

ISSUE BRIEF

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DREAM Act: Heritage Foundation Recommendations

The Heritage Foundation

Currently, the House of Representatives is taking a piece-by-piece approach to immigration reform. One of the bills said to be under preparation will likely address issues similar to those addressed in the Development, Relief and Education for Alien Minors (DREAM) Act, which extends amnesty to illegal immigrants who were brought to the U.S. as children. Similar bills have been proposed and debated in the past, only to be rejected due to faulty details and policies. Not willing to accept Congress's decision, President Obama has temporarily implemented portions of the DREAM Act through executive action.

The Heritage Foundation has published a number of writings analyzing the policies and effects of various iterations of the DREAM Act. These writings cover legislative proposals during President Bush and Obama's tenure as well as President Obama's executive actions.

The Senate's Comprehensive Immigration Bill: Top 10 Concerns

Heritage Foundation Immigration and Border Security Reform Task Force

This paper, in its entirety, can be found at <http://report.heritage.org/ib3994>

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

The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
(202) 546-4400 | heritage.org

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Backgrounder No. 2819

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<http://www.heritage.org/research/reports/2013/06/the-senates-comprehensive-immigration-bill-top-10-concerns>

More than any other nation in history, the United States has welcomed immigrants in search of a better life. Over the past several decades, however, immigration policy has become confused, unfocused, and dysfunctional. Millions of people who entered the U.S. illegally belie the core principle of the rule of law and belittle the legal naturalization process, while continued large-scale immigration without effective assimilation threatens social cohesion and America's civic culture and common identity. This is especially true when immigrants are assimilated into the welfare state rather than into a society of opportunity. American citizens, as well as current and future immigrants, deserve better.

In April 2013, the Senate introduced the Border Security, Economic Opportunity, and Immigration Modernization Act. But instead of offering meaningful reform, the act fails to address the intricacies of America's immigration challenges by trying to solve everything in one colossal bill; it also imposes exorbitant costs and is filled with political trade-offs and misguided policies.

An Imperial Immigration Policy

Matthew Spalding, PhD

The Foundry

June 19, 2012

<http://blog.heritage.org/2012/06/19/imperial-immigration-policy/>

On Friday, the Obama Administration's Department of Homeland Security issued a memorandum telling U.S. immigration officials how they should "enforce the Nation's immigration laws against certain young people who were brought to this country as children and know only this country as home."

The Administration's move is an attempt to implement major elements of the DREAM Act, a controversial bill that's been introduced in both Democratic- and Republican-controlled Congresses but has always lacked the votes to be passed into law.

Having failed in the legislative branch, how can the executive do this?

The Administration insists it has wide "prosecutorial discretion" when it comes to enforcing immigration law. No one doubts that judges, prosecutors and law enforcement officers should have discretion about what charges to bring and how to handle particular cases. There are always exceptions to the rule. But Friday's order, which uses the term *discretion* some 10 times, seems to go beyond discretion to the point of creating a policy scheme contrary to existing law. The exception has become the new rule.

Amnesty Legislation Still the Wrong Answer for Responsible Immigration Reform

James Jay Carafano, PhD

WebMemo No. 3327

July 27, 2011

<http://www.heritage.org/research/reports/2011/07/amnesty-legislation-still-the-wrong-answer-for-responsible-immigration-reform>

Recently, Senator Robert Menendez (D-NJ) introduced the Comprehensive Immigration Reform Act of 2011, which would grant legal permanent residence status to the nearly 11 million illegal immigrants present in the United States. In addition, the bill's language also fully incorporates the DREAM Act and the AgJobs Act, providing two further avenues to amnesty for illegal immigrants within the United States.

The strategy for addressing the issue of unlawful presence in the United States embodied in this legislation has been rejected repeatedly by both Congress and the American people—and with good reason. It would do little to solve the problem. In fact, it would do the opposite (while adding significantly to the federal debt). The legislation's triple amnesty offer would encourage further illegal border crossing and

illegal presence and undermine efforts to establish respect for the rule of law, institute meaningful reforms, and help get employers the employees they need when they need them to help the U.S. economy grow and prosper.

Beyond DREAM: Getting Immigration Reform Right

Jena Baker McNeill

WebMemo No. 3088

December 21, 2010

<http://www.heritage.org/research/reports/2010/12/beyond-dream-getting-immigration-reform-right>

Last weekend, the United States Senate voted not to proceed to a final vote on the House-passed 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.

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

James Jay Carafano, PhD

WebMemo No. 1674

October 23, 2007

<http://www.heritage.org/research/reports/2007/10/the-dream-act-senate-could-soon-vote-on-stealth-amnesty-bill>

This week, the Senate might hold a vote for cloture on 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 illegal 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.