

In Increments, Senate Revisits Immigration Bill

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WASHINGTON, Aug. 2 — When a broad immigration bill failed in the Senate in June after a vitriolic national debate, many legislators said the issue was dead, perhaps until President Bush left office. But already some of the less contentious pieces of the bill are returning to life.

Last week, the Senate approved \$3 billion for border security as part of a Homeland Security Department spending bill. Democrats and Republicans have also begun laying ground for a bill to create a new temporary immigrant worker program for agriculture.

Another bill, also with bipartisan support, would give a path to citizenship to high school graduates who are illegal immigrants if they complete two years of college or military service. Senator Richard J. Durbin, Democrat of Illinois and a sponsor of the bill, attached it as an amendment to the military authorization legislation that the Senate last month put off until September. Mr. Durbin said he would seek to move it again then.

The agriculture and student measures “have a decent chance of passing this Congress because they have strong champions, broad bipartisan support and they have been around for a long time,” said Frank Sharry, executive director of the National Immigration Forum, which supported the broad bill. But he cautioned that they would have to overcome a “toxic” atmosphere on immigration in the wake of the defeated bill.

The college bill attracted renewed interest this week because of Juan Sebastian Gomez, a student who just graduated with honors from Killian Senior High School in Miami. On July 25, immigration agents in Florida detained Mr. Gomez, 18, his brother and his parents, all illegal immigrants from Colombia, and prepared to deport them. Immigration officials delayed the deportation on Wednesday after a group of Mr. Gomez’s high school friends roused support in South Florida and then flew to Washington to pound on doors.

The friends pointed to Mr. Gomez’s academic record — a near-perfect 3.96 grade-point average — and top scores on 11 Advanced Placement exams. They said he should not be punished for his illegal status because his parents brought him to the United States when he was 2.

The sweeping Senate immigration bill, which included a path to citizenship for illegal immigrants, was defeated by opponents who said it would reward knowing lawbreakers and the employers who hired them. But many legislators, including some who opposed the broader bill, see the student measure differently because it would benefit immigrant teenagers who are illegal only because of decisions their parents made when the children were young.

“It’s unfair to make these young people pay for the sins of their parents,” Mr. Durbin said.

The Migration Policy Institute, a nonpartisan research organization in Washington, says nearly a million immigrant students across the country could gain legal status under the bill, whose backers call it the Dream Act.

While the bill's prospects seem favorable in the Senate, the outlook is not as bright in the House.

"We call it the Nightmare Act," said Representative Brian P. Bilbray, a Republican from California who leads the Immigration Reform Caucus in the House. "We're giving status to immigrants based on the fact they are here illegally. It really sends a mixed signal to both legal and illegal immigrants."

Support has also re-emerged for the agricultural bill as labor shortages have hampered harvests this summer in states like California, Michigan and North Carolina. The bill's supporters include growers, the United Farm Workers, conservative Republicans like Senator Larry E. Craig of Idaho, and Senator Dianne Feinstein, Democrat of California.

The bill would expand and streamline the existing agricultural guest-worker program and offer legal status to illegal immigrants who are experienced farmworkers. At least 70 percent of the workers in agriculture are illegal immigrants, says the Agriculture Coalition for Immigration Reform, a national trade group.

The bill's supporters say they are looking for ways to bring it to a vote before the year's end. In one effort last week, during the debate on financing the Department of Homeland Security, Senator Edward M. Kennedy, Democrat of Massachusetts, sought a vote on an amendment that would combine the agricultural bill and the illegal immigrant student measure, but he did not succeed.

Mr. Gomez's case has given Washington a vivid illustration of the issues behind the illegal immigrant student measure.

An affable teenager who attracted friends at Killian High by tutoring classmates in subjects as diverse as European history and biochemistry, Mr. Gomez seemed likely to be an exceptional college candidate. A volunteer at a neighborhood homeless shelter, he often did his schoolwork on the computers of friends because his parents could not afford one.

Mr. Gomez's parents, Liliana and José Gomez, brought him and his brother, Alejandro, who is a year older than Juan, to the United States from Colombia on tourist visas in 1990. The parents stayed and started a small catering business in Miami, and the boys went to public school.

Barbara Gonzalez, a spokeswoman for Immigration and Customs Enforcement, said Mr. Gomez's parents applied for legal status but were denied in 2002. They have been facing deportation orders since then.

Mr. Gomez, barred from applying for financial aid because of his illegal status, enrolled in a Miami community college for the fall.

"All I'm hearing now is that I'm Colombian, but I've never really been there," Mr. Gomez said in a telephone interview from Miami. He said he had no memories of the country where he was born and does not speak articulate Spanish. "They are taking me from my home in America," he said.

The family was arrested as part of a nationwide immigration agency operation to track down immigrants scheduled for deportation, agency officials said.

From the vehicle that took Mr. Gomez to an immigration detention center, he made furtive cellphone calls to his high school friends. They opened a site on Facebook to signal his plight and contacted the news media.

A week later, Mr. Gomez's site had more than 2,000 members and seven of his friends were working the hallways on Capitol Hill.

In interviews here, friends recalled Mr. Gomez's spurring them through a three-day sleepless marathon of studying for an Advanced Placement exam in world history.

"I truly see Juan pursuing a career that does America good," said Andrew Dubbin, 17, a junior at Killian. "He could do anything. He's just genuinely smart and sociable."

On Monday, Representative Lincoln Diaz-Balart, Republican of Florida, offered a private bill to the House Judiciary Committee asking for legal resident status for Mr. Gomez and his brother. Representative Ileana Ros-Lehtinen, Republican of Florida, delivered an appeal for the brothers to the White House, and Senator Bill Nelson, Democrat of Florida, called immigration authorities.

On Wednesday, officials stayed the family's deportation and released them for 45 days to give Congress time to consider their bill, Ms. Gonzalez, the immigration agency spokeswoman, said.

On Friday, Representative Zoe Lofgren, Democrat of California and chairwoman of the House Judiciary immigration subcommittee, will hold a meeting to consider private bills for three other illegal immigrant students facing deportation.

Ms. Lofgren said she hoped to take up Mr. Gomez's bill after the August recess.