

# DREAM Act: Basic Information

December 2007

## ■ What is the DREAM Act?

The Development, Relief, and Education for Alien Minors Act (DREAM Act) is bipartisan legislation, S.2205 in the Senate, sponsored by Richard Durbin (D-IL), Chuck Hagel (R-NE), and Richard Lugar (R-IN) — and H.R. 1275 in the House, sponsored by Lincoln Diaz-Balart (R-FL), Howard Berman (D-CA), and Rep. Lucille Roybal-Allard (D-CA) — 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.

## ■ 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 before the legislation is signed when he or she was 15 years old or younger, and must be able to demonstrate good moral character. In the Senate version, the student must also be under 30 years old on the date the DREAM Act is signed. Under the DREAM Act, once such a student graduates from high school, he/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 2 years. Permanent residence would be granted at the end of the 6-year period if the student has met these requirements and has continued to maintain good moral character. The House version – but not the Senate version – of the DREAM Act would also eliminate 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's benefits graduate from high school. These include honor roll students, star athletes, talented artists, homecoming queens, and aspiring teachers, doctors, and U.S. soldiers. These young people have lived in the U.S. for most of their lives and desire only to call this country their home. Even though 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 are forced to 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.

Congress and the president are now engaged in a contentious and complex struggle to bring our immigration laws up to date. It is not clear what the outcome of these battles will be or how long they will last. What is clear is that the young people at issue should not be asked to wait until the conclusion of the immigration wars. Rather, they should be taken off of the field of battle.

DREAM Act students should be allowed to get on with their lives. 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 society.

## ■ Status of the DREAM Act

Support for the DREAM Act has grown since it was first introduced in 2001. In past years it has garnered 48 Senate cosponsors and more than 152 bipartisan House cosponsors. It has twice passed the Senate Judiciary Committee in bipartisan fashion, by a 16-3 vote in the 2003–2004 108th Congress, and again in 2006 by a voice vote without dissent as an amendment to the comprehensive immigration reform bill. In 2006, the DREAM Act passed the full Senate as part of the Comprehensive Immigration Reform Act of 2006 (S. 2611).

In 2007, the DREAM Act was again included in the comprehensive immigration bill that was considered in the Senate. After that comprehensive effort failed, the Senate Leadership called S. 2205 up as a stand-alone bill and the DREAM Act received its first ever vote of the full Senate. Although [a bipartisan 52-44 majority](#) voted to permit debate on the DREAM Act, 60 votes were needed to break the filibuster. The 4 Senators that were absent in that vote had all cosponsored the DREAM Act earlier in the year, so that a shift of only a few votes in 2008 would change the outcome of that vote. The DREAM Act continues to enjoy the strong support of the House and Senate Leadership and all of the relevant committee chairs, and will again be part of the mix of legislation that is considered in 2008.

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