for building a 700 mile fence. Now, I've done a little calculating, and 700 miles is from just down the street where we are, the Washington Monument, if you go from there to the Sears Tower in Chicago, that comes out to 700 miles. That's a pretty good-sized fence. How much would it cost to build a fence like that?

Representative JAMES SENSENBRENNER (Republican, Wisconsin; Chairman, House Judiciary Committee): The estimate is about \$2 billion. However, the first thing we have to do to fix our broken system is to stop illegal immigration, because if we don't stop illegal immigration by securing the border and cracking down on those employers that do hire a lot of illegal immigrants, there just will be more illegal immigrants coming across the border and flooding our schools and causing a collapse in our health care system. Once we stop illegal immigration, then I think we should talk about what to do about the 11 million illegal immigrants that are already here.

SCHIEFFER: But let me go back to this fence. What kind of a fence would it be? I mean, this has got to be more than a couple of cowboys with some post hole diggers and a pickup loaded with cedar posts.

Rep. SENSENBRENNER: Oh. Yeah. Yeah. Absolutely. There will be a physical barrier built where it's appropriate. But in other places, there can be a

virtual fence, which includes high tech electronic devices, drone planes and stuff like that. I would point out, in the 38th mile south of San Diego where there is a fence that has been built, since the fence was completed, there has been not one illegal immigrant that has jumped over the fence and entered the United States illegally.

SCHIEFFER: But how many went around it?

Rep. SENSENBRENNER: Well, quite a few went around it, because we've been having over a half million illegal immigrants entering the country this year. And what they do is they really distort the job market because it's always cheaper to hire an illegal immigrant than hire a citizen or a legal immigrant who has got authorization to work here.

SCHIEFFER: Would the fence be brick? Would it be a cyclone fence? What kind of a fence would it be?

Rep. SENSENBRENNER: Whatever is appropriate could be built as a physical barrier. And the reason we've got this problem is the Mexican government has not helped at all in the problem of illegal migration. If they had helped, we wouldn't need these types of barriers. But I think they're kind of on the other side.

SCHIEFFER: All right.

Well, let me go to Senator Durbin. Do you think a fence like that would work, and how would you envision such a fence, senator?

Senator RICHARD DURBIN (Democrat, Illinois; Democratic Whip): Well, it's hard for me to envision a fence that you couldn't go over, under or around. I think we need some fences in strategic places. Every bill that's being considered, every immigration bill, calls for more secure borders. We know the borders are out of control, as Congressman Sensenbrenner has said, and, under the last five years of the Bush administration, they've just broken down completely. And so we have got to really work together in a bipartisan basis to strengthen the number of people there. Maybe coming up with something smarter than a 700 mile fence that uses the best technology. More investigators and more enforcement of the laws when it comes to employment in the United States to make sure that that demand side, the lure of coming to the United States, is diminished.

SCHIEFFER: Well, now, one of the things that you're in favor of, as I take it, is some sort of a guest worker program where the people that come into the United States would be allowed to stay here legally and work. Isn't, as Congressman Sensenbrenner I'm sure is going to say, isn't that putting an enormous load on our facilities, our public institutions, hospitals, schools, so on and so on?

Sen. DURBIN: Bob, I'm sitting here in the city of Chicago, I just went across the street for a cup of coffee. I can tell you that many of the people who were working in that restaurant are people who are undocumented. The

people who are undocumented are a major part of America's economy, 29 percent of our agricultural work force in Senator--pardon me, Congressman Sensenbrenner's state. I'm sure he's aware of many who are working in industries like printing, for example, or meatpacking. They've become an integral part of our economy, an important part. And what I believe we need to do is to really stop the illegal flow and create a legal flow of immigration, people whom we can identify. We'll know their names, where they live, where they work. That'll make us a more secure nation.

SCHIEFFER: What are you going to do with the ones that are already here? I mean, would you--wouldn't you think it would reward people who came here illegally if you gave them all these things that you're talking about?

Sen. DURBIN: Deportation is unrealistic. To think that we could remove--charge with a crime and remove 11 or 12 million people is unrealistic. And the concept of amnesty has been rejected by everyone, Democrats and Republicans alike. It shouldn't be something automatic where these folks go to the front of the line with a free pass. But what we've come up with, on a bipartisan basis in the Senate, is a sensible means to create a legal path in the United States for those who are currently undocumented. And it won't be easy. It will take 11 years. People will have to demonstrate that they're working hard and they're paying taxes, that they have no criminal record, they're learning English. Some will be able to meet these requirements; some will not. But it's the only way to bring people out of the shadows and have a system consistent with American values.

SCHIEFFER: Congressman:

Rep. SENSENBRENNER: The problem with what the senator's talking about is, at the end of 11 years, it is an amnesty, because it gives the benefits of American citizenship to those who have been underground, illegally entered the United States, have been working illegally, and, if they have a \$2,000 fine and end up doing all of the other things that Senator Durbin is talking about, they become citizens. Now, American citizenship should not be for sale. And what the Senate bill does is it says if they pay those \$2,000 fines, they can end up being a citizen. I think American citizenship is priceless, and it ought to be done the legal way just like my ancestors did, and I'm certain the senator's and your ancestors, Bob, did.

SCHIEFFER: Well, let me just ask you about one point that the senator raised, and that would be this. He says that, you know, it's going to help, that people need this, that this is the right thing to do. Is it really amnesty when you let people work like this and--to earn citizenship? It seems to me that's sort of one of the things that this country's all about.

Rep. SENSENBRENNER: Well, it is what this country is all about. But most people have done it the legal way, and it's required an awful lot of patience and cutting through bureaucratic red tape. Now, I am told that somebody who is a US citizen whose brother is in the Philippines has to wait 22 years in order to come to the United States legally under a visa. Now somebody else in the Philippines can hop to the head of the line by entering the United States

illegally, and they would be a US citizen 11 years ahead of the person who's trying to do it right. We should not have illegal immigrants jump to the head of the line. And if we open the door to illegal immigration, we end up closing the door to legal immigration. And if we're a country of laws--we can be a country of laws and immigration at the same time, but that requires enforcing the law and not giving a benefit to people who have broken it.

SCHIEFFER: Well, senator?

Sen. DURBIN: I can just tell you that the Senate bill expressly says no one can jump ahead of the line. There's no amnesty. There's nothing automatic about this. And we understand that the current system is a mess. And I hear some of the folks supporting the House bill saying, 'Well, we've just got to stand and honor this current immigration system.' They should be in my office and listen to the people who are calling in who have been trapped by this system. Bob, yesterday I went to Cristo Rey High School here in Chicago, and there were 25 kids up on stage--they're high school students, many of them the best in their class, who want to go to college. Some of them are already in college. One is pursuing a master's in neurobiology. And our immigration law says to these young people, who came here at an early age through no choice of their own, 'We don't want you in this country. You're a criminal. Under the House bill, we're going to call you not our future but we're going to call you a felon. You should leave immediately.' And a young man studying for a master's in neurobiology I think is an asset to the future of the United States. Telling them they have to leave, they're illegal, doesn't make us a stronger or better nation.

SCHIEFFER: But that is not the person who's coming across the Mexican border. These are people who have no education, that are working at the lowest level. Let me just ask you about this: Paul Krugman of The New York Times, a very liberal writer who is pro-immigration, says that even with all of that--and he favors immigration--what bothers him is you're bringing on a large nonvoting workforce, which he says is sort of the way it is in places like Dubai. Do you worry that we might be coming another Dubai?

Sen. DURBIN: If you're asking me, I can tell you I'm concerned about Krugman's article, and I read it closely. But the guest worker program that we're promoting is one that puts a cap on the number who can come in under this legal program. Secondly, the people who hire them have to establish that there are no Americans who would fill this job. And, finally, they have to be paid a prevailing wage. So it isn't as if we're creating a working underclass. What we're trying to do is to meet some real employment needs in this country. It is likely that many of the people watching this program have their children watched in day care by undocumented workers, and the mothers and fathers cared for in nursing homes by these same people. They're an important part of the economy, doing jobs that many people don't want to do in the United States.

SCHIEFFER: Mr. Chairman:

Rep. SENSENBRENNER: Well, first, it is always cheaper to hire an illegal

immigrant than a citizen or a legal immigrant. The market will work, and as long as we have more illegal immigrants coming across the border, and illegal immigrants here, they're the ones that are going to get these types of low pay jobs. And they depress the wages of people who don't have high school diplomas and who are going into entry-level jobs, such as Senator Durbin has described.

Again, we've got to do things one at a time. The first thing we have to do is to secure the border and turn off the job magnet for people who are hiring illegal immigrants. If we don't do that, we can have all of the guest worker or amnesty programs that we want to have, and nobody will sign up to hire these people because they'll cost more than hiring the illegal immigrants.

SCHIEFFER: Well, Mr. Sensenbrenner, what do you do with the people that are already here? As we saw after Hurricane Katrina, and before Hurricane Katrina, we had a devil of a time getting several thousand people out of New Orleans. In fact, we didn't get some of them out.

Rep. SENSENBRENNER: Yeah.

SCHIEFFER: How are you going to get--what?--11 million people who are here illegally out of this country? I mean, just how do you do that?

Rep. SENSENBRENNER: Well, Bob, nobody is seriously proposing that, because that will require a massive infiltration of law enforcement officials and will disrupt the economy. The fact is, is that we tried an amnesty program, an employer sanctions program 20 years ago, and it didn't work because employer sanctions were never enforced. And, as a result, only a third of those who were eligible for the amnesty signed up for it because they were afraid of losing their jobs.

When you talk about a guest worker program at the same time as firming up the border, history may repeat itself. Because if we don't firm up the border, the guest worker program is going to actually encourage more people to enter the country illegally.

SCHIEFFER: But I thought you said we have to address this. We have to tighten the borders and all that. Obviously, you're not going to build a 700 mile fence in a matter of months.

Rep. SENSENBRENNER: No, we're not. But the House-passed bill, which has been condemned across the country, sets up a program of verifying the accuracy of Social Security numbers in a way similar to the way a merchant verifies the accuracy of a credit card. It will be a computerized system, and if an employer finds that the person has got a hot Social Security card, if they hire them they're going to have the boom dropped on them, and they should.

SCHIEFFER: All right. Well, let me ask both of you: What is going to happen? I know the next week, both of you say, is going to be crucial here. Will the Senate pass a version of this bill, Senator Durbin? Will it have a guest worker provision in it, do you believe?

Sen. DURBIN: Well, we have good bipartisan support for an approach like this, but let me tell you, there's a chasm between the House and the Senate. Chairman Sensenbrenner has carefully avoided mentioning that his bill creates an aggravated felony--a felony charge against these 11 or 12 million undocumented, as well as the people helping them. So that a person who is a nurse or a volunteer, or a person of faith providing humanitarian assistance to anyone who's an undocumented person can be charged with a felony under Chairman Sensenbrenner's bill.

SCHIEFFER: OK, but, but to get...

Sen. DURBIN: That is not going to be easy to resolve.

SCHIEFFER: OK. So you don't think that they--that the bill is going to pass the Senate? Is that your answer here, Senator Durbin?

Sen. DURBIN: I think it's conceivable it will pass, and I hope it does. But what I'm suggesting is the House approach is unacceptable.

Rep. SENSENBRENNER: Bob, let me say that I offered an amendment to reduce the felony to a misdemeanor...

Sen. DURBIN: Oh, come on.

SCHIEFFER: Uh-huh, but it is in the bill.

Rep. SENSENBRENNER: ...and the Democrats in the House of Representatives voted it down.

Sen. DURBIN: Jim, come on. We're in the minority.

SCHIEFFER: OK. Well, let me just ask you, Mr. Sensenbrenner. Do you think that there's a way to get this passed, or are we just going to go through this year with no bill?

Rep. SENSENBRENNER: Well, I hope we don't, because no bill will end up being the worst of all possible worlds. What the Senate has to do is pass a bill, and then send the bill to conference this week, and that way we can set up a Senate-House conference committee and attempt to work out an agreement that will get the support of both houses. This will be tough, and it's the toughest thing that I've done in 37 years in elected public office, but it is an important priority for our national security...

SCHIEFFER: All right.

Rep. SENSENBRENNER: ...and our economic well-being.

SCHIEFFER: I have to end it there.

Rep. SENSENBRENNER: All right.

SCHIEFFER: I take it from both of you there is still a lot to be done before this gets done. Thank you both.

Rep. SENSENBRENNER: Yes. Yeah.

SCHIEFFER: We'll be back in a moment with our roundtable with David Brooks.

(Announcements)

SCHIEFFER: And joining us now, David Brooks, columnist for The New York Times.

And I would say a proud conservative would be one way to describe you. David, what do you make of this what we just heard here? You heard the Democratic side and one part of the Republican side. But Republicans are split on this, because the president wants a guest worker program. House Republicans like Mr. Sensenbrenner don't. Where does this go from here?

Mr. DAVID BROOKS (Columnist, The New York Times): Well, I think what you've seen in the Senate is a pretty good debate. I was up in the Senate all week. You had senators actually legislating and compromising. I thought you had a very sensible debate. I think they've got, you know, this two-pronged approach: Toughen the borders, but give the people here some avenue of responsibility to earn their way to citizenship. And that seemed pretty balanced.

You go over to the House and there's just a lot of anger there, and my concern is that those people who are incredibly angry seek any form of compromise as some sort of compromise on their patriotism. And so, what I see coming out is a bill in the House, no willingness to compromise because of the anger, a bill coming out of the Senate. With no willingness to compromise coming out of the House, we will be, in a year, where we are today, which is a mess.

SCHIEFFER: So you do not believe that by the election that we will have any kind of an immigration bill on the books.

Mr. BROOKS: No, I really don't. You know, and the House, it's really hard to--Sen--Mr. Sensenbrenner is a very responsible, intelligent man. But you've got a lot of people on his side of the debate which are just enraged, unwilling to talk reasonably. I was up at a press conference this week where a House Republican said, 'You know, we've got to have some people to pick lettuce in this country, so we're not going to have immigrants. Let's make the prisoners do it.' You want to hit the guy on the head with a baseball bat. We're going to take a largely minority population, forced labor, picking lettuce and cotton. Is this ringing any bells here? You just--you're not dealing with people who are willing to compromise, and that's why I don't think anything's going to happen.

SCHIEFFER: Is this going to hurt the Republicans?

Mr. BROOKS: There's a danger of that. There's a danger that they'll--because a lot of Republicans are legitimately angry at the way there's no law and order. But if you look at the people who are Republicans who are against--who are for the tough immigration, they come largely from very Republican areas. If you look at the Republicans who are running nationally, whether it was Ronald Reagan 20 years ago, George W. Bush today, John McCain today, you look at the senators who are running in swing states, DeWine in Ohio, these people are moderates. So it's the hard-core people from all-Republican districts who aren't looking at the broader American populous. It's a very complicated political issue.

If you take people in a focus group and say, 'What do you think about immigration?' the first 15 minutes of that focus group is rage. People are upset people are sneaking across the borders, they're in our schools, they're in our hospitals. They're upset. So that's 15 minutes. You get beyond that 15 minutes, and you start saying, 'What are you going to do? Are we going to send them home?' 'No. We're not going to do that.' 'Are we going to build a fence?' 'Obviously, we're not going to do that.' Once you get people thinking practically about this, then you've got a lot of moderation and compromise. And I think, you know, there is a sweet spot there if we could reach it politically. I'm just pessimistic we're going to reach that spot.

SCHIEFFER: Well, do you think the Republicans are in danger at this point of losing control of the House? Do you have some other issues out there, too? Not the least of which is a very unpopular war as we're now seeing in the polls.

Mr. BROOKS: Right. There's the war. There's really a torpor in the administration. They're not doing anything right now. I think it's now likely to move the House--that they will lose the House. And I think House Republicans, privately, most of them admit that. For like a year they were saying, 'Well, we've got it so sewed up with redistricting. We'll lose, but we won't lose the whole House.' I'd say about two weeks ago the conventional wisdom shifted and people said, 'We're in such trouble. We are going to lose the House.' Personally, I think it would be good for the Republican Party because it would make them a little more responsive. It would be good for the Democratic Party; they'd be a little more responsible. But I think now it's likely they will lose the House. If the Democrats can't win now, when are they ever going to win? You know.

SCHIEFFER: The president is announcing he has a new chief of staff. Do you see a larger shake-up in the White House staff there? And what is this indicative of, do you think?

Mr. BROOKS: Well, I think it's indicative of a few things. First, terrible relations with Capitol Hill, which they're finally upset by. The president was a little frustrated with Andy Card in that he wasn't getting news in time. There would be information about Katrina and other things that would go up to Andy Card, but it wouldn't reach the president's desk. They all like Andy Card, loveable guy, but there was a little frustration there. Josh Bolten is someone, you know, if you divide the White House staff into automatons and

people with whom it's possible to have a normal conversation, Josh Bolten is one of those people who can have a normal conversation. He can talk to members of Congress. He's already called, I think, 30 of them to sort of have normal conversations, so they're not just lecturing down to people, which has been a problem.

SCHIEFFER: All right. Well, David Brooks, thank you very much. I'll be back with a final word in just a minute.

(Announcements)

SCHIEFFER: And finally today, when was it, a couple of years ago that the president said this was the century we should go to Mars? I'd forgotten all about it, but, as I got back from vacation last night and was going through last week's papers, there it was, a story that said for the first time in 30 years our scientists are hard at work planning a flight to the moon; not just a quick trip, but to build an outpost where humans can live as they prepare for that trip to Mars. Now, that gave me some pause. We can't figure out how to get those thousands of trailers standing empty in Arkansas down to New Orleans to house the people who lost their homes during Katrina, but we're designing housing for the moon? We can't seem to make those levees that broke the last time strong enough to withstand the next really bad hurricane, but, according to that story in The Washington Post, our scientists are now deep into studies on the effect of moon dust on the humans who will draw that lunar duty?

It's more than a matter of priorities, it seems to me. When you think back on how the government bungled the original response to Katrina, or the wrong intelligence that took us to Iraq, and even that crazy deal, safe or not, that left all of us unaware an Arab company was about to take control of our key ports, you have to ask, has the federal bureaucracy grown so big and so cumbersome that no one really knows what it's doing at any particular point in time? That leads me to the harder question: If we really had to go to the moon, could we still find a way to get there?

That's it for us. We'll see you next week right here on FACE THE NATION.