

## **200,000 'Documented Dreamers' Are Literally Waiting a Lifetime for a Green Card**

Rachael Myrow

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Here in the U.S., turning 21 is usually a reason to celebrate. But for 200,000 young people, adulthood catapults them into a bizarre legal limbo thanks to the Immigration Act of 1990.

That's what happened to Eti Sinha and her twin sister, Eva. When they turned 21, they "aged out" of their parents' family green card application.

"It's just the system that's just so messed up," said Eva.

"It's extremely difficult to process that, and keep having more and more obstacles in your way just to continue a life — in the only place I call home."

### **A family makes a bid for the American dream**

The Sinha sisters were 7 years old when they moved with their mom from New Delhi, India, to San Francisco. They joined their dad, who was studying to transition out of his first career in the oil industry. Now he runs his own Silicon Valley consulting firm, and their mom is the director of admissions at a local university.

"We kind of had a pretty typical American upbringing. We learned how to ride our bikes in Golden Gate Park. We loved eating all the Asian food in San Francisco and [the] Bay Area," recalled Eva.

In time for middle school, the family moved to the suburbs: Fremont, in the East Bay, where they did all the things you do growing up in Fremont.

"We went to Centerville Middle School and Irvington High School," said Eti. "We hiked Mission Peak. During lunch breaks, because it was an open campus, we would rush over to 7-Eleven, grab some taquitos and rush back to campus before class started. Eva was president of the French club. I was secretary of the French club."

"We never really felt out of place," said Eva. "We had a lot of other friends who were immigrants, you know? Second- and third-generation immigrants — and I've had quite a few friends who were immigrants themselves, who came [to the U.S.] in elementary school along with their parents."

But there was a critical difference between them and most of their friends, a gulf that widened as they grew older: Eva and Eti's presence in this country was conditional, set to expire when they turned 21.

As children, they had been dependents, riding on their father's temporary visa status and, later, his family application for a green card, for the right to live and work in the U.S. more or less indefinitely. When they became adults, the federal government considered Eva and Eti foreign nationals.

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### **The green card backlog**

Just after the family arrived in the U.S., a backlog started to develop in Washington, D.C., because of a bizarre quota system set in place back in 1991.

Green card applicants from every country get roughly the same percentage of green cards given out in any one year, whether they're from Albania or Zimbabwe, India or China. There are far more people from India and China applying, however. These two countries in particular have huge populations, and many highly educated individuals are attracted to the job market in Silicon Valley.

Starting in the early 2000s, year after year, their wait for green cards got longer and longer, stretching for decades for some applicants. It only dawned on the Sinha sisters in high school that their green cards might not arrive in time for college.

"Most of my friends had gotten their green card by the time they were in high school," said Eva.

That's what their parents presumed would happen for them. That was a big part of the reason why their family moved here from New Delhi.

"Our parents applied in 2011, when we were in middle school," said Eva. "You know, they still don't have their green card today. So in high school, we realized, OK, as much as our experiences are similar to our peers, we don't actually have the same amount of opportunity."

That's because the lack of a green card meant that when they turned 21 while in college, during their senior year, they would suddenly switch from dependent to adult.

Suddenly, they would become ineligible for everything from in-state tuition at a public school, to all kinds of grants and loans. Some people suggested Eva and Eti apply as undocumented, to take advantage of Deferred Action for Childhood Arrivals, or DACA, programs. But they didn't want to risk getting cut off from any pathway to citizenship.

When asked if the Sinha sisters blame their parents, Eva said no.

"They paid all their taxes," she said. "They've maintained their [legal visa] statuses, made sure that, you know, that they're following all the rules. And, you know, once their turn in line comes up, they would get their green card. It's just, there's a backlog."

The Sinha sisters found a way forward. They both convinced their respective financial aid departments — at UC Santa Barbara and UC San Diego — to let them pay the lower, in-state tuition all the way through, even though they were both going to become “international” students in a few years. They got no financial aid.

After they graduated — cum laude, both of them — Eti and Eva became experts in the U.S. visa system.

Eva currently works as a financial analyst in San Francisco, and her employer sponsored her for an H-1B, the most common visa in Silicon Valley.

That H-1B is temporary, of course. It expires in 2026, unless her employer applies for a renewal, or a green card, or she returns to her “home country,” a country she's visited but doesn't consider home.

"We are, like, as American as people who are American citizens," said Eva. "We grew up here. We want to continue our lives here. We want to contribute to the American economy here. Everybody else perceives us as American as well, from our peers to my, like, managers, etcetera. I think we're American in every way but on paper."

"It's so obvious to everyone but, for some reason, not the U.S. government," Eti added.

Eti searched for full-time work after college, but couldn't find a company willing to sponsor her. So she's now on an F-1, an academic visa. "I am a Ph.D. student at Cornell University in New York, studying biomedical engineering," she said.

After Eti graduates, she'll have to do the same thing as Eva: find an employer to sponsor her for an H-1B and then, hopefully, a green card. Essentially, they're both hopscotching from one temporary visa to another, to stay in this country.

There's a name for this dilemma, for what Eti and Eva became: “documented Dreamers.” Most of them are Asian, with roughly 70% being Indian, according to the advocacy group Improve the Dream.

At a recent committee hearing in Sacramento, Eva testified on behalf of a bill put forward by State Sen. Maria Elena Durazo of Los Angeles. "Senate Bill 1160 will allow dependent visa students that meet existing eligibility requirements to pay in-state tuition at California's public colleges and universities," even after they turn 21, Durazo said at the hearing.

This bill isn't for the Sinha sisters. It's for the students, the "documented Dreamers" coming after them. Even though SB 1160 can't address federal immigration law, it can make the cost of a college education in California a little more feasible.

That's good enough for Eva, today.

"Doing it piece by piece, at least we can get some movement going. Having one big legislation, which will definitely solve everything? In the way that our government is designed? It's just going to take forever," Eva said.

But there are bills moving at the federal level that could help the more than 200,000 "documented Dreamers" in the U.S. ahead of more comprehensive reform.

U.S. Sen. Alex Padilla co-sponsored the America's Children Act. Backed by Improve the Dream, this legislation would allow dependent visa holders to maintain their status, even after they turn 21: no more fear of a wait time for a green card that lasts for decades.

At a recent hearing of the Senate Judiciary Subcommittee on Immigration, Citizenship and Border Safety, Padilla said, "The term 'wait time,' for many, is actually a cruel misnomer. For applicants from some countries, the wait time is literally longer than any human's life expectancy. These aren't wait times. These are de facto bans."

But even though the America's Children Act is targeted to help a small group of people, and enjoys bipartisan support, the bill's future is murky.

"These are people who grew up feeling like Americans, and they're in the same position their parents are in, trying to go through a lottery to win an H-1B visa, to be able to get in a backlog for a green card that has no end," said David Bier, a research fellow with the Cato Institute who specializes in federal immigration policy. "It's not a good immigration system for anyone."

Bier says lawmakers on the right and the left have doubts about signing off on even the most agreed-upon, partial solution. It's just too iffy in an election year. Even the Biden administration is curiously silent about "documented Dreamers."

"It just seems like they're afraid of even bringing up the word 'immigration,'" Bier said.

And so the Sinha sisters keep advocating for legal change, mentoring young people in the same situation, and trying to move forward with their lives, while holding on to their dream of a future here, in the only place they call home.