Dream Act Is Backdoor Amnesty

by Phyllis Schlafly October 17, 2007

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The American people rose up out of their usual apathy this year and soundly defeated the Bush-Kennedy-McCain-Kyl bill to give amnesty to illegal aliens. Now, some Senators are trying to get Congress to pass a backdoor amnesty by calling it the DREAM Act, and it's really a nightmare for Americans.

The cutesy title DREAM, which is meant to be a double entendre, is an acronym for Development, Relief, and Education for Alien Minors (S.774).

The DREAM Act would allow any illegal alien of any age who entered the United States before age 16, and has a high school diploma or equivalent, to enroll in any of the state's universities and pay only the in-state tuition rate. Being illegal is the prerequisite to getting this preferential treatment, which is denied to legal aliens with valid student visas.

In-state tuition can amount to a taxpayer subsidy of up to $20,000 a year, depending on what the university charges students from the other 49 states. The illegal alien also becomes eligible for taxpayer-paid federal student loans and federal work-study programs, for which lawful foreign students are not eligible.

But that's not all. The illegal aliens would be rewarded with conditional lawful permanent resident (green card) status, which can be converted to a non-conditional green card. The alien can use his new legal status to seek green cards for the parents who illegally brought him into our country.

The alien has six years to convert his green card from conditional to non-conditional. He just needs to complete two years of study at a college or serve two years in the military, and if he has already had two years of college, he can convert his green card to non-conditional immediately.

The illegal alien who applies for this DREAM Act amnesty can count his years under conditional green card status toward the five years needed for citizenship. That's a fast track to citizenship that is not available to aliens who are lawfully present in our country.

Section 4(f) provides that, once an alien files an application, the government cannot deport him. A federal officer who shares with another federal agency any information on the alien's application (such as admission of illegal entry) can be fined $10,000.

In-state college tuition is so unpopular with the American people that the only way a Congressman could support this bill is by hoping it passes before the public discovers how bad it is. Arizona's Proposition 300, which specifically bars Arizona universities from giving in-state tuition rates to illegal aliens, passed last year with a majority of 71.4 percent.

Support for in-state tuition rates for illegals was the number-one issue that caused the upset defeat of U.S. Representative Tom Osborne (the immensely popular former University of Nebraska football coach) in his campaign for governor of Nebraska in 2006. He fumbled and endorsed in-state tuition for illegal aliens while his opponent, Governor Dave Heineman, vetoed it and ran campaign ads against it.

The DREAM Act would give amnesty not only to illegal aliens, but also give amnesty to ten states that have been flagrantly violating federal law. The 1996 Illegal Immigration Reform and Immigrant Responsibility Act expressly forbids a state to give in-state tuition rates to illegal aliens unless that subsidy is also granted to all U.S. citizens nationwide.

The DREAM Act would retroactively repeal that law, thereby saving the ten states from punishment and equal-protection lawsuits filed by out-of-state Americans and law-abiding foreign students. The ten states that have been engaging in a 21st century use of the 19th century theory called nullification (defying a federal law the state doesn't like) are California, Illinois, Kansas, Nebraska, New Mexico, New York, Oklahoma, Texas, Utah, and Washington.

We are indebted to Professor Kris Kobach of the University of Missouri-Kansas City for publicizing how the DREAM Act treats illegal aliens more favorably than law-abiding citizens and legal aliens. The bill's sponsor, Senator Dick Durbin (D-IL) has not been successful in attaching it to a defense authorization bill, but Majority Leader Harry Reid (D-NV) says he will bring it up in November. Tell your U.S. Senators the DREAM Act must be defeated.