



FOR: Assembly and Senate

# NYPIRG SUPPORTS

LEGISLATIVE MEMORANDUM NO: 01-13

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## DREAM Legislation S.2378 (Peralta)/A.2597 (Moya)

### Summary of Provisions

#### **S.2378 (Peralta)/A.2597 (Moya):**

The comprehensive state **D**evelopment, **R**elief, and **E**ducation for **A**lien **M**inors (DREAM) Act would, for the first time, allow immigrant students to apply for state financial aid as well as create a DREAM Fund that would provide private scholarships.

### Introduction

NYPIRG views this all-in-one bill as an important step toward creating equal opportunity for all New Yorkers.

New York is the gateway to the great American melting pot and since its inception has been a global beacon for hope and opportunity. In turn, New York's waves of immigrants have contributed greatly to the state's vitality and success. In light of this longstanding and mutually beneficial relationship, it is time for New York to join other states by further extending a helping hand to immigrant children who arrived in New York through circumstances beyond their control yet share the same hopes, aspirations and potential of their citizen counterparts.

### Federal and State DREAM Legislation

The above state DREAM bills are distinguished from similarly named federal legislation that would create a path to citizenship. The federal **D**evelopment **R**elief & **E**ducation for **A**lien **M**inors (DREAM) Act legislation, first introduced in Congress in 2001, would offer a rigorous path to citizenship either through higher education or military service.<sup>i</sup>

**The critical distinction is that the national DREAM legislation is primarily focused on immigration policy—an area where the state is preempted from acting—while state level DREAM legislation aims to improve access to higher education for undocumented immigrant children who have successfully navigated the state's public school system.**

### Why DREAM on a State Level?

While Congressional gridlock has made comprehensive reform out-of-reach, states have taken the initiative to create their own solutions. Texas, New Mexico, and California have already passed legislation that grants undocumented students access to public resources to attend college, such as TAP, similar to the proposed NY DREAM Act.<sup>ii</sup> TAP is an independent state program, a cornerstone of NY's commitment to access to higher education for qualified students with financial need. It is separate, distinct and wholly unconnected to current federal DREAM legislation.

Ultimately, it is up to Congress to address whether and how to integrate undocumented youth into the nation. However, national politics have created a ten-year standstill, leaving undocumented youth in our communities without adequate resources and equal opportunities to pursue their dreams. New York cannot wait for Congress to address this issue. Each year opportunities slip away—perhaps for good—for bright, ambitious undocumented immigrant children in the state to enter college.

## **New York State**

Undocumented immigrants make up a substantial part of the New York State economy. In 2008, unauthorized immigrants contributed \$28.7 billion in economic activity, \$12.7 billion in gross state product, and approximately 137,013 jobs to the state, according to a recent study.<sup>iii</sup> In 2010, undocumented immigrants paid \$662,439,624 in taxes to New York State, ranking among the top five states in terms of receiving tax revenue from households headed by undocumented immigrants.<sup>iv</sup>

New York has long recognized the importance of supporting New York's immigrant students, including funding programs to support English Language Learners and college readiness programs. In 2001, Governor Pataki's proposal to grant undocumented students access to in-state tuition rates was enacted with bipartisan support.<sup>v</sup>

Approximately 65,000 undocumented students graduate from U.S. high schools each year (an estimated 4,550 of these graduates are in New York State), but because of the barriers they face accessing higher education, only 5-10% of these undocumented high-school graduates go to college.<sup>vi</sup>

It is well documented that investments in higher education contribute to the overall quality of life in the state and serve as a catalyst for economic growth. An investment in undocumented student higher education will reap returns many times over for New York.

## **DREAM & TAP**

Expanding the reach of TAP to include eligible undocumented students would increase the expenditure of TAP by roughly 2%; the estimated cost of the NY DREAM Act would be about \$17 million, or about two percent of the total TAP budget of about \$885 million for 2011-2012.<sup>vii</sup>

## **Conclusion**

The DREAM Act enjoys widespread support in New York: SUNY and CUNY Board of Trustees and Chancellors; NYS Board of Regents; former SUNY Board of Trustees Chair Carl Hayden; Professional Staff Congress; United University Professions; University Student Senate; New York State United Teachers; New York City Council; New York City Mayor Bloomberg; college presidents from NYU, Fordham, Manhattanville, and Sarah Lawrence; and more than 20 diverse groups representing a wide range of constituents across the state.

## **NYPIRG implores you to pass in tandem the NY DREAM Act and the DREAM Fund this session.**

<sup>i</sup> Immigration Policy Center, "The DREAM Act: Creating Opportunities for Immigrant Students and Supporting the U.S. Economy," May 2011, <http://www.immigrationpolicy.org/just-facts/dream-act> (8 May 2012).

<sup>ii</sup> Center for American Progress, "Keeping the DREAM Alive: States Continue the Fight to Give Undocumented Students Access to Higher Education," Philip E. Wolgin & Maya Edelstein, June 2011, [http://www.americanprogress.org/issues/2011/06/keeping\\_dream\\_alive.html](http://www.americanprogress.org/issues/2011/06/keeping_dream_alive.html) (8 May 2012).

<sup>iii</sup> The Perryman Group, "AN ESSENTIAL RESOURCE: An Analysis of the Economic Impact of Undocumented Workers on Business Activity in the US with Estimated Effects by State and by Industry," April 2008, [http://americansforimmigrationreform.com/files/Impact\\_of\\_the\\_Undocumented\\_Workforce.pdf#page=48](http://americansforimmigrationreform.com/files/Impact_of_the_Undocumented_Workforce.pdf#page=48) (9 May 2012).

<sup>iv</sup> Immigration Policy Center: American Immigration Council, "UNAUTHORIZED IMMIGRANTS PAY TAXES, TOO: Estimates of the State and Local Taxes Paid by Unauthorized Immigrant Households," April 2011, Table 1, [http://www.immigrationpolicy.org/sites/default/files/docs/Tax\\_Contributions\\_by\\_Unauthorized\\_Immigrants\\_041811.pdf](http://www.immigrationpolicy.org/sites/default/files/docs/Tax_Contributions_by_Unauthorized_Immigrants_041811.pdf) (9 May 2012).

<sup>v</sup> See NYS S.7784/A.9612-A <http://assembly.ny.gov/leg/?sh=printbill&bn=A09612&term=2001>.

<sup>vi</sup> New York Immigration Coalition, "New York State DREAM legislation Update," December 2011, [http://www.thenycic.org/sites/default/files/NYS\\_DREAM\\_Update\\_Dec52011\\_FINALFINAL.pdf](http://www.thenycic.org/sites/default/files/NYS_DREAM_Update_Dec52011_FINALFINAL.pdf) (9 May 2012).

<sup>vii</sup> Fiscal Policy Institute, "The NY DREAM Act: A preliminary estimate of costs and benefits," March 2012, <http://www.fiscalpolicy.org/FPI-CostBenefitAnalysis-NYS-DREAM-Act-20120309.pdf> (11 May 2012)