



# Legislative Issues

## McAllen Chamber of Commerce

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### **The Dream Act (Development, Relief, and Education for Alien Minors)**

#### **Background**

The Dream Act, proposed legislation first introduced in 2000, provided the opportunity for undocumented immigrants who were brought to the United States when they were children to earn legal permanent residence and eventual citizenship. These children built their lives and families here and are considered American in every aspect but their citizenship. Although since then there have been several proposed versions of this Act, all versions provide a path to legal status for undocumented immigrants who came to the United States as children.

The most recent proposal of the Act, The American Dream and Promise Act of 2019, would provide current, former, and future undocumented high-school graduates and GED recipients a pathway to U.S. Citizenship through college, work, or the armed services. The Act provides a three-step process:

**Step 1: Conditional Permanent Residence.** This provides an individual with conditional permanent resident status (CPR), with certain conditions, for up to 10 years, including work authorization. **Step 2: Lawful Permanent Residence.** Anyone who maintains CPR status could obtain lawful permanent residence (LPR or green card) by completing either higher education, military service, or work. **Step 3: Naturalization.** After maintaining LPR status for five years, an individual can generally apply to become a U.S. citizen through the normal naturalization process.

Because of many attempts to repeal the Act, in 2012 President Obama announced DACA (Deferred Action for Childhood Arrivals), an executive order which provides temporary relief from deportation and work authorization. In 2017, the Trump Administration terminated DACA, but in June 2020 the Supreme Court ruled to uphold DACA in its protection of nearly 800,000 young people so that they could remain in the U.S. In November 2020, Homeland Security Acting Director Chad Wolf's efforts to end the DACA program were also overturned. Wolf had issued a memo suspending acceptance of new applications and restricting renewals to one year instead of two years.

In December 2020, Federal Judge Nicholas G. Garaufis ordered the Trump administration to fully restore DACA, reversing Wolf's memo. This will allow newly eligible immigrants to file new applications for protection under the program.

#### **Pros for the DREAM Act:**

- **It provides a meaningful path to citizenship to those who had no say in their status.** Through the DREAM Act, undocumented immigrants have an opportunity to stay in the U.S., the only country they may have ever known, and receive a path toward citizenship.
- **It stops the threat of a deportation.** Deporting young adults would remove them from the life they know without any opportunity to improve their life in a new nation. The DREAM Act removes the threat of deportation to qualified individuals.

- **It would boost the U.S. economy on multiple levels.** Dreamers and their families provide contributions to the local economy and some even pay income taxes that support the national economy.
- **It would allow law enforcement to redirect their efforts.** Some threats come to the U.S. from regimes like North Korea, while others come from groups like ISIS. The DREAM Act would allow border personnel and law enforcement agencies to focus on greater threats to the country.
- **It could expand military enrollment.** About 8,000 non-citizens join the U.S. military every year. Immigrants wash out of training programs 10% less often than legal permanent residents. By allowing Dreamers to stay, the military could be one of the primary benefactors of having formerly illegal children become adults with permanent residency.
- **It adds diversity to the country.** The U.S. would be encouraging a greater level of diversity throughout the country, allowing the economy and local communities to benefit from the resiliency and creativity of those who have established a life for themselves, despite their illegal status.
- **It has a strong moral argument.** Many Dreamers would be sent back to countries with an unstable political process and could be subject to dangerous conditions. Allowing them to stay follows many of the principles that the Bible teaches, creating a strong moral argument for the law to be passed.

#### **Cons against the DREAM Act:**

- **It reduces the benefits of legal immigration.** By offering a preferential status to any illegal immigrant, even if they were brought here as a child, lessens the meaning of legal immigration.
- **It could increase illegal immigration.** If families know that their young children may qualify for permanent residency one day, they may illegally immigrate to the U.S. to receive that benefit. This would create a potential increase of illegal immigration along all borders, making it difficult to secure communities and private property because of the population influx changes that would be occurring.
- **It removes resources from citizens and legal immigrants.** Dreamers have benefited from public education opportunities as children. They have taken advantage of community resources that are available, like food bank programs. Although everyone has a basic right to live, it should not be at the expense of people who are following the law. Illegal immigration is a violation of U.S. law.
- **It could take jobs away from legal immigrants and citizens.** By hiring an illegal immigrant, an employer is taking a job away from a legal immigrant or citizen.
- **It does not solve the lack of education issues that exist today.** The DREAM Act would require individuals to complete just two years of college in its current form. This would mean an associate's degree at best, which opens only a few more doors compared to a high school diploma. It would also potentially add to the student debt crisis.
- **It could unbalance political systems.** By granting people a path to citizenship, the political systems which are currently established could become destabilized. In communities where many Dreamers live, the changes may only benefit those who supported the DREAM Act.

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