

WebMemo



Published by The Heritage Foundation

No. 1674
October 23, 2007

The DREAM Act: Senate Could Soon Vote on “Stealth” Amnesty Bill

James Jay Carafano, Ph.D.

This week, the Senate might hold a vote for cloture on the Development, Relief, and Education for Alien Minors Act (S. 2205), or the DREAM Act. This bill shares many of the worst attributes of the comprehensive immigration and border security reform bill that failed in the Senate last spring. The measure does nothing to enhance immigration and border enforcement, undermines the rule of law, and would encourage further illegal entry and unlawful presence in the United States. Clothing the bill as a “humanitarian” gesture is disingenuous; trying to fast-track the legislation for passage without debate or amendments is inexcusable.

A New–Old Nightmare. Senators Chuck Hagel (R–NE), Richard Lugar (R–IN), and Dick Durbin (D–IL) introduced the DREAM Act. The bill purports to grant amnesty to individuals unlawfully in the United States who arrived before the age of 16. Publicized as a humanitarian measure for children, the bill would allow applicants to immediately receive conditional legal status, including eligibility for federal benefits like student loans.

The DREAM Act is not a new legislative proposal developed in the wake of the amnesty bill’s collapse earlier this year; the DREAM Act was first proposed five years ago. Its implications for undermining the enforcement of U.S. immigration laws were so obvious that the measure was never voted out of the Senate Judiciary Committee. The legislation was

then embedded in the comprehensive immigration reform bill, an addition that almost went unnoticed due to that bill’s many controversial components. Given its troubling past, the current effort to bring the DREAM Act directly to the floor is even more alarming.

Bad Bill Walking. The DREAM Act represents little more than amnesty that rewards parents who brought their kids to United States in violation of the law. The bill contains the following significant defects:

- The bill would make applicants eligible for in-state tuition, which would discriminate against U.S. citizens from out of state and law-abiding foreign students;
- The bill would place no limits on when individuals could apply or the number of persons who could apply. This would leave the program open to widespread abuse and rampant fraud.

Conclusion. This bill, regardless of the humanitarian goals claimed by its supporters, would further undermine efforts to enforce immigration laws and border security. It would make the task of securing the U.S.–Mexican border more difficult,

This paper, in its entirety, can be found at:
www.heritage.org/Research/Immigration/wm1674.cfm

Produced by the Douglas and Sarah Allison
Center for Foreign Policy Studies

Published by The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002–4999
(202) 546-4400 • heritage.org

Nothing written here is to be construed as necessarily reflecting the views of The Heritage Foundation or as an attempt to aid or hinder the passage of any bill before Congress.

and it would lead to higher costs for the state and local governments that bear much of the fiscal burden of unlawful presence. In the end, the DREAM Act is not a proposal for keeping America safe, free, and prosperous.

—James Jay Carafano, Ph.D., is Assistant Director of the Kathryn and Shelby Cullom Davis Institute for International Studies and Senior Research Fellow for National Security and Homeland Security in the Douglas and Sarah Allison Center for Foreign Policy Studies at The Heritage Foundation.