

Statement of

The Honorable Orrin Hatch.

United States Senator
Utah
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Statement of Chairman Orrin G. Hatch

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On S. 1545, The DREAM Act

Each year, about fifty thousand young undocumented immigrants graduate from high school in the United States. Most of them came to this country with their parents as small children and have been raised here just like their U.S. citizen classmates. Many of them view themselves as Americans, and are loyal to our country. They did not make the initial decision to enter the United States illegally, and some may not even realize that they are here in violation of our immigration laws. They grow up to become honest and hardworking adolescents and young adults, and strive for academic as well as professional excellence.

Many of these youngsters find themselves caught in a catch-22 situation. As illegal immigrants, they cannot work legally. They are also effectively barred from developing academically beyond high school because of the high cost of pursuing higher education. We have a choice to either keep these talented young people underground, or give them a chance to contribute to the United States. I believe that our laws should not discourage those with bright young minds from seeking higher education. The Development, Relief and Education for Alien Minors Act, or DREAM Act will be a vehicle to obtain higher education, or otherwise realize their full potential.

To qualify for initial conditional status, which is good for six years, an applicant under the DREAM Act must have been in the United States for at least 5 years prior to enactment, and had to be younger than 16 years old at the time of enactment. In addition, only those who have stayed away from crime and who, with few exceptions, are admissible under our immigration laws, may apply.

During this 6-year period, the applicant must accomplish one of several objectives. The applicant may obtain an associate's or trade school degree, complete two years in a bachelor's program or higher, serve honorably in the military, or perform volunteer community service. Moreover, throughout the entire 6-year period, the applicant must maintain a clean record and stay off public assistance.

Additionally, the DREAM Act removes the statutory restrictions for states to decide to whom they grant in-state tuition benefits, including those who are without lawful immigration status. The DREAM Act does not compel the states to grant in-state tuition benefits to illegal immigrants, but it returns the prerogative to the states.

Much of the criticism against the DREAM Act is due to a misunderstanding of the legislation. The DREAM Act benefits more than just the illegal immigrant community. Instead, it benefits American society in general. First, as a nation, we cannot select a better group of immigrants to become part of our society. By definition, DREAM Act beneficiaries are those who have clean records, likely to be loyal to the United States, and well educated. Second, some proponents of strict immigration enforcement argue that the DREAM Act will encourage illegal entry into the United States. However, the DREAM Act was carefully drafted to avoid this precise problem. Because the bill limits eligibility to those who entered the United States five years or more prior to the bill's enactment. It applies to a limited number of people who have already resided in the United States for at least five years and who have demonstrated favorable equities in and significant ties to the United States. Anyone who entered the United States less than five years prior to the enactment of this bill or who plans to illegally enter the United States in the future will NOT be covered by the DREAM Act.

In addition to helping ambitious young men and women who have prepared themselves to attend college or otherwise make contributions to the United States, it also offers hope to youngsters who must decide whether they will stay in school or drop out. With the hope of realizing their dream, these young people are more likely to remain in school. According to a RAND study, an average immigrant who completes college will earn \$13,500 more annually than her counterpart who drops out of high school. As such, the DREAM Act will not only directly improve the quality of life of its beneficiaries, but will also benefit the overall American economy by significantly increasing spending and investment from these immigrants.

Immigration enforcement is a serious matter. The consequence of illegal entry or overstaying a visa should be deportation. Illegal immigrants who elude authorities should not be rewarded with a blanket amnesty. However, America must shape its immigration policy based upon our overall

national interest and common sense. With the DREAM Act, we can extend a welcoming hand, guided by specific and rigorous standards, to those whose presence will benefit our country.

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