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SENATORS OFFER A BIPARTISAN BLUEPRINT FOR IMMIGRATION

By Julia Preston
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A bipartisan group of senators has agreed on a set of principles for a sweeping overhaul of the immigration system, including a pathway to American citizenship for 11 million illegal immigrants that would hinge on progress in securing the borders and ensuring that foreigners leave the country when their visas expire.

The senators were able to reach a deal by incorporating the Democrats' insistence on a single comprehensive bill that would not deny eventual citizenship to illegal immigrants, with Republican demands that strong border and interior enforcement had to be clearly in place before Congress could consider legal status for illegal immigrants.

Their blueprint, set to be unveiled on Monday, will allow them to stake out their position one day before President Obama outlines his immigration proposals in a speech on Tuesday in Las Vegas, in the opening moves of what lawmakers expect will be a protracted and contentious debate in Congress this year.

Lawmakers said they were optimistic that the political mood had changed since a similar effort collapsed in acrimony in 2010. Senator John McCain, Republican of Arizona and one of the negotiators, said he saw "a new appreciation" among Republicans of the need for an overhaul.

"Look at the last election," Mr. McCain said Sunday morning on ABC's "This Week With George Stephanopoulos." "We are losing dramatically the Hispanic vote, which we think should be ours." The senator also said he had seen "significant improvements" in border enforcement, although "we've still got a ways to go."

He added, "We can't go on forever with 11 million people living in this country in the shadows in an illegal status."

According to a five-page draft of the plan obtained by The New York Times on Sunday, the eight senators – including Mr. McCain; Charles E. Schumer, Democrat of New York; and Lindsey Graham, Republican of South Carolina – have agreed to address the failings of the immigration system in one comprehensive measure, rather than in smaller pieces, and to offer a "tough, fair and practical road map" that would eventually lead to a chance at citizenship for nearly all of the immigrants here illegally.

"We on the Democratic side have said that we are flexible and we want to get a bill," Mr. Schumer told reporters in New York on Sunday. "But there's a bottom line, and that's a path to citizenship for the 11 or so million people who qualify. We've made great, great progress with our Republican colleagues."

Under the senators' plan, most illegal immigrants would be able to apply to become permanent residents – a crucial first step toward citizenship – but only after certain border enforcement measures had been accomplished.

Among the plan's new proposals is the creation of a commission of governors, law enforcement officials and community leaders from border states that would assess when border security measures had been completed. A proposal would also require that an exit system be in place for tracking departures of foreigners who entered the country through airports or seaports, before any illegal immigrants could start on a path to citizenship.

The lawmakers intend for their proposals to frame the debate in the Senate, which is expected to take up immigration this spring, ahead of the House of Representatives. Compared with an immigration blueprint from 2011 that White House officials have said is the basis for the president's position, the senators' proposals appear to include tougher enforcement and a less direct path for illegal immigrants than Mr. Obama is considering.

In a parallel effort, a separate group of four senators will introduce a bill this week dealing with another thorny issue that is likely to be addressed in a comprehensive measure: visas for legal immigrants with advanced skills in technology and science. The bill, written primarily by Senator Orrin G. Hatch of Utah, a Republican, and Senator Amy Klobuchar of Minnesota, a Democrat, would nearly double the number of temporary visas, known as an H-1B, available each year to highly skilled immigrants. It would also free up more permanent resident visas, known as green cards, so those immigrants could eventually settle in the United States and go on to become citizens.

In a sign of the rapidly changing mood in Washington on immigration, the two groups of senators and the White House have been vying in recent days to see who would unveil their proposals first.

Senator Robert Menendez of New Jersey, a Democrat who was one of those negotiating the comprehensive principles, said the senators finally agreed that any legislation should include a pathway to citizenship.

"First of all, Americans support it, in poll after poll," said Mr. Menendez, who was interviewed along with Mr. McCain by Martha Raddatz on Sunday. "Secondly, Latino voters expect it. Thirdly, Democrats want it. And fourth, Republicans need it."

Senator Marco Rubio of Florida, a Republican, also joined the group of eight senators in recent weeks and endorsed its principles.

Mr. Rubio, a Cuban-American who is a fast-rising figure in his party, had insisted on including the exit tracking system as one of the triggers for opening the path to citizenship for illegal immigrants. Mr. Rubio cited estimates that as many as 40 percent of immigrants in the country illegally had overstayed their visas.

Mr. Rubio also insisted that any immigrants who gained legal status under the legislation would "be required to go to the back of the line" behind other immigrants who applied to come through legal channels.

Under the senators' proposal, border security would be immediately strengthened with new technology, including aerial drones, for border patrol agents, while the Department of Homeland Security would work to expand the exit control system. The United States currently has some exit controls to track departures of foreigners at most airports and seaports, but it does not track exits by land.

At the same time, immigrants here illegally would "simultaneously" be required "to register with the government." After passing background checks and paying back taxes and fines,

those immigrants would receive a “probationary legal status” that would allow them to live and work legally in the United States. Immigrants with that status would not be eligible for most federal public benefits.

The senators also called for a mandatory nationwide program to verify the legal status of new hires, although the details of whether that would include some form of identity card remained vague.

The senators would require that “our proposed enforcement measures be complete before any immigrant on probationary status can earn a green card,” according to the draft principles. The group also includes Senator Richard J. Durbin of Illinois and Senator Michael Bennet of Colorado, both Democrats, and another Republican, Senator Jeff Flake of Arizona.

The proposals would offer major exemptions from the requirements for citizenship to young immigrants here illegally who came to United States as children, giving them a faster path to become Americans.

Immigrant farmworkers would also be given a separate and faster path to citizenship, according to the principles.

Still ahead are difficult negotiations over how long immigrants who gain provisional status would have to wait before they could become citizens. Mr. Rubio’s ideas are for a far longer and less direct pathway than Democrats would like. The senators also anticipate a fight over how to bring in low-wage workers in the future. Many labor organizations are skeptical of the temporary guest worker programs that employers favor, and the principles are vague on that point.

Considerable resistance remains among Republicans in the House of Representatives to granting any kind of legal status to illegal immigrants.

Mr. Rubio was also a sponsor of the bill to offer more visas to highly educated technology workers, along with Senator Chris Coons, a Democrat from Delaware. Senator Klobuchar, also a sponsor, said on Sunday that she expected the bill would become part of the comprehensive measure the other senators were preparing.