

WebMemo



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Beyond DREAM: Getting Immigration Reform Right

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Last weekend, the United States Senate voted not to proceed to a final vote on the House-passed Development, Relief and Education for Alien Minors (DREAM) Act. This bill would have given legal permanent resident status to illegal immigrants who came to the U.S. before the age of 16 and who agreed to attend college or enter the military. In this way the bill would have granted amnesty to around 2.8 million illegal immigrants inside the U.S.

Now that Congress has rejected the “amnesty” strategy once again, it is time for the Administration to put this unrealistic approach aside once and for all and begin a serious, practical, and honest approach to fixing America’s broken borders and flawed immigration system. Pushing the issue off on the next generation or using immigration as a tool to win votes through amnesty is not only irresponsible but wrong in terms of national security, the rule of law, and economic prosperity.

Not a New Problem. The number of illegal immigrants inside the U.S. topped off at around 12 million. Since the recent economic recession began, numbers have decreased to around 10.8 million. In 1986, the U.S. attempted to handle the issue by granting amnesty to the 2.7 million illegal immigrants inside the U.S. at that time. This amnesty, however, worsened the illegal immigration problem, encouraging more individuals to cross the border illegally and stay in the U.S.

The issue of immigration has become increasingly political, with both political parties using immigration—and, subsequently, amnesty—to try

to gain a voting advantage in future elections. This technique has repeatedly failed, because Americans understand that this is a serious problem that will not be solved through a mass amnesty. In fact, the lack of a smart immigration policy has considerable impacts:

- Currently, bureaucracy and inefficiencies in the legal immigration system—and specifically at the U.S. Citizenship and Immigration Services—has provided an incentive for employers to hire illegal immigrants as opposed to using legal labor;
- A lack of serious enforcement of immigration laws in the U.S. has perpetuated the illegal labor problem and sent the message that the U.S. government does not take its immigration laws seriously;
- Meanwhile, the southern border remains increasingly unstable with increased violence and a continued flow of illegal drugs and other contraband as well as illegal immigrants; and
- States continue to spend billions of dollars a year on education and social services for illegal immigrants, while the Administration openly criticizes states that attempt to take measures into their own hands and enforce the law within their own borders—such as in Arizona earlier this year.

This paper, in its entirety, can be found at:
<http://report.heritage.org/wm3088>

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Amnesty Is Not the Only Option. Amnesty supporters claim that the only way to solve the immigration problem is to institute a mass amnesty or to provide smaller amnesties for select populations, like that of the DREAM Act. The lesson of 1986, however, is that an amnesty would, in fact, increase illegal immigration levels, encouraging a new generation of immigrants to come here illegally.

So what is the answer? Clearly, the immigration problem cannot be ignored—doing nothing is not a strategy. However, this process should not begin with an amnesty. The right strategy for immigration should include incremental reforms aimed at the following:

- **Securing the border.** While substantial work has been done to secure the southern border, there are still significant actions that need to be taken in terms of ensuring that the technologies and infrastructure on the ground can work to assist Border Patrol agents in doing their jobs. Deployment of additional key technologies as well as robust cooperation between U.S. and Mexican law enforcement are vital for gaining control of the border.
- **Enforcement of immigration laws.** Enforcement of current immigration laws inside the U.S. would discourage illegal immigration and the employment of illegal labor. Recent actions by

the Administration, however, have degraded enforcement policies even further—including the Administration's recent announcement that it would not enforce the law against "non-criminal" illegal aliens. Congress should insist on robust enforcement of immigration laws.

- **Emphasize legal immigration.** The process by which individuals enter the country legally should be fair, orderly, and efficient—welcoming those who abide by immigration laws and denying entry and advantages to those who violate the law. Reforms in visa services are important for achieving this goal. The U.S. should pilot truly temporary worker programs that allow for a market-driven source of legal labor.

The Right Kind of Reform. Additional options may become reasonable once they are allowed to operate over time; policymakers should consider those options at that point. Regardless, the right kind of immigration system will always be one that is capable of maintaining rule of law, encourages economic prosperity, and keeps the nation secure. Future immigration debates should focus on these goals.

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