

House Immigration Negotiators Mull Citizenship Compromise

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- Roll Call Staff
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House immigration negotiators are discussing a proposal that would allow illegal immigrants to eventually earn citizenship without creating a special process that Republicans surely would oppose.

While a bipartisan immigration working group of House members is still developing a bill, sources on and off Capitol Hill say the negotiators have talked about the compromise proposal as a way to allow both Democrats and Republicans to claim victory.

Many details remain to be ironed out, and the proposal is likely to change before the group releases a bill. But the broad outline of the proposal described to CQ Roll Call suggests that the secretive House group may be close to resolving some of its differences on a controversial piece of its broader immigration overhaul.

A separate conversation is under way with a bipartisan immigration group in the Senate. It's not clear whether the Senate is considering a similar plan. Observers consider the House talks more delicate because they have to produce something that could pass muster in the Republican-dominated chamber.

Under the proposal discussed in the House, the roughly 11 million undocumented immigrants in the country would first be allowed to stay and work provisionally for a number of years. At some point, they would be able to get green cards after being sponsored by employers or relatives who are either citizens or legal residents. In that sense, they would get visas under a modified version of the rules that exist today.

Once immigrants get green cards, which grant legal permanent residence, they can usually become citizens within five years.

To make this system work, people in the country illegally would be exempt from some of the numerical limits currently in the law, House sources say. For instance, some visa categories are now capped. And under current law, no country can claim more than 7 percent of the total number of green cards awarded every year. That has created decades-long backlogs for people coming from countries that send many immigrants to the United States, such as Mexico, China and India.

U.S. citizens related to illegal immigrants would also be able to sponsor undocumented family members for visas in much the same way they currently do for relatives living overseas. That

means that blended families — where one spouse is undocumented but the other is a citizen, for instance — could continue living together as Americans.

The law today requires that illegal immigrants married to U.S. citizens must leave the country for three or 10 years while they apply for a visa. Advocates have long complained about this rule, saying it forces families to live apart unnecessarily.

Last year, the Obama administration proposed granting waivers from the three- and 10-year bars to some undocumented immigrants. The proposal in the House would completely lift the restrictions for undocumented people currently in the country, sources said.

On Wednesday, House Judiciary Chairman [Robert W. Goodlatte](#), R-Va., suggested he could support that idea.

“If you address some kind of reform of that aspect of it, you can avail people of an opportunity that they don’t have now,” Goodlatte said. “Maybe you have to still go home and don’t have the bar, or maybe you adjust here.”

Overall, the citizenship proposal could appeal to both parties. To Democrats, it could offer a relatively straightforward way for people here illegally to become citizens. Republicans, on the other hand, would be able to claim that the proposal does not grant anybody a “special” pathway to citizenship. Rather, undocumented immigrants would go through a process similar to yet separate from the one legal immigrants undergo to get green cards. At the same time, it would not take visas away from people applying for them through the existing legal process.

That has long been a condition for conservative Republicans.

“Any new pathway to citizenship is completely off the table,” said Rep. [Raúl R. Labrador](#), R-Idaho, a member of the House working group. Illegal immigrants should be able to get citizenship “the same way as any other immigrant has to do it,” he added. “You have to apply for legal permanent residence, be it family-based or employment-based. You shouldn’t be treated worse than the people doing it the right way, but I think it would be unconscionable for us to treat them better than the people who are doing it the right way.”

Aides say the lawmakers in the secretive House immigration group are hopeful they can resolve their differences in the weeks ahead. But many questions remain.

Most importantly, the lawmakers would have to agree on the legislative language lifting some of the existing restrictions for illegal immigrants.

“It would have to be so subtle that nobody would notice it but it gets them out from under the debate on pathway,” said a Democratic lawmaker who has been briefed on the talks. The lawmaker declined to be identified due to the sensitivity of the discussions.

The proposal also does not address people here illegally who don't have family ties in the United States or whose employers can't or won't sponsor them for green cards. That means single people working as day laborers or homemakers, for instance, could find themselves excluded.

A Democratic aide said House Democrats would insist that everybody living in the country illegally would have the opportunity to become a citizen.

It remains to be seen how long undocumented immigrants would have to wait before they could apply for green cards. A separate White House immigration bill leaked last week required them to remain on a provisional status for eight years before becoming legal permanent residents. Since it takes roughly five years for legal permanent residents to become citizens, that means undocumented immigrants would have to wait 13 years before becoming Americans.

The House proposal would put the so-called "dreamers," young people brought to the country illegally as children, on a separate path to citizenship, sources said. That effort might have gotten easier since House Majority Leader [Eric Cantor](#), R-Va., came out in support of granting dreamers citizenship earlier this month.

Immigration advocates say they could support a measure similar to the one under discussion in the House once they see all the details.

"I don't care if the cat is white or black so long as it kills the mouse," said Frank Sharry, executive director of America's Voice, an advocacy group. "If once we see the details, it seems complicated and it would leave millions of people out, that would be a problem."

But Sharry said he is optimistic that the Democrats negotiating on the bill would not let that happen.

Ali Noorani, executive director of the National Immigration Forum, also inserted a note of caution.

"Linking citizenship to a third party runs the risk of opening the door to exploitation by unscrupulous individuals looking to take advantage of those who seek the American dream," he said.

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