

Senators plan to unveil immigration bill this week

By ERICA WERNER, Associated Press

WASHINGTON (AP) — A bipartisan Senate immigration bill would put the 11 million immigrants in the country illegally on a 13-year path to U.S. citizenship that would cost \$2,000 in fines plus additional fees, and would begin only once steps have been taken to secure the border, according to an outline of the measure released Monday.

The sweeping legislation also would remake the nation's inefficient legal immigration system, creating new immigration opportunities for tens of thousands of high- and low-skilled workers, as well as a new "merit visa" aimed at people with talents to bring to the U.S. as well as employment or family ties. Senators planned to formally introduce the bill on Tuesday, but after the tragedy at the Boston Marathon a planned press event was delayed until later in the week.

Employers would face tough new requirements to check the legal status of all workers. The bill would institute a fundamental shift in an immigration system long focused on family ties, placing more importance on prospective immigrants' skills and employment potential.

Billions of dollars would be poured into border security, and millions of people who've been waiting overseas for years, sometimes decades, in legal immigration backlogs would see their cases speeded up.

Overall, the changes represent the most dramatic overhaul to U.S. immigration law in more than a quarter-century, and also would usher in major shifts to the U.S. employment landscape.

"I've always said that Americans will be commonsense, practical and balanced toward legal immigration and the 11 million who are here, provided that they are convinced that there won't be future flows of illegal immigration, and that has been the philosophy I think that's guided our group," said Sen. Chuck Schumer, D-N.Y. "We've put together a proposal that pretty much does that."

Schumer and another leader of the group, Sen. John McCain, R-Ariz., were to meet with President Barack Obama Tuesday to brief him on the legislation, a top second-term priority for the president.

The bill is the result of months of secretive negotiations among eight lawmakers, equally divided between the two parties. In addition to Schumer and McCain, they are Democrats Dick Durbin of Illinois, Robert Menendez of New Jersey and Michael Bennet of Colorado, working with Republicans Marco Rubio of Florida, Lindsey Graham of South Carolina and Jeff Flake of Arizona.

Because of the makeup of the group, including conservatives and liberals, the legislation is a painstaking attempt to balance a focus on border security and legal enforcement sought by Republicans in the group, with Democratic priorities including making citizenship widely accessible. Crafting the bill was a time-consuming process of seeking compromise and bringing together traditionally opposed groups, such as the Chamber of Commerce and AFL-CIO, and the United Farm Workers and American Farm Bureau Federation.

Its release is a major achievement on a polarizing issue, but even harder work lies ahead now that legislative language will become public for other lawmakers and groups on all sides to examine and react to.

"It's only the first step," McCain said. "There's a lot of hard things to do yet."

The Senate Judiciary Committee will hold hearings on the bill beginning Friday and likely move to amend and vote on it in May, with action on the Senate floor expected later in the summer. The Republican-controlled House also must act, and opposition from some conservatives there is likely to be fierce.

"The Senate proposal issues an open invitation to enter the country illegally," Rep. Lamar Smith, R-Texas, said on the House floor Monday. "Millions more will do so before the border is secure. The Senate proposal will dramatically increase illegal immigration. "

Under the bill, immigrants here illegally could gain a provisional legal status six months after enactment as long as they meet certain criteria, and if the Homeland Security Department has moved forward on plans to secure the border. They would remain in that provisional status for 10 years, able to work legally but barred from federal benefits like welfare or health care. After 10 years they could seek green cards conferring permanent legal status, and three years after that they could petition for citizenship.

They would have to pay a total of \$2,000 in fines along the way, and at least hundreds more in fees, though that number has not been determined.

People brought here illegally as youths would have a faster path: they could get green cards in five years and would become eligible for citizenship immediately thereafter.

U.S. citizens would no longer be able to sponsor their siblings for eventual U.S. citizenship, a change activist groups have opposed. Also eliminated would be the government's Diversity Visa Lottery Program, which randomly awards 55,000 visas to immigrants from countries with historically low rates of immigration to the United States.

Those are among several changes aimed at rebalancing an immigration system that now awards around 15 percent of green cards to people with employment ties, and the majority to people with family ties; to one that awards 45 percent to 50 percent of green cards based on employment ties. Green cards are visas that make someone a lawful permanent resident and qualifies them to apply for citizenship.

The bill changes the waiting period a green card holder has to undergo before applying to citizenship from five years to three years.

There would be no limit in the number of green cards awarded to people of extraordinary ability in science, arts, education, business or athletics, or to outstanding professors, doctors and others. A new startup visa would be created for foreign entrepreneurs trying to come here to start their own companies.

The bill would create a new "merit-based visa" five years after enactment, beginning at 120,000 visas a year, and awarding points based on talent, employment and family ties.

Visas for highly skilled workers greatly in demand by technology companies would nearly double, from 65,000 a year to 110,000 a year, plus 25,000 more reserved for people with advanced degrees in science, technology, engineering and mathematics from U.S. schools. Low-skilled workers would be able to come in for jobs in construction, long-term care and other industries, ultimately up to 200,000 a year. A new agriculture visa program would bring farm workers to the U.S., and farm workers already here illegally would get a faster path to citizenship than others, able to seek a green card in five years, an effort to create a stable agricultural workforce.

The bill is titled the "Border Security, Economic Opportunity, and Immigration Modernization Act of 2013."

On border security, as previously reported by The Associated Press and others, the bill aims for 100 percent surveillance of the border and seeks to ensure that 90 percent of attempted border crossers are caught or turn back, tasking the Homeland Security Department with developing plans within six months for making this happen. If the 90 percent rate of apprehensions isn't achieved in high-risk border sectors within five years, a commission made of border state officials would make recommendations on how to achieve it.

After 10 years, people granted "registered provisional immigrant status" could apply for green cards granting them permanent residency — and the ability to seek citizenship — if certain conditions are met, including the new security and fencing plans have been completed and a mandatory employment verification system is in place and used by all employers. A new system must also be in place at airports and seaports to keep track of who is exiting the country.

In addition, the bill provides funding for 3,500 more customs agents nationwide and authorizes the National Guard to be deployed to the border to construct fencing and deploy surveillance equipment, among other tasks. Funding for border crossing prosecutions would be boosted.

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