

114TH CONGRESS
1ST SESSION

S. 1059

To provide Dreamer students with access to student financial aid.

IN THE SENATE OF THE UNITED STATES

APRIL 22, 2015

Ms. HIRONO (for herself and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide Dreamer students with access to student financial aid.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “College Options for
5 DREAMers Act”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to invest in highly moti-
8 vated college students who came to the United States,
9 grew up in our churches and schools, and want to con-
10 tribute to the Nation by earning a college degree, making

1 more money and paying higher taxes, starting businesses,
 2 hiring American workers, and spending more to strength-
 3 en the Nation’s economy.

4 **SEC. 3. COLLEGE OPTIONS FOR DREAMER STUDENTS.**

5 Section 484 of the Higher Education Act of 1965 (20
 6 U.S.C. 1091) is amended—

7 (1) in subsection (a)(5), by inserting “or be a
 8 Dreamer student, as defined in subsection (u)” after
 9 “becoming a citizen or permanent resident”; and

10 (2) by inserting at the end the following:

11 “(u) DREAMER STUDENTS.—

12 “(1) IN GENERAL.—In this section, the term
 13 ‘Dreamer student’ means an individual who—

14 “(A) was younger than 16 years of age on
 15 the date on which the individual initially en-
 16 tered the United States;

17 “(B) has provided a list of each secondary
 18 school (as that term is defined in section 9101
 19 of the Elementary and Secondary Education
 20 Act of 1965) that the student attended in the
 21 United States; and

22 “(C)(i) has earned a high school diploma,
 23 the recognized equivalent of such diploma from
 24 a secondary school, a high school equivalency
 25 diploma in the United States, or is scheduled to

1 complete the requirements for such a diploma
2 or equivalent before the next academic year be-
3 gins;

4 “(ii) has acquired a degree from an institu-
5 tion of higher education or has completed not
6 less than 2 years in a program for a bacca-
7 laureate degree or higher degree at an institu-
8 tion of higher education in the United States
9 and has made satisfactory academic progress,
10 as defined in subsection (c), during such time
11 period;

12 “(iii) is a beneficiary of the Deferred Ac-
13 tion for Childhood Arrivals program pursuant
14 to the Department of Homeland Security Sec-
15 retary’s memorandum on June 15, 2012, or
16 November 20, 2014; or

17 “(iv) has served in the uniformed services,
18 as defined in section 101 of title 10, United
19 States Code, for not less than 4 years and, if
20 discharged, received an honorable discharge.

21 “(2) **HARDSHIP EXCEPTION.**—The Secretary of
22 Education shall issue regulations that direct when
23 the Department shall waive the requirement of sub-
24 paragraph (A) or (B), or both, of paragraph (1) to

1 qualify as a Dreamer student under such paragraph,
2 if the individual—

3 “(A) demonstrates compelling cir-
4 cumstances for the inability to satisfy the re-
5 quirement of such subparagraph (A) or (B), or
6 both; and

7 “(B) satisfies the requirement under para-
8 graph (1)(C).”.

9 **SEC. 4. RESTORATION OF STATE OPTION TO DETERMINE**
10 **RESIDENCY FOR PURPOSES OF HIGHER EDU-**
11 **CATION.**

12 (a) **REPEAL.**—Section 505 of the Illegal Immigration
13 Reform and Immigrant Responsibility Act of 1996 (8
14 U.S.C. 1623) is repealed.

15 (b) **EFFECTIVE DATE.**—The repeal under subsection
16 (a) shall take effect as if included in the original enact-
17 ment of the Illegal Immigration Reform and Immigrant
18 Responsibility Act of 1996 (division C of Public Law 104–
19 208).

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