Deal Is Reached in Senate on Immigration

By ROBERT PEAR and DAVID STOUT

WASHINGTON, May 17 — Senators from both parties announced an agreement this afternoon on immigration-reform legislation that would bring illegal immigrants and their families "out of the shadows and into the sunshine of American life," as Senator Edward M. Kennedy put it.

The bill would provide an opportunity "right away" for millions of illegal aliens to correct their status, said Mr. Kennedy, Democrat of Massachusetts. It would emphasize family ties as well as employment skills in weighing how soon immigrants could become legal residents, he said.

But it would also emphasize improved border security and would call for "very strong sanctions" against employers who knowingly hire illegal immigrants, according to Senator Arlen Specter, Republican of Pennsylvania.

Both senators acknowledged that the bill, whose general terms are agreeable to the White House, is likely to come under fire both from the political right and the political left — decried either as "amnesty" or as "not humanitarian enough," as Mr. Specter said.

Still, Mr. Kennedy said that the bill, however imperfect, was the best chance in years to secure America's borders, help millions of people who have been living in fear and help to eliminate a sad and sorded "underground economy" in American life.

"Now it's time for action," Mr. Kennedy said. "I've been around here long enough to know that opportunities like this don't come very often." (The senator has been in office 45 years.)

The announcement does not mean that a finished bill is at hand, because differences between the Senate and House on the issue must still be worked out. But the accord in the Senate is nonetheless a giant step toward enactment of "comprehensive immigration reform," as Mr. Specter described it. President Bush has used that term repeatedly to describe the kind of bill he would like to see.

The senators said the system they envision would give weight to immigrants' education and to job skills deemed helpful to the economy in deciding whom to admit, using a point system to evaluate those qualifications. Family ties would remain an important factor.

The point system is one element of a comprehensive bill that calls for the biggest changes in immigration law and policy in more than 20 years. The full Senate plans to take up the legislation next week.

Although Democrats now control the Senate, the bill incorporates many ideas advanced in some form by President Bush. A draft of the legislation says that Congress intends to "increase American competitiveness through a merit-based evaluation system for immigrants."

Moreover, it says, Congress will "reduce chain migration" by limiting the number of visas issued exclusively on account of kinship.

Democrats insisted, and Republicans agreed, that some points be awarded to people who had close relatives in the United States or could perform low-skill jobs for which there was a high demand.

Senator Lindsey Graham, the South Carolina Republican who has been one of the more optimistic negotiators, said on Wednesday that the legislation "would free up thousands of green cards in the future for people who meet our economic needs, while still allowing members of the nuclear family to come to this country."

Stephen W. Yale-Loehr, who teaches immigration law at Cornell University, said: "The legislation taking shape in the Senate represents a major philosophical shift. It tells the world that we are emphasizing characteristics that will enhance our global competitiveness, like education and job skills. We would not rely as much on family background as we have in the past."

Under the proposal, Mr. Yale-Loehr said, "foreign-born spouses and minor children of United States citizens could still get green cards, but foreign-born siblings and adult children of citizens would be hurt."

The Senate majority leader, Harry Reid, Democrat of Nevada, had set a test vote on the proposal for Wednesday, but he put it off until Monday after learning that the negotiators were making progress.

Most of the estimated 12 million illegal immigrants now in the United States would be offered legal status under the bill, but they would not automatically qualify for citizenship. Rather, they would have to "touch back" in their home countries and apply for green cards, like other immigrants seeking permanent residence in the United States.

Some conservatives still dislike the idea of a large legalization program. But Mr. Graham said the bill struck a realistic balance.

"We are not going to put 12 million people in jail," Mr. Graham said. "Nor should we give them an advantage over those who played by the rules to become citizens."

Senator Jim DeMint, Republican of South Carolina, said he had doubts about this approach, but said Congress had to do something because his constituents were telling him that "they feel they are being overrun with uncontrolled immigration."

The legislation also calls for major increases in the Border Patrol and tougher enforcement at the border and in the workplace.

Senator Ken Salazar, Democrat of Colorado, one of the negotiators, said he wanted the new point system to be equitable. "We do not want to create a system that is just for the wealthiest and most educated immigrants," Mr. Salazar said.