

Hope for Illegal Immigrants; A bill in the House sounds the opening bell for real reform.

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Body

THE BATTLE over immigration reform was joined in Congress last week with the introduction of sweeping legislation that would toughen enforcement, tighten border controls and provide eventual citizenship for millions who entered the country illegally. That the opening legislative salvo came in the House, where real reform went nowhere in the last Congress, and that the bill has bipartisan sponsors generated fresh optimism that the broken-down immigration system may be replaced by a workable one. The optimism will be justified, though, only if the White House, which has been trying to coax a consensus on immigration from divided Republican lawmakers, sticks to its guns and fashions a blueprint for action that is both practical and comprehensive.

The House bill, sponsored by Rep. Jeff Flake, an Arizona Republican, and Luis V. Gutierrez, an Illinois Democrat, is a sound starting point for the debate. It should appeal to Republicans concerned about enforcement and border security, whose support will be needed in both houses of Congress. And it should also be attractive to Democrats determined to provide a pathway to citizenship for the 12 million illegal immigrants already here and for future immigrants who will enter the country on legal work visas.

Thick as a phone book, the bill is similar in structure, and in some details, to one introduced in the last Congress by Sens. Edward M. Kennedy (D-Mass.) and John McCain (R-Ariz.), with whom Mr. Flake and Mr. Gutierrez worked closely last year. For immigration hawks, there is plenty to like: Before the bill's citizenship provisions kick in, stringent new standards on workplace enforcement and border security would have to be satisfied. They include a major build-up in personnel and technology monitoring the nation's border. In addition, the legislation requires tougher penalties for a range of immigration-related crimes and the creation of a system whereby employers can electronically verify that employees and job applicants are authorized to work here.

The bill would require immigrants here illegally to cross a border and then reenter the country legally -- in theory on the same day, or even within hours -- thereby "rebooting" and legitimizing their status at any time within six years. This is a political fig leaf that will allow immigration hawks to claim a symbolic victory, but it will be a Pyrrhic victory if it establishes a system so onerous or risky that immigrants simply decide it isn't worth it and remain in the shadows. For now, the bill's sponsors affirm that the "rebooting" requirement will be sufficiently flexible and common-sensical -- providing waivers for single parents, for instance, and allowing heads of household to "reboot" on behalf of their families -- that most illegal immigrants will comply.

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Conservatives opposed to citizenship for illegal immigrants are fond of pillorying it as "amnesty." This bill provides nothing of the sort. In addition to requiring lawful reentry to the country, it would entail immigrants paying a \$2,000 fine and any back taxes they owe, clearing a security and background check, learning English and civics, compiling a felony-free record, and submitting proof of past employment. Only after six years and after satisfying those requirements could workers apply for permanent residency status, which could lead to citizenship.

The Senate, which proved much more receptive to realistic immigration reform than the House last year, has so far produced no legislation this session, despite pledges from Mr. Kennedy and Mr. McCain that they remain intent on doing so. As the Bush administration continues to plug away with Republicans, it realizes that time is short; any bill up for debate too late this year will be at risk of succumbing to the passions engendered by next winter's presidential primaries. President Bush will have precious few chances to add to his domestic policy legacy before he leaves office. Immigration reform may be his last, best hope. The moment for pushing is now.

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