

Illegal Immigrant Students Await Votes on Legal Status

The New York Times

December 8, 2010 Wednesday, Late Edition - Final

Copyright 2010 The New York Times Company

Section: Section A; Column 0; National Desk; Pg. 18

Length: 863 words

Byline: By JULIA PRESTON

Body

With both houses of Congress set to **vote** this week on a bill that would give **legal status** to hundreds of thousands of **illegal immigrant students**, one of those **students** will wait for news of the outcome at an immigration detention center in Arizona.

The **student**, Hector Lopez, 21, was deported to Mexico in August after having lived with his family in Oregon since he was an infant. After two months of trying to find his bearings and a job in Mexico City, Mr. Lopez, who does not speak Spanish, traveled to the border last month and turned himself in to the immigration authorities, requesting asylum in the United States.

Mr. Lopez's deportation and effort to return offer a look at one prospect **awaiting illegal immigrant students** if the bill, known as the Dream Act, fails.

Votes on the measure were expected in the Senate and the House on Wednesday, Congressional leaders said. It stands a slim chance of passage in the House, where Democrats are in the final days of their majority. In the Senate, although its champion is the Democratic majority leader, Harry Reid of Nevada, the bill appears unlikely to succeed.

Many Republican senators, led by Jeff Sessions of Alabama, have denounced the bill as a "nightmare act" that would give amnesty to millions of **illegal immigrants** and provide safe harbor for some with criminal records. Other Republicans, including several who supported the bill in the past, said they would not **vote** for it this time because they believe Democrats are pushing it to please Latino voters.

In demonstrations this year in support of the bill, hundreds of **immigrant students** declared their **illegal status** and thousands joined street protests. Young **illegal immigrants** like Mr. Lopez are regularly caught in sweeps by immigration agents.

The Obama administration, which supports the measure, said it has steered away from arresting **illegal immigrants** who might be eligible for **legal status** under its terms, with officials saying their focus was on deporting convicted criminals. Still, Janet Napolitano, the homeland security secretary, said that immigration authorities would deport any **illegal immigrant** they detected.

"Our job is to enforce the law, and we are going to continue to do our job," Ms. Napolitano told reporters last week.

On Sept. 1, Mr. Lopez was flown by Immigration and Customs Enforcement to the Texas border and deported to Matamoros, Mexico. He and his parents were arrested on Aug. 23 near their home in Milwaukie, Ore., by agents with a court order for their deportation issued in April 1999, when Mr. Lopez was 9. Mr. Lopez and his parents, who are also **illegal immigrants** from Mexico, said in court papers that they did not receive the notice to attend an immigration hearing the previous month.

Illegal Immigrant Students Await Votes on Legal Status

When they failed to appear, the judge ordered them deported. The lawyer who represented them was later suspended from practice for three years, in part for failing to notify clients of immigration hearings, according to a 2002 ruling by the State Bar Court of California.

Mr. Lopez's parents brought him to the United States when he was 6 weeks old. In his senior year at Rex Putnam High School, he was student body president, graduating in 2008. Mr. Lopez would have been eligible for legal status under the student bill, since he was a child when he was ordered deported, his lawyer, Siovhon Sheridan-Ayala, said.

With no immediate relatives in Mexico, Mr. Lopez traveled by bus from the border to Mexico City, to stay in the home of distant family friends in Iztapalapa, a working-class district.

Speaking by telephone from the detention center in Florence, Ariz., Mr. Lopez said he always felt out of place in Mexico.

"I felt like everything was far from home, just a completely new world for me," he said. "Not knowing the language well, I wasn't ready for it all. It was almost too much to handle."

He said that a local gang of drug dealers harassed him, trying to drive him out of the neighborhood. For several weeks he did not leave his residence, until he decided to try to return to the United States. Ms. Sheridan-Ayala has initiated an asylum petition and asked to re-open his deportation case.

The student bill would provide conditional legal status to illegal immigrant high school graduates who came to the country before they were 16 years old, have lived here for five years and have no criminal records, if they attend college or serve in the military for two years.

In a final-hour press by the administration, Clifford L. Stanley, the under secretary of defense for personnel and readiness, said Tuesday in a call with reporters that the bill would help the Pentagon by "increasing the pool of high-quality people who are going to be enlisting."

The lead sponsor of the Senate bill, Richard J. Durbin, Democrat of Illinois, made changes to it in an effort to attract more votes, lowering the maximum age for eligibility to 29 from 35, and tightening the exclusion of immigrants with criminal records.

But Mr. Sessions, in a speech on the Senate floor, said that the bill remained "poorly drafted, filled with loopholes and, by rewarding illegal behavior, will without doubt encourage future illegal immigration."

<http://www.nytimes.com>

Graphic

PHOTO: Hector Lopez, in a 2008 Oregon school photo, was deported to Mexico in August and is seeking asylum in the U.S.

Classification

Language: ENGLISH

Publication-Type: Newspaper

Illegal Immigrant Students Await Votes on Legal Status

Subject: IMMIGRATION (92%); **ILLEGAL IMMIGRANTS** (91%); POLITICAL PARTIES (91%); LEGISLATIVE BODIES (91%); US REPUBLICAN PARTY (90%); DEPORTATION (90%); IMMIGRATION OF MINORS (90%); US DEMOCRATIC PARTY (90%); ARRESTS (89%); IMMIGRATION LAW (89%); LITIGATION (89%); LAW COURTS & TRIBUNALS (83%); HISPANIC AMERICANS (78%); BORDER CONTROL (78%); LEGISLATION (78%); LAW ENFORCEMENT (78%); VOTERS & **VOTING** (78%); POLITICAL DETAINEES (78%); PROTESTS & DEMONSTRATIONS (77%); POLITICAL ASYLUM (77%); AMNESTY (74%); LAWYERS (74%); **IMMIGRANT** DETENTION CENTERS (73%); NATIONAL SECURITY (70%); DECISIONS & RULINGS (70%); CRIMINAL CONVICTIONS (70%); JUDGES (66%)

Industry: LAWYERS (74%)

Person: JANET NAPOLITANO (79%); JEFF SESSIONS (79%); BARACK OBAMA (58%); HARRY REID (58%)

Geographic: MEXICO CITY, MEXICO (79%); OREGON, USA (92%); NEVADA, USA (79%); ARIZONA, USA (79%); TEXAS, USA (79%); MEXICO (94%); UNITED STATES (79%)

Load-Date: December 8, 2010

End of Document