

DREAM Act: Basic Information

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- **What is the DREAM Act?** The Development, Relief, and Education for Alien Minors Act (DREAM Act – S. 1545 in the 108th Congress) is bipartisan legislation introduced by Sen. Orrin Hatch (R-UT) that addresses the situation faced by young people who were brought to the U.S. years ago as undocumented immigrant children but who have since grown up here, stayed in school, and kept out of trouble. In the House, the same issue is addressed by the bipartisan Student Adjustment Act (Cannon, R-UT – H.R. 1684 in the 108th Congress).
- **What are the requirements?** To qualify for immigration relief under the DREAM Act, a student must have been brought to the U.S. more than 5 years ago when s/he was 15 years old or younger and must be able to demonstrate good moral character. Under the DREAM Act, once such a student graduates from high school, he or she would be permitted to apply for conditional status, which would authorize up to 6 years of legal residence. During the 6-year period, the student would be required to graduate from a 2-year college, complete at least 2 years towards a 4-year degree, or serve in the U.S. military for at least two years. Permanent residence would be granted at the end of the 6-year period if these requirements have been met and if the student has continued to maintain good moral character. The DREAM Act also eliminates a federal provision that discourages states from providing in-state tuition to their undocumented immigrant student residents, thus restoring full authority to the states to determine state college and university fees.
- **Why is the DREAM Act needed?** Each year about 65,000 U.S.-raised students who would qualify for the DREAM Act graduate from high school. These include honor roll students, star athletes, talented artists, homecoming queens, and aspiring teachers, doctors, and U.S. soldiers. They are young people who have lived in the U.S. for most of their lives and desire only to call this country their home. Even though they were brought to the U.S. years ago as children, they face unique barriers to higher education, are unable to work legally in the U.S., and must live in constant fear of detection by immigration authorities.

Our immigration law currently has no mechanism to consider the special equities and circumstances of such students. The DREAM Act would eliminate this flaw. It is un-American to indefinitely and irremediably punish them for decisions made by adults many years ago. By enacting the DREAM Act, Congress would legally recognize what is de facto true: these young people belong here.

These students cannot wait until Congress solves all of the problems of our broken immigration system. If Congress fails to act this year, another entire class of outstanding, law-abiding high school students will graduate without being able to plan for the future, and some will be removed from their homes to countries they barely know. This tragedy will cause America to lose a vital asset — an educated class of promising immigrant students who have demonstrated a commitment to hard work and a strong desire to be contributing members of our society.
- **Status of the DREAM Act.** In the 108th Congress — which ended in December of 2004 — the DREAM Act attracted 48 cosponsors of both parties, including Sen. Hatch, and it passed the Senate Judiciary Committee by a 16-3 vote. It was the only major immigration reform proposal reported to the Senate floor in the 108th Congress. The Student Adjustment Act was cosponsored by 152 Republicans and Democrats, more than 1/3 of the House of Representatives. These bills would very likely have passed if brought up for a vote, but the congressional leadership was reluctant to do so in an election year. Both the DREAM Act and the Student Adjustment Act will be reintroduced in the Spring of 2005, and support will likely be at least as high. Forty-five of the Senate cosponsors have returned to the 109th Congress, and at least two of the newcomers have already indicated that they favor passage of the DREAM Act.



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