

Senators reject legal status for children of immigrants

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WASHINGTON -- The Senate today rejected a bill that would have allowed young people brought to the United States as children by their illegal immigrant parents to gain legal status provided they attended school or entered the military.

The 52-44 vote, short of the 60 required, was seen as a test of the Senate's appetite for pursuing an immigration overhaul on a piecemeal basis, as opposed to the comprehensive approach that failed this summer. The procedural vote would have allowed debate to begin.

"I believe in this bill passionately," said lead sponsor Sen. Richard J. Durbin (D-Ill.), who has lobbied for the so-called Dream Act for five years and says he knows many young people who would be helped by it. "Some of their stories are heartbreaking. Many know no other country, know no other language, and now they are being told to leave by our government."

The Dream Act would give conditional legal status to illegal immigrants who have lived in the U.S. at least five years and entered the country before age 16. They must graduate from high school, have no criminal record and have a "good moral character." Provided the students completed two years of higher education or service in the military, the conditional basis of the legal status would be lifted. After five years, they could apply for citizenship.

Estimates vary as to the number of young illegal immigrants the bill would affect. The Congressional Budget Office has put it at fewer than 100,000, while the nonpartisan Migration Policy Institute has estimated it at closer to 500,000.

Democrats argued there was a moral imperative to pass the bill, saying that skilled graduates would benefit American business and that the young people who enlisted would provide a much-needed boost to a military struggling to meet recruitment goals.

"Children should not be penalized for the actions of their parents," said Senate Majority Leader Harry Reid (D-Nev.). "Many of the children this bill addresses came here when they were very young. Many don't even remember their home countries or speak the language of their home countries. They are just as loyal and devoted to our country as any American."

Republicans objected both to the timing of the bill and to its substance. Some complained that the Senate had several spending bills to process and should not be debating a controversial immigration measure.

"We've yet to send a single appropriations bill," said Minority Leader Mitch McConnell (R-Ky.).

Noting that the Internet tax moratorium expired in "exactly one week" and that 50 million taxpayers could become ensnared in a confusing tangle if Congress did not address the average minimum tax, McConnell said, "We have an enormous amount of work and we're running out of time."

Others, like Sen. John Cornyn (R-Texas), said the bill was flawed, citing the fact that Dream Act beneficiaries would not be required to graduate college with a degree.

Some who had been supportive of the measure when Durbin brought it up on previous occasions were unenthusiastic. "Even though there's merit in the goal of the Dream Act, I feel this should be part of a comprehensive approach," said Sen. Jon Kyl (R-Ariz.).

Conservative groups aggressively attacked the bill as an "amnesty" that would provoke a storm of public outrage, as happened the last time the Senate took up the issue of immigration reform.

"This is amnesty," said Sen. James Inhofe (R-Okla.). "It's a slap in the face to all of those who came in here legally."

Noting the public uproar over previous attempts by the Senate to reform immigration, Inhofe added: "When do we learn? All of America's awake on this one. They know exactly what we're doing."

Durbin countered that Dream Act beneficiaries would have very limited ability to sponsor family members to come to the U.S. and that his bill would not allow them to get in-state tuition or federal aid. And he implored the Senate not to ignore the talents and patriotism of children whose only crime was to pack their suitcases when their parents told them the family was leaving.

"Don't tell me tomorrow you need HB-1 visas because we need more talented people," he said to his Senate colleagues. "Give these children a chance."