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## In New Jersey, Bills Offering In-State Tuition to Illegal Immigrants Face a Fight



*Marisol Conde-Hernandez had a 3.5 G.P.A. at South Brunswick High School, but she pays out-of-state tuition at Rutgers University.*

By KIRK SEMPLE  
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Champions of a proposal to allow illegal immigrants in New Jersey to pay in-state college tuition could be forgiven for believing, after years of frustration and defeat, that their cause may finally have momentum.

A blue-ribbon panel convened by Gov. Jon S. Corzine to study immigration matters unanimously supported the proposal in a report issued last month, and the governor has also endorsed the idea. Meanwhile, a new, more liberal wind blows in Washington.

But even the most hopeful immigrant advocates in New Jersey concede that these developments may not be enough to push the proposal, which is outlined in several bills, through the State Legislature, particularly during a recession and in a year in which the governor and the entire Assembly faces re-election.

Choosing his words carefully, Shai Goldstein, executive director of the New Jersey Immigration Policy Network, said, "We're cautiously optimistic." He paused, then added: "There's been pushback on this."

The bills, versions of which have languished for years in the Legislature, would allow an illegal immigrant who had attended a New Jersey high school for at least three years and graduated to be eligible for in-state tuition at a publicly supported college or university. (College tuitions and fees paid by out-of-state students are on average more than 90 percent higher than those for New Jersey residents, the panel said.)

Illegal immigrants, advocates argue, should not be penalized for their parents' actions. Also, they say, allowing students access higher education will encourage more immigrants to excel in high school, multiplying the state's intellectual capital and empowering its work force.

“Maintaining a well-educated work force is integral to New Jersey’s economic vitality as demand for high-skilled labor begins to outpace supply,” the immigration panel’s report said.

Ten other states, including New York, have granted in-state tuition to illegal immigrants. Of the six states with the largest foreign-born populations, only New Jersey and Florida have not passed legislation providing the benefit. Similar measures were defeated in recent weeks in Colorado and Arkansas.

By some estimates, according to the immigration panel’s report, there are about 28,000 illegal immigrants enrolled in New Jersey’s high schools. Ronald K. Chen, New Jersey’s public advocate and the panel’s chairman, said it was hard to calculate how many students each year might take advantage of the in-state tuition, but he said they might number in “the very low four figures.”

Marisol Conde-Hernandez, 22, is the kind of New Jersey resident the legislation is designed to help. She was born in Puebla, Mexico, and was brought to the United States by her mother when she was 18 months old.

Ms. Conde-Hernandez excelled in school, graduating from South Brunswick High School with a 3.5 grade-point average and a résumé filled with extracurricular activities, even while she was working full time to help support her family. She enrolled at Middlesex County College and then at Rutgers University, where she is a junior majoring in sociology.

Since she is not a legal resident, she pays full tuition and fees at Rutgers, and works full time as a waitress to cover what she expects will total more than \$20,000 for two years’ worth of credits.

She has become politically active, joining the lobby for immigration reform and pushing for the passage of the in-state tuition bills. She decided to speak publicly, in spite of her family’s illegal status, in order to help future students and ensure “that their dreams don’t get completely crushed,” she said.

Immigrant advocates say Ms. Conde-Hernandez is a rare exception. When faced with few prospects for affordable higher education, they say, most illegal immigrants underperform in high school or drop out.

Opponents say that the measures could result in illegal immigrants taking college slots from legal residents and would cost the state money that could otherwise be used to benefit citizens.

Christopher J. Christie, the leading Republican challenger to Governor Corzine in this year’s election, called the governor’s support of the measures “astonishing.”

“We need to focus our efforts on providing tax relief for middle-class New Jerseyans,” he said in a statement.

The bills’ supporters acknowledge that this may not be the most opportune political climate in which to push for passage. Anti-immigrant sentiment is high, they say, particularly during a recession that has made many Americans even less tolerant about providing jobs and public education for illegal immigrants.

Moreover, Governor Corzine faces a tough re-election battle, and few think he will expend much political capital on the proposal. Democratic assemblymen may also shy away from the issue to help shore up support among more conservative voters.

Indeed, some legislative offices have been swamped by e-mail messages and phone calls railing against the proposal.

"It's dead; it's going nowhere," declared William Gheen, president of Americans for Legal Immigration, a North Carolina-based organization that opposes benefits for illegal immigrants and has been lobbying against in-state tuition measures around the country.

But immigrant advocates in New Jersey say they are going to press hard for passage of the bills. "People demagogue this for ideological reasons," said Mr. Goldstein of the New Jersey Immigration Policy Network. "We're talking about simple fairness."