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Adding DREAM Act to Defense Bill Is Another Form of Amnesty

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On September 14, U.S. Senate Majority Leader Harry Reid (D–NV) announced plans to introduce the DREAM Act as an amendment to the upcoming Department of Defense authorization bill. The act would create a path to citizenship for illegal immigrants who entered the U.S. before the age of 16 and have lived in the country for at least five years. Despite its seemingly humanitarian aims, the DREAM Act, much like the President’s proposal for comprehensive immigration reform, equates to an amnesty for individuals entering the U.S. illegally.

Granting an amnesty for illegal immigrants will encourage more illegal immigration, making the problem even worse. Congress needs to look toward an immigration system that enforces rule of law, maintains security, and promotes the economy. Such a system can be achieved by robustly enforcing immigration laws, securing the border, reforming the visa system, and working with Mexico and other appropriate countries on law enforcement/public safety issues as well as free market initiatives.

The DREAM Act. The Development, Relief, and Education for Alien Minors (DREAM) Act would essentially repeal part of prior federal law—specifically the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA)—“that prohibits any state from offering in-state tuition rates to illegal aliens unless the state also offers in-state tuition rates to all U.S. citizens.” It would further offer amnesty to those illegal immigrants that came to the U.S. before the age of 16 and have lived here for at least five years if they serve in the military or attend college.

The act is touted as a way to incorporate children of illegal immigrants into American society. However, the DREAM Act would have the following consequences:

- It would reward illegal aliens for violating federal immigration laws by giving them in-state tuition while there are state laws that deny *legal* aliens on student visas such tuition benefits.
- It would encourage more illegal immigration by sending the message that the U.S. does not take its immigration laws seriously.
- It would offer these benefits on taxpayer dollars while out-of-state students struggle to fund their college educations and the economy flounders.
- It would prohibit the government from deporting anyone who files an application for DREAM Act benefits and would prohibit other agencies (such as the Department of Homeland Security) from receiving the information—essentially giving amnesty to individuals regardless of whether they actually qualify for the act’s protections.
- It would allow younger illegal immigrants the opportunity, like legal immigrants, to sponsor their immediate family members for a green card. While current law prohibits sponsorship of

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illegal immigrants living in the U.S., this leaves open the possibility that they could fraudulently, through falsified documents or other means, sponsor their parents who are in the U.S. illegally—creating an even larger amnesty.

Amnesty Politics Are Failing. At a minimum, attaching the DREAM Act to the defense authorization bill is an inappropriate maneuver. This act has little to do with “providing for the common defense,” making the defense authorization bill the wrong place for such a measure. Furthermore, if passed, the DREAM Act would encourage more individuals to break the law to come to the U.S. illegally. Rewarding illegal immigration, either through this act or through comprehensive immigration reform, would simply make the problem worse. Instead of focusing on making amnesty the centerpiece of immigration reform efforts, Congress and the Administration should:

- **Ensure robust enforcement of immigration laws.** Recent actions by the Obama Administration, including its failure to prosecute deportation cases of non-criminal illegal aliens, take the U.S. even further from tackling the immigration problem.
- **Finish securing the border.** Congress should support efforts to deploy smart technologies and other assets at the southern border to allow federal, state, and local law enforcement to match

the threat of transnational cartels and shifting patterns of illegal immigration.

- **Institute much-needed reforms of the visa system.** Currently, the visa system is inefficient and discourages employers and potential employees from using it. This system needs reforms in both visa categories and the U.S. Citizenship and Immigration Service’s funding model, as well as a pilot for a temporary worker program.
- **Work with Mexico and other appropriate countries.** In order for Mexico—as well as other nations whose citizens seek to come to the U.S. illegally—to develop their own economies, major free market reforms are necessary. Also, these nations must tackle the drug cartels that are growing increasingly violent and powerful. The U.S. should work with Mexico and other nations to address these issues.

Not Helpful. Last-minute efforts to attach a major immigration provision with little consideration and deliberation to the defense authorization bill does not contribute to an effective U.S. immigration policy.

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