

April 16, 2013

# An Immigration Blueprint

By [THE EDITORIAL BOARD](#)

Huge news from the scorched desert of immigration reform: germination!

At last there is a bill, the product of a bipartisan group of senators who have been working on it for months, that promises at least the hope of citizenship for 11 million undocumented immigrants. It is complicated, full of mechanisms and formulas meant to tackle border security, the allocation of visas, methods of employment verification and the much-debated citizenship path.

Twitter analysts spent all day Tuesday parsing just the 17-page outline that was unveiled ahead of the actual bill. There will be much to chew on in coming weeks, but it is worth a moment to marvel at the bill's mere existence, and at the delicate balancing of competing interests that coaxed this broad set of compromises into being.

Without, however, celebrating too much too soon. The first part of the bill is a dreary reassertion of the doctrine that an insufficiently militarized border is the source of all our immigration problems — as if inefficiencies in the labor market and the ill effects of unjust laws can be fixed with more drones and fences. It throws \$6.5 billion over 10 years at the southern border, and envisions the creation of a commission of border governors telling the Homeland Security Department how to spend more billions on “manpower, technology and infrastructure.”

Though foolishly costly, this border fixation will be tolerable as long as it is not fatal to the heart and soul of the bill: legalization for 11 million. The bill includes arbitrary benchmarks, or triggers, that have to be achieved before legalization kicks in. These cannot be allowed to justify delay in getting immigrants right with the law.

Here is where things get interesting. The bill gets around the “amnesty” stalemate by turning the undocumented into Registered Provisional Immigrants — not citizens or green-card holders, but not illegal, either. They will wait in that anteroom for a decade at least before they can get green cards. But they will also work, and travel freely. The importance of legalizing them, erasing the crippling fear of deportation, cannot be overstated.

That said, a decade-plus path is too long and expensive. The fees and penalties stack up: \$500 to apply for the first six years of legal status, \$500 to renew, then a \$1,000 fine. If the goal is to get people on the books and the economy moving, then shackling them for years to fees and debt makes no sense.

The means of ejection from the legalization path, too, cannot be arbitrary and unjust — people should not be disqualified for minor crimes or failure to meet unfair work requirements. It should

not take superhuman strength and rectitude, plus luck and lots of money, for an immigrant to march the 10 years to a green card.

Then there is the mere two years set aside for taking legalization applications, which is crazy: you cannot fit 11 million people through a window that small. The coming debate will be fierce. Lobbyists for business say there are far too few temporary worker visas. Advocates for families will lament the loss of visas for siblings and adult children. Environmentalists will not like giving Homeland Security unfettered access to all federal borderlands.

While there is a lot to worry about, our quick read of a fresh bill finds other encouraging things besides the opening of the pathway. It includes a good version of the Dream Act, to help young people who were brought here illegally as children speedily become citizens. It allows, amazingly, some deportees to re-enter the country to join their spouses and young children.

The Border Security, Economic Opportunity and Immigration Modernization Act of 2013 will not win prizes for brevity or eloquence. But it exists; it is a starting point, something to be nurtured and improved. It will be judged by how it unlocks the potential of the immigration system, now choked by inefficiency and illegality, with companies that scoff at the law and employees who work outside it. The system has gears that fail to mesh — business with labor, parents with children, the promise of America with the people who would fulfill it. Time to start repairs.

<http://www.nytimes.com/2013/04/17/opinion/an-immigration-blueprint.html>