Time to bring an end to the DREAM Act

by Phyllis_Schlafly

The American people rose up out of their usual apathy and soundly defeated the Comprehensive Immigration Reform Act of 2007 that would have given amnesty to illegal immigrants. 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.

The DREAM Act would allow any illegal immigrant of any age who entered the United States before age 16 and has a high school diploma or equivalent to enroll in any state university and pay only the in-state tuition rate. Being an illegal immigrant 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 immigrant also becomes eligible for taxpayer-paid federal student loans and federal work-study programs, for which lawful foreign students are ineligible.

There is no upper age limit; any illegal immigrant is eligible for this preference by declaring he entered the U.S. illegally before his 16th birthday. The illegal immigrant doesn't have to prove when he entered the U.S.; he can simply make a sworn statement.

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

The student 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 immigrant who applies for the DREAM Act can count his years under conditional green card status toward the five years needed to attain citizenship. That's a fast track to citizenship that is not available to aliens who are lawfully present in the United States.

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

Giving in-state college tuition to illegal immigrants is so unpopular with many Americans 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 immigrants, passed in 2006 with a majority of 71.4 percent.

Support for in-state tuition rates for illegal immigrants was the No. 1 issue that caused the upset defeat of former U.S. Rep. Tom Osborne, R-Neb. (the former University of Nebraska football coach) in his campaign for governor of Nebraska in 2006. He fumbled and endorsed in-state tuition for illegal immigrants while his opponent, Republican Gov. Dave Heineman, vetoed it and ran campaign ads against it.

The DREAM Act would give amnesty not only to illegal immigrants, but also give amnesty to 10 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 immigrants unless that subsidy is also granted to all U.S. citizens nationwide.

The DREAM Act would retroactively repeal that law, thereby saving the 10 states from punishment and equal-protection lawsuits filed by out-of-state U.S. citizens and law-abiding foreign students. The 10 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 W. Kobach of the University of Missouri-Kansas City for publicizing how the DREAM Act treats illegal immigrants more favorably than U.S. citizens and legal aliens. The bill's sponsor, Sen. Dick Durbin, D-Ill., has not been successful in attaching it to a defense authorization bill, but Senate Majority Leader Harry Reid, D-Nev., says he will bring it up in November.

Tell your U.S. senators the DREAM Act must be defeated.

Phyllis Schlafly is a lawyer, conservative political analyst and the author of the newly revised and expanded "Supremacists." She can be contacted by e-mail at phyllis@eagleforum.org.

Â© Copley News Service