



Sen. Jeff Klein speaks in the Senate Chamber at the Capitol. | AP Photo/Mike Groll

## Conditions in Albany increasing odds of Dream Act passage

By **KESHIA CLUKEY** | 02/08/17 05:14 AM EST

ALBANY — Democrats in the state Legislature have tried unsuccessfully for years to pass the Dream Act, which would extend state tuition assistance to undocumented students. But now, with an ally in the Senate's Independent Democratic Conference and a governor seizing on immigration issues as he contemplates a 2020 presidential bid, the bill's chances for passage seem brighter.

The Democratic-led Assembly passed the legislation Monday, for the sixth year in a row. In past years, the bill failed to clear the Republican-led state Senate.

The mainstream Senate Democratic conference continues to support the act, but one of its members, Sen. Jose Peralta, a Queens Democrat and the bill's sponsor, defected to the IDC

last month, becoming the eighth member of the renegade group aligned with Senate Republicans.

Peralta will be leading the IDC's charge in pushing for college affordability for all students, including undocumented immigrants — and that approach may be more palatable for Senate Republicans than the stand-alone Dream legislation.

"It's not the Dream Act," IDC Leader Jeff Klein said of his group's proposal. "When I say college affordability for all, we're not going to discriminate because of someone's undocumented status. I think that's really the way to get it through."

The IDC is seeking to expand state tuition assistance eligibility to families who earn up to \$125,000 annually, up from the current \$80,000 eligibility requirement. It also would increase minimum and maximum TAP allowance and would try to bring back TAP for graduate students, Klein said.

Senate Majority Leader John Flanagan reiterated his conference's strong opposition to the Dream Act on Tuesday.

"There are tons of middle-class families in the state of New York who are struggling," said Flanagan, a Long Island Republican. "My primary obligation ...really the position of our members is, let's make sure we're taking care of the hard-working middle-class taxpayers who are struggling right now."

The Republican conference historically has opposed providing assistance to undocumented immigrants, citing the struggles of the middle class, Peralta noted. The IDC's college affordability proposal seeks to appeal to Republicans on that issue.

"If we get this done in the budget then we're going to be able to help both working- and middle-class families, and we're going to help those regardless of immigration status," Peralta said.

Added pressure from Gov. Andrew Cuomo could help the push for the bill's passage as part of in the 2017-18 state budget.

Cuomo's executive budget proposal was aimed at the middle class as he seeks to appeal to voters who may have abandoned Hillary Clinton last November. The proposal also included a scholarship program that would make the state's two- and four-year colleges tuition-free for students from families earning up to \$125,000 a year once the plan is fully rolled out.

Since President Donald Trump took office in January, Cuomo has taken multiple opportunities to show his opposition to the new administration, touting New York as welcoming and accepting of immigrants. He called Trump's travel ban "the exact opposite of what I believe and what most New Yorkers believe because most New Yorkers are immigrants."

The Dream Act would be a "perfect way to draw a distinction with Trump," said Gerald Benjamin, a professor of political science and director of The Benjamin Center at SUNY New Paltz.

"This bill has been chugging along for a while and has been displaced by other priorities and now it's in the right place at the right time."

Cuomo's executive budget included the Dream Act but did not contain the education investment tax credit, a tax credit for donations to schools, including private and public, and scholarship funds. The two measures in past sessions have been linked during budget discussions, with the tax credit serving as an incentive for Senate Republicans to pass the Dream Act — a connection that essentially stymied both bills.

Separating the bills creates makes it "purer" from a national point of view, Benjamin said. "I think it's a calculation about what statement he's trying to make and about what he can get through."

And, Benjamin noted, when Cuomo wants to get something through, like the Safe Act and the legalization of gay marriage, it generally passes.

"If it's a true priority of the governor's, I think he can get it through," Benjamin said of the Dream Act. "He's gotten harder stuff done."