

The DREAM Act

The Development, Relief, & Education for Alien Minors Act



What is it? Background:

- Approximately 65,000 immigrant children are unable to pursue their dreams of going to college every year because they lack legal immigration status. They face unique barriers to higher education such as ineligibility for financial aid; they are unable to legally work here; and they live in constant fear of detection by immigration authorities. Despite the fact that many have grown up in the U.S., attended local schools, and demonstrated a sustained commitment to learn English, U.S. immigration laws provide no legal avenues for these students to rectify their status.
- The DREAM Act was first introduced as a legislative remedy for high school graduates who were brought to the U.S. as minors and do not have legal immigrant status to pursue higher education and legal citizenship.
- In 1982, the Supreme Court ruled (in Plyler v. Doe) that undocumented minors are not responsible for their immigration status, and are therefore eligible for free public education. The DREAM Act seeks to make federal policy consistent by making public higher education attainable.

The Legislation:

- The DREAM Act (S.729) was introduced by Senators Richard Durbin (D-IL) & Richard Lugar (R-IN) & the American Dream Act (H.R. 1751) was introduced by Representative Howard Berman (D-CA), Lincoln Diaz-Balart (R-FL), and Lucille Roybal-Allard (D-CA).

Eligibility/Requirements:

- Students must have:
 - 1) entered the U.S. before the age of 16;
 - 2) been physically present in the U.S. for a continuous period of not less than five years immediately preceding the date of enactment;
 - 3) been admitted to a U.S. institution of higher education or earned a high school diploma or general education development (GED) certificate; and
 - 4) been a person of good moral character since the time of application.
- The DREAM Act would allow certain immigrant students who meet the legislation's eligibility requirements to become residents for a period of six years.
- To have the conditional basis of their resident status lifted, students would have to satisfy one of the following requirements within six years:
 - 1) earn a degree from a U.S. institution of higher education or complete at least two years of a bachelor's or higher degree program; or
 - 2) serve in the U.S. Armed Forces for at least two years and, if discharged, receive an honorable discharge.

MCC Washington Office Position:

- MCC supports passage of the DREAM Act, which will provide increased economic opportunity and earned legalization for immigrants brought to the U.S. when they were very young.
- Although respectful of another's choice to serve in the armed forces, MCC believes military recruiters sometimes pressure and even mislead potential recruits, especially disadvantaged youth. MCC does not want the DREAM Act to become a tool for unscrupulous recruitment.
- A service based organization itself, MCC would like to see humanitarian service, through national service programs like Americorps and Peace Corps, added to the DREAM Act as an alternative to military and educational paths to citizenship.

Additional Information

What the DREAM Act *will* do:

- *Improve Access to College*
Qualified undocumented students will become eligible for in-state tuition in the states where they graduated high school.
- *Reduce High School Drop-Out Rates*
Given that tuition and citizenship benefits of the DREAM Act would only be available to high school graduates, the legislation provides a powerful incentive to stay in school.
- *Increase Educated Workforces*
Over 80% of the 23 million jobs that will be created in the next 10 years will require postsecondary education (ACE, 2004). Currently, only 36% of all 18-24 year olds are enrolled in postsecondary education (NCES, 2004). The DREAM Act will have a significant positive impact on the future workforce. Additionally, research shows that a more educated workforce leads to increased earnings (and subsequent increase in state and federal tax return), lower crime and poverty rates, and fewer demands on public assistance programs.
- *Increase Revenue for the States*
Nine states have passed legislation similar to the DREAM Act, and have not seen an influx in immigration, the displacement of other students in higher education, or a drain on the education system, as many critics have feared.
- *Make Federal Policy Consistent with Federal Precedent*
The Supreme Court ruled in 1982 that undocumented minors are not responsible for their immigration status and are therefore entitled to elementary and secondary education. The DREAM Act would repeal a federal law that discourages states from providing in-state tuition to these students. This contradiction represents a wasted investment for the states, who have educated these students through high school but cannot benefit from their tuition dollars or contributions to the economy or tax revenue.

What the DREAM Act *will not* do:

- The bill would not require any state to grant in-state college tuition benefits to any group of students based on residency.
- The bill would not provide a path to education and citizenship for immigrants who were 16 years of age or older when they were brought to the United States.
- The bill does would not provide a path to education and citizenship for persons who do not maintain good moral standing during the six-year conditional permanent residence period.
- The bill does would not provide for federal educational grants for the undocumented students it affects.

What YOU can do:

- Ask your representatives in Congress to support the DREAM Act, by writing letters, sending faxes or e-mails and making phone calls.
- Get family and friends involved; generate support on the local level to help counter the loud anti-immigrant voices opposed to anything that helps those from other countries.
- Talk to lawmakers about including a national service option in the DREAM Act so ambitious immigrant students can serve their country and earn money for college in more than one way.