

2006-2007 IMMIGRATION UPDATE 7

March 16, 2007

DREAM ACT REINTRODUCED IN CONGRESS

The DREAM Act has been reintroduced in Congress for the fourth time since 2001. The Dream Act—The Development, Relief, and Education for Alien Minors Act—would allow young people in the country illegally to gain legal status. The Act also repeals a provision of current law that prohibits granting in-state tuition to students who are in the country unlawfully and makes federal education aid such as Pell grants available to them. To qualify for the change in legal status, a young person would have had to enter the United States prior to age 16, have been in the country at least five years, be a high school graduate or have a GED, and be of “good moral character.” Since its first introduction, the DREAM Act has had bipartisan sponsorship. While it passed the Senate in 2006, it has to date never passed the House of Representatives.

A January 30, 2007, Congressional Research Service report on The Dream Act is available at http://www.opencrs.com/rpts/RL33863_20070130.pdf. Materials for conducting a Structured Academic Controversy on the bill can be found at (http://www.deliberating.org/Educating_NonCitizens_US.pdf).

PREDICTION: 1 IN 4 STUDENTS WON'T BE FLUENT IN ENGLISH BY 2025

According to a March 2 column by Marcela Sanchez of the *Washington Post*, Census Bureau figures indicate that, while not quite one in ten students between the ages of 5 and 21 today have limited English proficiency, the number will be one in four by 2025. Limited English proficiency is defined as speaking a language other than English at home and self-reporting that one speaks English less than “very well.”

Perhaps more surprising in Sanchez’s column is a finding from a 2005 Urban Institute study that she cites: more than half of the children who enter high school with limited English proficiency—they were born in the United States. Sanchez also cites studies that show the achievement gap between English language learners and students proficient in English, as well as the high drop-out rate among Hispanic students.

Her conclusion is likely to spark controversy. She calls on immigrant parents, especially Latinos, to “apply the same determination that helped us get to this country to ensure that we send English-proficient children to school.” She also suggests learning from Asian-American communities by placing greater emphasis on education and offering after-school programs. Sanchez’s column can be found at <http://www.washingtonpost.com/wp-dyn/content/article/2007/03/01/AR2007030101190.html>.

IMMIGRATION AUTHORITIES CONDUCT RAIDS IN SEVERAL STATES

Since the December 2006 raids on Swift & Co. plants in several states, including Colorado, Immigration and Customs Enforcement (ICE) agents have conducted a number of raids around the country, including actions focused on a party rental company in southern California, a construction company in Arizona, and restaurants in 17 states (including Dave & Busters and ESPNZone); all the restaurants raided are owned by a Las Vegas company.

The biggest recent raid occurred in New Bedford, Massachusetts on March 7, at a leather company, Michael Bianco, Inc. The company owner, three top managers, and about two-thirds of the 500-person workforce were detained. According to U.S. Attorney Michael Sullivan, workers at Michael Bianco, which produces leather goods for the U.S. military, were subject to inhumane working conditions; for example, they were charged \$20 for talking while working or for spending more than the two minutes allotted in the restroom.

Perhaps because most of the workers arrested were women, the raid has caused what state officials are calling a humanitarian crisis. Many children were stranded at schools, day care centers, or babysitters' homes, and school officials report that students have been traumatized by the experience (see <http://www.npr.org/templates/story/story.php?storyId=8904393> for an All Things Considered interview with an assistant superintendent in the New Bedford Schools).

According to a March 15 editorial in *The New York Times*, Senator Edward Kennedy is so angry about how the raid was handled that he has abandoned a plan to draft a new immigration bill and plans to reintroduce the bill that was reported out of the Senate Judiciary Committee in 2006. According to *The Times*, although the bill was flawed, Senator Kennedy feels the most workable plan now is "to get the bipartisan coalition for immigration reform back on the bus and to fix problems while the bus is moving."

State Legislature Considers Revisions to "Toughest Law"

In the wake of the special 2006 session on immigration, the Colorado General Assembly is paying considerably less attention to that issue this year. Legislators are, however, looking at ways to improve the implementation of the bill banning unauthorized migrants from receiving public benefits. Concerned about legal residents and citizens who are having difficulty accessing public services because they cannot supply needed identification documents. One bill (HB 1314) has already been signed into law; it extended a temporary provision of the 2006 law that permitted waivers by Director of the Department of Revenue. A second bill (HB 1313) expands the types of identification that can be used to get a Colorado driver's license or a state ID, the documents that are required to qualify for public services.

Speaker of the House Andrew Romanoff and Representative Kevin Lundberg discussed pros and cons of these two bills on *Colorado Matters*; that program is available at http://www.kcfr.org/index.php?option=com_content&task=view&id=94&Itemid=234&target_pg=com_day&date=03/4/2007.

MOST PRESIDENTIAL CANDIDATES AGREE ON IMMIGRATION

With immigration dividing members of both the Democratic and Republican parties, one might expect the candidates who have announced their intention to seek their parties' nominations for the presidency to be divided as well. In fact, there is a great deal of agreement.

According to a March 12 AP report, all of the current Democratic candidates—Joe Biden, Hillary Clinton, Christ Dodd, John Edwards, Dennis Kucinich, Barack Obama, and Bill Richardson—support "conditional legal status for illegal immigrants." Only New Mexico Governor Bill Richardson opposes the building of a fence along the U.S.-Mexican border.

Somewhat greater disagreement exists in the Republican ranks. Sam Brownback, Rudy Giuliani, Mike Huckabee, and John McCain favor "conditional legal status for illegal immigrants." Duncan Hunter, Mitt Romney, and Tom Tancredo oppose providing a pathway to legal status. Romney has criticized McCain for his position on immigration, but Romney has not specified his own plan for reforming immigration. All of the Republican candidates favor building a fence.

The complete story on how the candidates stand on various issues is available from *The Denver Post* (http://www.denverpost.com/entertainment/ci_5415003).

INMATES TO REPLACE MIGRANT WORKERS ON COLORADO FARMS?

With new Colorado laws making it a less hospitable work place for unauthorized migrants and increasing fines for employers who hire them, many farmers are anticipating labor shortages this year. As a result, the state Department of Corrections is working on a contract to hire out minimum- to low-medium-security prisoners to farmers in southeastern Colorado. The prisoners would work in groups of 10 to 20, doing farm labor. The Department of Corrections hopes to charge farmers \$9.60 an hour to cover the cost of guards and transportation; farmers hope to pay less. The inmates would receive \$.60 per day.

For more information, see the *Rocky Mountain News* article at http://www.rockymountainnews.com/drmn/local/article/0,1299,DRMN_15_5383857,00.html.

THE FENCE: 2007 UPDATE

In fall 2006 (before the election), Congress passed and the President signed into law a bill authorizing the building of a fence along 700 miles of the U.S.-Mexico border. In its recent four-part series about U.S. efforts to stop illegal immigration across the border, *The Denver Post* provided an update on the fence project. According to the *Post*, Homeland Security Secretary Michael Chertoff acknowledged in February that the government plans to build only 370 miles of fence. While 2000 miles of border will have a virtual fence made up of cameras and sensors in place to detect border-crossers (a similar virtual fence is planned for the U.S.-Canadian border), only the most heavily trafficked areas will see construction of a physical fence. The portion of the project slated for the U.S.-Mexican border is scheduled to be finished by 2011 at a cost of \$7.6 billion.

The entire *Denver Post* series on the border is available at <http://www.denverpost.com/fortressamerica>