



Myth vs. Fact: The DREAM Act

No More Excuses on This Bill

Marshall Fitz December 2010

This piece was updated to reflect passage of a revised bill in the House of Representatives on December 8, 2010.

The arguments mustered in opposition to the Development, Relief and Education for Alien Minors Act, or DREAM Act, have never been particularly persuasive. It's hard to make a straight-faced argument against providing kids who lack immigration status through no fault of their own an opportunity to go to college or serve the country through military service.

That's why dozens of House members spoke in favor of the bill, which passed when it came to the floor on December 8. Only a few hardliners stood to oppose it. The extreme broadsides levied by those House conservatives have been echoed by senators seeking to block consideration of the bill. More than anything, these deceptive arguments clearly expose the moral callousness of the opponents.

It's important to expose the flaws and blatant misrepresentations in DREAM Act opponents' most common arguments against the bill. It should be clear that the Senate has no good reason not to pass it.

Myth: America can't afford the DREAM Act.

Fact: America can't afford not to pass the DREAM Act.

One of the most baseless excuses for opposing the bill is fiscal. Opponents of the bill have tried to throw a series of sensational and utterly unsupported cost figures into the debate, hoping something will stick. But the nonpartisan Congressional Budget Office, or CBO, did the analysis and concluded that the DREAM Act would reduce the deficit by \$2.2 billion over the next 10 years.

DREAM-eligible youths would not be eligible for health care subsidies, including Medicaid, or other federal means-tested benefits like food stamps or Pell grants. More importantly, the alternative of removing the 700,000 eligible kids would cost taxpayers \$16.2 billion over five years.

The far stronger argument is: “America can’t afford not to pass the DREAM Act.”

Myth: The DREAM Act would reward illegal behavior.

Fact: This isn’t amnesty. Eligible youth who had no say in the decision to come to the United States would have to work hard to earn permanent residence, and the earliest they could gain citizenship would be 13 years.

Opponents grasp for the moral high ground with this feeble contention. The dubious claim that providing a path to legal status somehow violates our commitment to the rule of law is standard fare for opponents of immigration reform. But this tired “anti-amnesty” argument lacks all resonance when applied to this population.

These kids were brought to the United States before they had a say in their life circumstances. Denying them hope and opportunity is punishment for an act beyond their control. Enabling them to work hard and earn the privilege of citizenship is hardly “rewarding” illegal behavior.

Moreover, the hypocrisy of some of the elected officials who would condemn these kids to marginalization is shameful. Sen. David Vitter (R-LA), who has confessed to moral waywardness, complains with a straight face that these kids are subverting the rule of law.

Myth: Passing the DREAM Act would encourage more illegal immigration.

Fact: The bill has strict requirements that make only a discrete one-time universe of individuals eligible for relief.

When immigration reform of any sort is under consideration the “magnet” excuse returns to vogue like clockwork. To be sure, this bill is not a solution to the problem of illegal immigration. But neither is it a magnet for more undocumented

migration. And according to the secretary of homeland security the DREAM Act will enable DHS to better focus its resources on criminals and security threats.

To be eligible for relief under the DREAM Act an individual must have come to the United States before they were 16 years old, and they must have been in the United States for more than five years on the date of enactment. In addition, they must be under 30 years old on the date of enactment and they must prove that they have possessed good moral character from the time they arrived in the United States. Those types of strict requirements—particularly the mandatory number of years in the United States—ensure there will be no surge of undocumented immigrants at the border.

Myth: The DREAM Act would trigger large-scale “chain migration.”

Fact: It would be at least 10 years before a DREAM Act beneficiary could sponsor their spouse or child for permanent residence and at least 13 years before they could sponsor their parents or siblings.

Another claim rolled out with monotonous regularity is the “chain migration” excuse. Opponents falsely suggest that the nation’s immigration system authorizes sponsorship of extended family, conjuring up hordes of great-aunts, step-uncles, and third cousins immigrating to the United States once the DREAM Act beneficiary gains legal status.

The reality is that our immigration laws only permit sponsorship of immediate relatives. And the soonest these youths would be able to sponsor their spouses or minor children to come to the United States would be 10 years after enactment. They could not sponsor their parents or siblings until after they became U.S. citizens, which is a minimum of 13 years after gaining legal status. Moreover, if their parents or siblings were in the United States unlawfully they would be required to leave the United States for 10 years before becoming eligible for sponsorship.

A 23-year wait to bring your parents to the United States doesn’t square with the chain migration menace promoted by opponents.

Myth: We have to secure the border before doing anything else on immigration.

Fact: Our border is more secure than ever.

A prevalent tactic designed to delay taking a position on immigration issues is the “sequence” excuse. “We have to secure our borders first” has become the most common and perhaps least defensible talking point to prevent consideration of immigration-related legislation.

In fact, the singular focus of our immigration policies for the last nine years has been ramping up resources and implementing enforcement strategies. There are exponentially more boots and barriers on the ground at the southern border, and it is more secure than ever in our history. We spend more than \$17 billion each year on our immigration enforcement agencies—a 70 percent increase over the last five years. And just six months ago we added another \$600 million in emergency funding.

Myth: We can’t bother with issues like the DREAM Act when we have more pressing priorities.

Fact: It is not an either/or proposition. Congress can address more than one important issue at a time.

During this lame duck period we’ve seen a new delay tactic deployed: the “prioritization” excuse. Yes, there is an array of pressing priorities facing the country right now requiring congressional attention. Sadly, the one issue senators opposing the DREAM Act leveraged to try to block progress on the nation’s agenda was way down that list: tax breaks for the wealthy. If they showed as much concern for the next generation as they do for millionaires they would realize that this is an investment in future leaders, thinkers, and entrepreneurs.

Dealing with the expiring tax cuts was certainly an important topic for congressional attention. But it should not have been to the exclusion of other critical issues. We elect our officials on the assumption, or at least the hope, that they can walk and chew gum at the same time. With the tax cut debate now in the rearview mirror, some senators are pivoting to argue that we are out of time and that impinging on the holidays is sacrilegious. What is truly immoral is that these senators would try to put their vacations before the lives of these youths.

Myth: We need more time to analyze the DREAM Act.

Fact: The basic elements of the bill are well understood and have been considered many times over the last nine years.

Last but not least is the process excuse, a standard ploy to justify delaying a vote. Opponents complain that numerous versions of the bill have been introduced and they need more time to thoroughly analyze it.

But this is not a new or complicated bill. The basic elements of the DREAM Act are straightforward, well understood, and have been considered numerous times over the last nine years. It has been introduced every Congress since 2001. It passed the Senate Judiciary Committee by a 16-3 vote in October 2003. And it passed the Senate Judiciary Committee again in 2006 by voice vote as part of the McCain-Kennedy comprehensive bill, which passed the full Senate by a 62-36 margin.

Conclusion

We have three basic options for addressing the situation confronting these young undocumented people: deport them to a country they barely know; preserve the status quo and consign these talented kids—who include valedictorians—to a hopeless future; or pass the DREAM Act and give them an opportunity to work hard and earn the privilege of citizenship.

The first and second options are morally bankrupt and fiscally irresponsible. As mentioned earlier, deporting the 700,000 youths whom the Congressional Budget Office has concluded would qualify for benefits under the bill would cost taxpayers about \$16.2 billion over five years. Preserving the status quo is to accept system failure and allow these youngsters to languish unproductively on the margins of society. Both options run counter to America's economic interests and to core American values.

The truth is, only the third alternative—passing the DREAM Act—makes economic, practical, and moral sense. Indeed, most (but not all) of the bill's opponents fear the politics around the bill more than they object to the substance. That tension between fear of the far right's backlash and what's right as a matter of policy and justice has driven them to evade the obligations of governance. The evidence of evasion lies in the transparent dissembling used to justify preventing a vote.

It's time for Congress to quit machinating and start solving problems. No more stale, flimsy excuses. The American public strongly supports the DREAM Act. The time has come for Congress to stand and deliver. This dream has waited long enough.

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[See also](#)

Can't Kill This DREAM by Eduardo Garcia and Marshall Fitz

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