

DREAMS DEFERRED

CONGRESS REVISITS A BILL TO LEGALIZE THE STATUS OF UNDOCUMENTED STUDENTS

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Cynthia just graduated from North Babylon High School in Suffolk County, NY. Now she is ready to enter the job market, apply for financial aid to continue her education and maybe get her first car. But all these goals are out of reach for Cynthia because, while she grew up like any American child, she is an undocumented immigrant. Like tens of thousands of other young people in the United States, Cynthia discovered this unwelcome surprise when she started to look for jobs and dream of international travel. Until she wanted to apply for a Social Security card, driver's license or a passport, she had never known that her parents,

who brought her to this country from Peru when they immigrated 13 years ago, had never found a way to regularize their status. A law pending in Congress could alleviate the plight of child immigrants like Cynthia.

According to the Yearbook of Immigration Statistics released by the Department of Homeland Security, the United States legally admitted 705,827 new immigrants in 2003. But the Yearbook reports that at least four million people enter the United States every year looking for a better future for themselves and their families. Among them are between 50,000 and 65,000 students who have been living more than five

years in the United States without legal papers, and who graduate from U.S. high schools each year.

Cynthia — who because of her status requested that her last name not be used — sat down with her parents one evening over a homemade Peruvian ceviche to discuss her options. Despite her dream of becoming a nurse or a doctor, or perhaps a veterinarian because of her passion for animals, her father Santos suggested that a better career would be “anything related to business.” One reason is that going to medical school would be prohibitively expensive because Cynthia is not recog-



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nized as a legal resident of New York. Though she has lived in New York since she was a toddler, Cynthia is required to pay out-of-state tuition at local schools. Nor is she eligible for governmental financial aid.

The proposed law — called the DREAM Act in the Senate, and the Student Adjustment Act in the House of Representatives — could reopen possibilities for Cynthia. But the family had not heard more than a mention of it on a local Spanish-language news program and was not aware of ways to support it.

The DREAM Act (short for Development, Relief, and Education for Alien Minors Act) and the parallel House bill had been in the works for several years and, after the typical legislative back-and-forth among congressional committees, almost made it into law in 2003. It was passed by the Senate Judiciary Committee on October 23, 2003, by a 16-3 vote, with some amendments. The House's Student Adjustment Act had 66 cosponsors from both parties and was on a similar trajectory. But congressional leadership was reluctant to bring up a major piece of immigration legislation for a vote in an election year. But after the

November elections put a new Congress into session, the old bills became moot and supporters had to start over again. "We are now working with the newly elected Congress members to try to gain their support," says Ana Maria Archila, executive director of the Latin American Integration Center, an immigrant advocacy and support organization in Woodside, Queens.

Original sponsors in the Senate and the House said, as *Dollars & Sense* was going to press, that they planned on reintroducing the bills, but that they could not say when — or how. The House version "is still in the hopper," said Charles Isom, press secretary to Representative Chris Cannon (R-UT), an early proponent of the act. Isom added, "There is no timeline yet." Meanwhile, Senator Orrin Hatch (R-UT), an original sponsor, "is definitely bringing this forward, but he is not sure yet whether it will be as an individual piece of legislation or as part of a comprehensive immigration package he has been working on," his spokesperson Peter Carr said in early March. "We have no set date yet."

Whatever forms they take, the new proposals will sustain the main objective of the

DREAM Act, first introduced by Senators Hatch and Richard Durbin (D-IL) in August 2001: "adjustment of status of certain alien college-bound students who are long-term United States residents."

The new law would allow an undocumented student to apply for a six-year conditional residency if he or she entered the United States before age 16; has been accepted into a two- or four-year institution of higher education and has a high school diploma or equivalent; is living in the United States at the time the law is enacted; and has "good moral character" as defined by immigration law, and no criminal record. After the six-year period, the student can remove the conditional status and obtain permanent resident designation if he or she has earned a degree, maintained good standing for at least two years at an institution of higher education while working toward a bachelor's degree or higher or served in the U.S. Armed forces for at least two years.

These students would remain ineligible for federal financial aid, such as Pell Grants.

As Cynthia sees it, "This law will help me to play an active part [in] my community and to