

THE DREAM ACT: SECURING AMERICA'S FUTURE IN EDUCATION

WHAT IS THE DREAM ACT?

The Development, Relief, and Education for Alien Minors Act (S. 729), introduced by Senators Dick Durbin (D-IL) and Richard Lugar (R-IN), is bipartisan legislation that provides certain immigrant students who grew up in the U.S. with increased access to higher education and an earned pathway to obtaining legal status. The companion bill in the House of Representatives is the American Dream Act (H.R. 1751) and was introduced by Representatives Howard Berman (D-CA), Lincoln Diaz-Balart (R-FL), and Lucille Roybal-Allard (D-CA). The bill was re-introduced in March 2009.

WHY IS THE DREAM ACT NECESSARY?

The DREAM Act would address the plight of 1.8 million undocumented children living in the U.S., many of whom were brought here at a young age, were educated in American schools, and consider the U.S. their only home.¹ While the 1982 *Plyer v. Doe* Supreme Court ruling guaranteed undocumented children with access to a K-12 education, these children are left with limited opportunities upon their high school graduation and must live in constant fear of deportation to a country they no longer remember. If passed, the DREAM Act has the potential to provide 360,000 undocumented high school graduates with improved access to higher education and a legal means to join the U.S. workforce. Furthermore, the DREAM Act could provide over 700,000 children between the ages of 5-17 with the hope of a promising future through education.²

WHAT DOES THE DREAM ACT DO?

The DREAM Act would allow immigrant youth who came to the U.S. before the age of 15 and who demonstrate good moral character to qualify for conditional permanent resident status upon acceptance to college, graduation from high school, or receipt of a U.S. GED. Specifically, the bill includes provisions that would:

- Enable students who receive conditional permanent resident status to work legally, drive, continue their education, and be safeguarded from deportation;

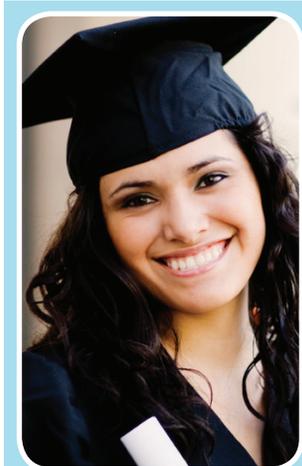
- Ensure that qualified students would be eligible for federal work study, student loans, and other forms of state financial aid, although they would not be able to receive Pell Grants or certain forms of federal financial aid;
- Allow students who complete the six-year time period of their conditional status and maintain good moral character to qualify for unrestricted lawful permanent resident status if they graduate from a two-year college or vocational school, successfully complete two years of study towards a B.A. or other higher education degree, or serve in the U.S. armed forces for a minimum of two years; and
- Repeal section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) by allowing states to have the freedom to determine criteria for in-state tuition regardless of immigration status. While a repeal of section 505 would not mandate states to provide in-state tuition rates to undocumented students, it would remove the penalty that currently discourages states from doing so.

EDUCATION: THE KEY TO A STRONG AMERICAN FUTURE

The future prosperity of the United States depends on our ability to cultivate a highly educated workforce capable of competing in an increasingly global economy. With children of immigrants being the fastest growing segment of the U.S. child population, it is in our best interest as a country to implement policies that will ensure that all our children have the ability to achieve their full potential. The DREAM Act would help the United States maximize our greatest asset—our children—by providing immigrant students who have grown up here with the opportunity to achieve the American dream and give back to the country they already call home.

1 Fortuny, Karina, Capps, R., Simms, M., & Chaudry, A. *Children of Immigrants: National and State Characteristics*. Washington, DC: Urban Institute, 2009.

2 Batalova, Jeanne & Fix, M. *New Estimates of Unauthorized Youth Eligible for Legal Status Under the DREAM Act*. Washington, DC: Migration Policy Institute, 2006.



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The First Focus Campaign for Children is a 501(c)(4) nonprofit organization affiliated with First Focus, a bipartisan children's advocacy organization. The Campaign for Children advocates directly for legislative change in Congress to ensure children and families are a priority in federal policy and budget decisions.

