BESIDE A PATH TO CITIZENSHIP, A NEW PATH ON IMMIGRATION

By Julia Preston
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WASHINGTON — A sweeping immigration bill that a bipartisan group of eight senators completed on Tuesday seeks not only to fix chronic problems in the system and bring an estimated 11 million illegal immigrants to the right side of the law. It would also reorient future immigration with the goal of bringing foreigners to the country based increasingly on the job skills and personal assets they can offer.

The bill, by four Democrats and four Republicans, is the most ambitious effort in at least 26 years to repair, update and reshape the American immigration system.

The part of the bill expected to draw the most controversy is a 13-year pathway to citizenship for immigrants who have been living here illegally. In an effort to make that proposal acceptable to Republicans who fear it could unleash a new wave of illegal immigration, the senators placed a series of conditions, or triggers, along the pathway, that would require the Department of Homeland Security to spend as much as $6.5 billion over 10 years to increase enforcement and extend fencing along the Southwest border.

The border security programs would have to be fully operational before any immigrants who had been here illegally would be able to apply for permanent resident cards, the first step toward becoming American citizens.

But the proposal for illegal immigrants is only one part of the complex bargain. Created by the senators in tough closed-door negotiations, the legislation codifies other novel compromises designed to break logjams that have clogged the immigration system.

President Obama praised the legislation as "largely consistent" with the principles he had laid out for an immigration overhaul. After a meeting with two senators from the group, Charles E. Schumer of New York, a Democrat, and John McCain of Arizona, a Republican, the president said in a statement that the provisions of their bill are "all common-sense steps that the majority of Americans support."

Mr. McCain said his onetime rival for the presidency was "very supportive" but understands that "everybody didn't get everything they wanted."

Mr. Schumer praised Mr. Obama for giving the senators room to craft the bipartisan legislation. "I thanked him for that. John thanked him for that."

Mr. Schumer said the process would begin formally with hearings on Friday in the Judiciary Committee, with the goal of voting on the bill in the Senate in late May or early June.

For the first time, the legislation would create a merit-based program to award the visa for legal permanent residents, known as a green card, based on a point system. When the merit system takes effect, five years after the bill is passed, at least 120,000 foreign-born people each year would be able to gain green cards by accumulating points based on their

skills and education, as well as their family ties and the time they have lived in the United States.

Over a decade, the balance in the immigration system would gradually shift away from the 75 percent of visas that now go to family members of immigrants already here. As a result of the merit program, closer to 50 percent of visas annually would go to immigrants based on their family ties, while about half would be based on job skills.

As part of the border security triggers, the bill would require all employers, within five years, to verify the legal status of new hires using a federal photo-matching system. It would also require the federal government to create an electronic system within 10 years for checking foreigners as they leave the country through airports and seaports.

The bill also would also create two new guest-worker programs, one for farmworkers and another for low-wage laborers.

It would give employers in technology and science fields tens of thousands of new temporary and permanent resident visas annually, which they have been urgently seeking for computer engineers and foreign graduates with advanced degrees from American universities. It raises current annual caps on temporary high-skilled visas, known as H-1B, to 110,000 from 65,000, while adding 5,000 more of those visas for the foreign graduates. The cap would gradually rise to 180,000.

And the bill would allow young illegal immigrants who came to the United States as children, known as Dreamers, to become citizens after only five years.

The senators are gambling that the bill would repair enough longstanding problems to attract support from a broad array of groups that would benefit, including Latinos, religious groups and labor unions; big technology companies like Microsoft and Facebook, which have been clamoring for more visas; agricultural growers and other employers in labor-intensive businesses; and immigrant families who stand to be united more quickly with family members coming here legally.

Many groups responded initially with surprise at the bill's ambitious scope and its practical approach.

"The heart of immigration reform is fixing the legal immigration system so it works for America," said Tamar Jacoby, president of ImmigrationWorks USA, a group representing small businesses. "The first draft doesn't get the future exactly right, but it's a good start."

Several other business and conservative groups praised the framework but said the guest worker programs were too limited.

Leaders of United We Dream, an organization of youths here illegally, called the five-year path to citizenship for young people a "major victory for the movement." They also said the path for other illegal immigrants was too long.

Opponents said the legislation favored illegal immigrants over American workers and foreigners who came legally. "It legalizes almost everyone in the country illegally before the border is secured," said Representative Lamar S. Smith of Texas, a leading Republican on immigration issues. "This of course will encourage even more illegal immigration."

Perhaps the most original compromise is the path to citizenship for illegal immigrants. Several Republicans, especially Senator Marco Rubio of Florida, insisted that there could be no special, separate path for them. But Democrats, led by Mr. Schumer, fought for a direct, manageable pathway that would ensure that most immigrants here illegally get a chance to earn their way to becoming citizens.

In a first phase, those immigrants would spend a minimum of 10 years in Registered Provisional Immigrant Status, which would allow them to work and travel. After 10 years, they would be eligible to apply for green cards through the merit system.

That system would have two tracks: one based on the number of points immigrants could accumulate, with a fixed annual numerical cap, and another for foreigners who had been legally employed in the United States for 10 years or more. The second track would not have a cap. Formerly illegal immigrants would be eligible to apply, after 10 years in provisional status, for those green cards.

However, many other immigrants would also be eligible for the merit system. They include those who had applied legally for green cards and had been stuck in backlogs for 10 years or more. The solution satisfied both Republicans' and Democrats' demands.

The other senators in the group, who have been called the Gang of Eight, are Richard J. Durbin of Illinois, Robert Menendez of New Jersey and Michael Bennet of Colorado, all Democrats; and Mr. McCain and Jeff Flake, both of Arizona, and Lindsey Graham of South Carolina, all Republicans.

In other compromises, the bill would reduce the categories of family members eligible for green cards, eliminating siblings of United States citizens, and limiting sons and daughters of citizens to those younger than 31. It would eliminate a lottery that has distributed 55,000 visas each year, using those visas to reduce other backlogs. Republicans have sought to limit what they call family chain migration.

But among the victories for Democrats is a provision to allow immigrants who had been deported on noncriminal grounds to apply to return, if they have spouses or minor children here.