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The DREAM Act: A Retrospective on Immigration Policies Across Time and Nations

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Immigration and its impact on host nations is a highly contentious and debated topic. As such, amnesty acts are often viewed with skepticism, particularly their effect on immigration flow. In 2001, the U.S. Congress introduced the Development, Relief, and Education for Alien Minors Act for the first time. Commonly referred to as the DREAM Act, this piece of legislation was designed to provide a path to citizenship for illegal immigrants who entered the country before their 16th birthday and are currently 35 years old or younger. For DREAM-ers to be eligible for permanent residency, they would have to complete either two years of either post-secondary education or military service during a six-year conditional status period (National Immigration Law Center, 2011).

By 2017, the Act has been taken off the table, but the question of what its impact on immigration into the U.S. would have been still remains. The best way to forecast the impact of amnesties like the DREAM Act is to see how legislation from different time periods and different nations has affected immigration and the people of those nations. As such, this article will chronicle the correlation between immigration policies and immigration flow while comparing the DREAM Act to other, similar pieces of legislation.

Precedents from Recent American History

Recent immigration trends can be understood as a result of previous legislation. Immigration to the U.S. has been on the upswing for numerous decades. In the 1970s, the Center of Immigration Studies reported that around 4.7 percent of the U.S. population was made up of immigrants. Fast forward to 2010, and that proportion has spiked up to 12.9 percent (Camarota, 2011).

Such robust growth of a particular demographic leads to the question of what caused such an increase. When recalling recent legislation, however, it becomes clear that this growth occurred side-by-side with the U.S. making immigration easier. In 1986, for example, Congress passed the Simpson-Mazzoli Act that granted amnesty, or official pardon to an offense, to undocumented immigrants and naturalized those that entered the nation before 1982. Employers were banned from intentionally hiring illegal immigrants, though they largely ignored this provision as they could hire those individuals at lesser costs. Like the DREAM Act, the 1986 Amnesty act required that applicants demonstrated wholesome character during a conditional status period. Though the 1986 act did not expect post-secondary education, it did require that immigrants pursue education in the form of learning English. This act led to 2.7 million immigrants gaining permanent residence, though over 2 million were completely unaffected. (Hrenchir, 2015).

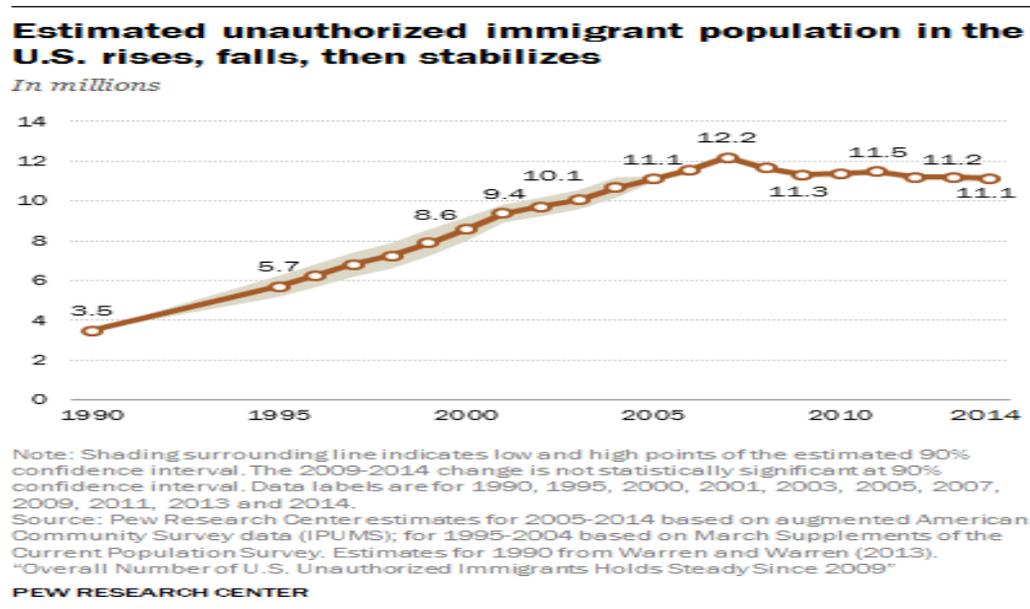
Though not identical, the 1986 Amnesty Act and the DREAM Act were both written to expand residency to undocumented immigrants, and neither explicitly tried to encourage more immigration. Nonetheless, between 1980 and 1990, there was an increase of 5.7 million immigrants living in the U.S. after the amnesty (Camarota, 2011). The interest group NumbersUSA calculates that, on its own, the Simpson-Mazzoli Act accounted for 2,684,892 more immigrants in the next decade; in addition, Pew Research estimates that by 1990 there was another 3.5 million illegal immigrants residing in the U.S.

The Simpson-Mazzoli Act is not the only instance of a U.S. leniency on illegal immigration resulting in more immigrants. The 1990s saw three more acts of amnesty passed through Congress: the Section 245(i) Amnesty of 1994, the Nicaraguan Adjustment and Central American Relief Act (NACARA) of 1997, and the Haitian Refugee Immigration Fairness Act of

1998 (Hrenchir, 2015). Section 245(i) granted amnesty to illegal migrants who agreed to pay a \$1,000 fine (Immigration and Naturalization Services, 2001). NACARA and the Haitian Act expanded grace for undocumented immigrants who were refugees. These three amnesties demonstrate how the U.S. became more generous in terms of naturalization during the 1990s, and the resulting 10-year impact of immigration on the population was nearly 2 million more immigrants (NumbersUSA, 2009). This context reflects how recent amnesty policies led to millions of immigrants entering the nation. Thus, it is reasonable to infer that legislation like DREAM Act would have similar effects in increased immigration, in addition to naturalizing a significant proportion of the U.S.'s current 11 million illegal immigrants (Zong & Batalova, 2016). To provide a rough estimate of how large of a proportion, around 80% of illegal immigrants are no older than 44 years (Henderson, 2014).

Data and Correlational Analysis

Pew Research's chart of the gross number of unauthorized immigrants helps visualize the effects that different legislation has on immigration trends.

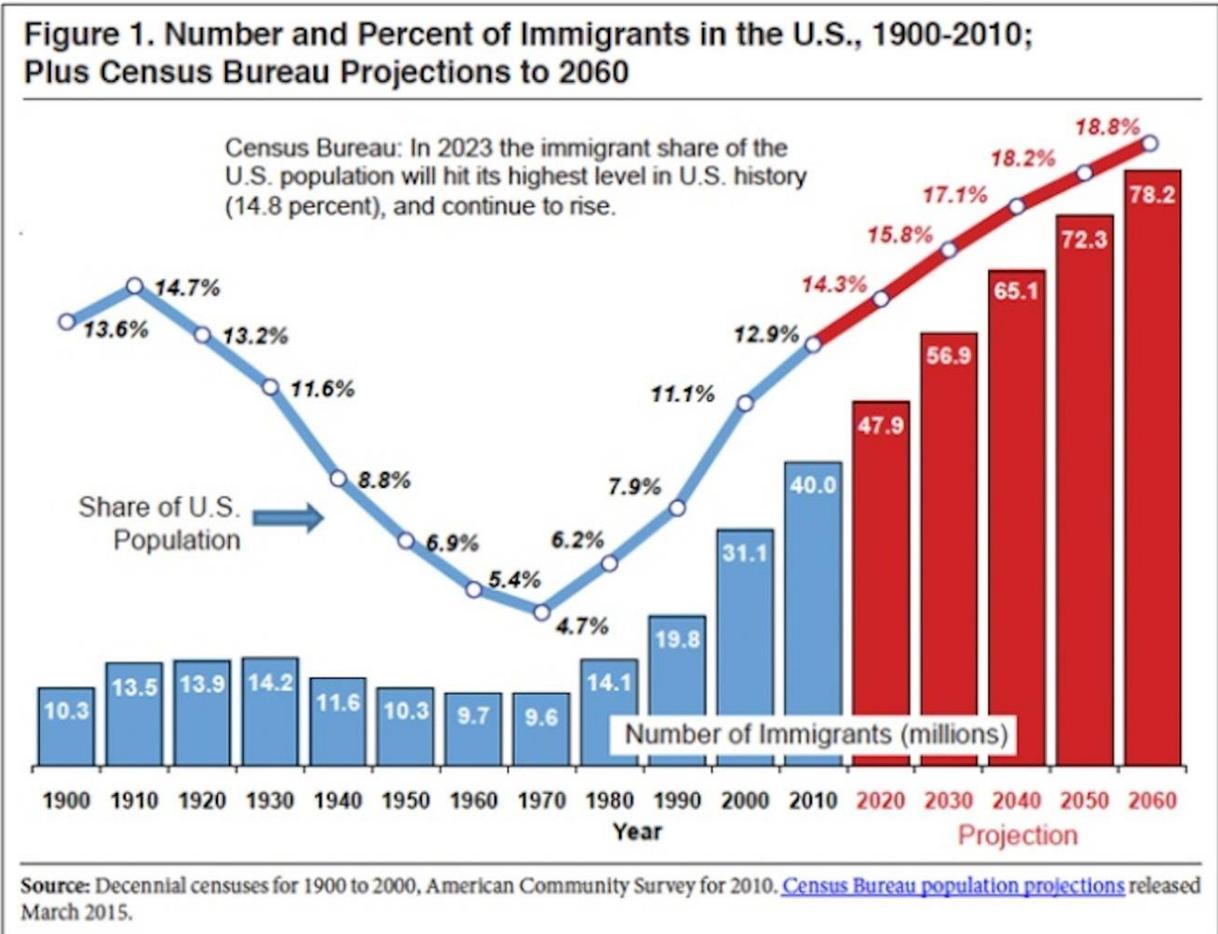


When analyzing this data by five-year intervals, net growth is seen from 1990 to 2000, the time period that Congress was granting amnesties. However, from 2000 to 2005, after the major immigration amnesties, the first drop in growth is noticed (Krogstad, Passel, & Cohn, 2016). Due to events like 9/11 and the Border Security Legislation Amendment Act of 2002 causing the U.S. to spend more funding on immigration control, the rate of growth steadily decreases until around 2008 (Greenberg Traubrig LLP, 2002). A plateau is reached after 2008, a result that can be reasonably attributed to a lack of Congressional amnesties and effective implementation of the Border Security Amendment.

A popular refutation to the impact of amnesties is that economic circumstances, not policy, divert illegal immigrants. However, a study conducted by the Migration Policy Institute concluded that illegal migrants tend to be less wary of short-term fluctuation in the economy but are more concerned with immigration policies, as those are interpreted to be longer-standing and more impactful to their lives. If these immigrants manage to enter the U.S., leaving would be very difficult as border control has become much stricter. This results in unauthorized adult migrants being tempted into the nation by promises of amnesty. However, despite having a chance at permanent residence, the children would still be born into a lower-class family that may have to move around the country to find work, thus forcing the children to move into different school districts and struggle to succeed in academics, or to even prioritize their education in the first place. Legal immigrants, who enter the workforce with marketable skillsets, are able to circumnavigate these pitfalls by having stable jobs and being able to set themselves and their families up for comfortable lives (Papademetriou & Terrazas, 2009).

The connection between large-scale amnesties and illegal immigration is made clear once more, and when considering that the U.S. Census Bureau is anticipating a mainly legal influx of

51 million immigrants in eight years, it would be prudent for the nation to follow policies that control the rates of illegal immigration so that the large amount of legal ones can be accommodated (Bedard, 2015).



Apart from the impact that former legislation has had on America’s population, it is also important to realize that similar trends abroad have caused considerable strain on other nations.

Precedent from Recent European History

The U.S. is not alone in encouraging increased immigration, since numerous European nations have also been welcoming large numbers of refugees. Countries like Greece tend to be where migrants begin their trek into Europe due to proximity. However, the EU-mandated Dublin Regulation forces refugees to remain in whatever European nation that they first enter. This has resulted in Greece harboring 51% of all new refugees in Europe (Park, 2016). Due to the state being unable to sustain such an increase in population, nations like Greece and Italy began seeing overcrowding in their social programs, economies, employment opportunities, and public safety. These developments have led Greece to ignore the Dublin Regulation and allow migrants to relocate, causing strain and confusion on contiguous European nations (Kasimis, 2014).

Germany has also become more lenient in allowing migrants inside its borders. With around 476,000 legal migrants moving into Germany in 2015, the directional effects of Germany's immigration openness are similar to those that the U.S. saw after extending amnesty (BBC News, 2016). In Germany, ratcheting up the population has led to trends of segregation in many social institutions. German schools, in particular, have become heavily segregated based on immigrant and native lines. The proportion of immigrant students is smaller at the more advanced levels of education (Sussmath, 2009).

Lastly, Spain's take on amnesty is worth noting. One of the more effective amnesties, it managed to decrease Spain's gross total of illegal immigrants from 1.3 million to 200,000 people in four years. It functions on the principle of being a work permit and that the amnesty is not enough in itself to secure permanent residence. Despite resulting in population growth, Spain's

policy currently appears to be a good example of how to handle increases in immigration flow (Nowicki, 2012).

Conclusions and Discussion

This research seems to raise a fairly substantial link between amnesty legislation and an increase in immigration. This finding can function as a baseline for future exploration into what such increases would entail. Since this article focused on the Occident, future research about whether any inconsistencies emerge when observing amnesty acts and immigration in the Orient or across the two geographical designations.

Common concerns pertaining to immigration include willingness to assimilate culturally and how illegal immigration affects the host nation's economy. The questions on cultural assimilation can provide interesting hypotheses for archival analyses in social psychology and multi-cultural psychology, especially along the lines of overall impact to national identity. Sociology may be intrigued on research observing the effects on immigration increases and emergence of new norms.

Economic impacts of immigration are already very popular research topics. However, studies concerning particular terms of amnesty acts as an independent variable and economic development as the dependent variable would elucidate what kinds of legislation are most beneficial to not only immigrants and refugees, but the host nation and its inhabitants, as well.

Divisive as it may be, immigration is not an issue that will ever disappear. Regardless of whether strong responses to this topic are born from economic concerns, national security, xenophobia, or simply ignorance, it must be recognized that population growth has large power

in transformative potential. As such, this important phenomenon must be openly engaged by research and widely debated in order to expand understanding that will result in more informed policies.

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