

EDUCATING ABOUT IMMIGRATION

The DREAM Act

A Legislative Hearing

Overview

In this lesson, students consider proposed legislation that would provide a path to citizenship for young people who arrived as undocumented children. First, students read about and discuss the legislation. Then in small groups, students role play state legislators, supporters, and opponents of the proposed legislation.

Standards Addressed

California History-Social Science Grade Nine Elective: Our State in the 20th and 21st Centuries: Students learn that individual citizens can influence public policy through participation and can make a difference in the economic, political, and social development of their state; are provided with opportunities to apply and refine critical-thinking skills associated with problem solving and civic participation.

California History-Social Science Grade Nine Elective: Law-Related Education: Students gain a practical understanding of U.S. law and its legal system; become aware of the current issues and controversies relating to the law and legal system and encouraged to participate as citizens in the legal system; are given the opportunity to consider their attitudes toward the roles that lawyers, law enforcement officers, and others in the legal system play in our society.

California History-Social Science 11.11: Students analyze the major social problems and domestic policy issues in contemporary American society. (1) Discuss the reasons for the nation's changing immigration policy... (7) Explain how the federal, state, and local governments have responded to demographic and social changes such as...international migration...

California History-Social Science 12.10: Students formulate questions about and defend their analyses of tensions within our constitutional democracy and the importance of maintaining a balance between the following concepts: majority rule and individual rights; liberty and equality...

Objectives

Students will be able to:

- Examine arguments supporting and opposing proposed legislation.
- Analyze the power of policy and law to address social issues.
- Defend a specific interest or viewpoint.

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Materials

- **Handout A: DREAM Act** – 1 per student
- **Handout B: Group Roles** – 1 per group

Focus Discussion

Explain that proposed legislation would allow young people who arrived as undocumented children to apply for legal residency and eventual citizenship. This legislation is known as the Development, Relief, and Education for Alien Minors Act (DREAM Act). Ask students:

- Do you think that young people who were brought to this country illegally by their parents should have the opportunity to become legal citizens? Why or why not? (Hold a brief discussion.)

If there is an attorney or attorneys visiting the class as experts, explain that they will provide information about legal questions related to today's topic on immigration.

Reading and Discussion

Distribute **Handout A: DREAM Act** to each student and ask students to read DREAM Act.

When students have finished the reading, conduct a brief discussion by asking them:

- What is the need or problem that the DREAM Act is trying to solve?
- What are the main arguments supporting the DREAM Act?
- What are the main arguments opposing the DREAM Act?

Small-Group Activity

Explain to students that the DREAM Act legislation remains stalled in the Senate. Tell them they are going to pretend to be advocates trying to influence their senator's vote at a legislative hearing regarding the DREAM Act. Afterward, senators will convene a committee session to vote on the proposed legislation. Write the following prompt on the board:

Any child who was brought to this country illegally while under the age of 15 may apply for legal residency and is eligible for legal employment and admission to any public university while he or she completes the process of becoming a legal citizen.

- Ask students to form groups of three (triads). Assign each student in each triad the role of a Senator, an Advocate for the DREAM Act, or an Advocate Opposed to the DREAM Act (assign an extra Senator if a group of four becomes necessary).
- Distribute **Handouts B1-3: Legislative Hearing** to the appropriate members of each triad.

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- Instruct all the senators and advocates for and against the DREAM Act to meet separately and prepare for their role play by following instructions on **Handouts B1-3**.
- If there are attorneys present, they should circulate among the groups to help them formulate their questions and arguments or to answer any questions.
- Regroup into triads and begin the role play.
- The legislator should let the supporter speak first and then have the opponent speak. Speakers will have three minutes to present their arguments. Senators should be prepared to ask questions of both.
- After both sides present, have the senators move to the front of the room, discuss the proposed law, and vote.
- Legislators should be encouraged to share their opinions on the bill.
- Debrief by asking students what they thought were the strongest arguments for each side.

Consulting an Expert

Attorneys should be prepared to briefly explain and answer questions regarding:

- What legal actions do undocumented minors and their parents currently face?
- Who enforces current law regarding undocumented minors and their parents?
- What legal recourse, if any, is available for these young people to avoid deportation? Their parents?
- What can citizens do to influence policy and law on this issue?

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Handout A

Legal Ease

The following words are used in this lesson. Please read them carefully and be prepared to discuss them:

Advocate A person who argues the cause of others before a court or committee.

Amnesty An act of government that excuses or declines to punish a large group of individuals for past acts.

Legislation The act or process of making laws.

Legislative Hearing A session (as of a legislative committee) in which testimony is taken from witnesses.

When children immigrate to the United States, their immigration status depends upon their parents' status. If their parents immigrated without authorization, then their children, like the parents, can be deported.

To address this circumstance, the proposed Development, Relief, and Education for Alien Minors Act (DREAM Act) in Congress would allow young people who arrived as undocumented children to apply for legal residency. To qualify, applicants would have to meet the following requirements:

- Have a GED or degree from a U.S. high school
- Be between the ages of 12 and 35 when the bill is passed.
- Have arrived in the U.S. before age 16.
- Have demonstrated good moral character.
- Have lived continuously in the United States for at least five years prior to the enactment of the law.

If they meet these requirements, the DREAM Act would grant the applicants a six-year temporary residency. During this six-year period, applicants would have to either complete at least two years of

college or serve in the military. After successfully fulfilling their obligations during the six-year period, they could apply for permanent residency.

Congress has considered the bill several times since the first version in 2003, but it has never passed. A majority in the Senate voted against the law in October 2007. Most recently, it was included as part of the National Defense Authorization Act of 2010. A Senate filibuster prevented a vote on the bill. It has also never been brought to a vote in the House.

Pros and Cons

Supporters of the act argue that each year around 65,000 undocumented students graduate from high school. Their parents or other adults brought them to this country. The students have spent most of their lives in the United States. Their lives are virtually the same as those of young people who are native citizens. According to the National Immigration Law Center, undocumented immigrant students include “honor roll students, star athletes, talented artists, homecoming queens, and aspiring teachers, doctors, and U.S. soldiers.” Therefore, it is a flaw that U.S. immigration law would punish these immigrant children for the actions of their parents.

Opponents argue that it is a form of “backdoor amnesty” for undocumented immigrants who bring their children with them. Because a naturalized U.S. citizen can sponsor his or her parents for a green card (permanent residency), critics say that the DREAM Act just adds a new path for immigrants to use their children to make their status legal. According to Kris W. Kobach of the Heritage Foundation, the DREAM Act is really a “massive amnesty.” Another criticism is that the DREAM Act allows undocumented immigrant minors to receive in-state tuition rates at public universities, putting U.S. citizens from other states at an unfair disadvantage.

Learn more @ www.crfimmigrationed.org

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Handout B1

A Legislative Hearing
Senators

Issue

Any child who was brought to this country illegally while under the age of 16 should be allowed to apply for legal residency and become eligible for legal employment and admission to any public university while he or she completes the process of becoming a legal citizen.

Instructions

You represent the state of California and your job is to listen to the arguments made by those in favor and those opposed to passage of the DREAM Act legislation.

- You neither support nor oppose the Dream Act.
- Use the facts in The DREAM Act reading to write two questions to ask those who support the Act and those who oppose the Act.

For example:

1. Doesn't the DREAM Act reward people who've broken our laws? Why or why not?
 2. Is it fair to punish children for their parent's actions? Why or why not?
- When the hearing starts, give the advocates three minutes each to make their arguments and then ask at least two questions of each advocate.

Your informed votes will decide whether or not the DREAM Act becomes law.

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Handout B2

A Legislative Hearing Advocates for the DREAM Act

Issue

Any child who was brought to this country illegally while under the age of 16 should be allowed to apply for legal residency and become eligible for legal employment and admission to any public university while he or she completes the process of becoming a legal citizen.

Instructions

- You **support** the Dream Act.
- You must **persuade** your senator to vote **in favor** of the DREAM Act.
- Use the facts in the DREAM Act reading to write a three-sentence statement of your position.
- Include the following: Young people who arrive to this country as undocumented children should be provided with a path to legal citizenship because:
 1. Cite two facts included in the reading that support your position and explain why.
 2. List one reason why a decision in your favor will benefit the rest of society.

If your argument is persuasive enough, the senator will agree with you and the DREAM Act may become law.

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Handout B3

A Legislative Hearing
Advocates Opposed to the DREAM Act

Issue

Any child who was brought to this country illegally while under the age of 16 should be allowed to apply for legal residency and become eligible for legal employment and admission to any public university while he or she completes the process of becoming a legal citizen.

Instructions

- You **oppose** the DREAM Act.
- Your job is to **persuade** your senator to **vote against** the DREAM Act.
- Use the facts in the DREAM Act reading to write a 2–4 sentence statement of your position.
- Include the following: Young people who arrive in the United States as undocumented children should not be provided with a path to legal citizenship because:
 1. Cite two facts in the reading that support your position and explain why.
 2. List one reason why a decision in your favor will benefit the rest of society.

If your argument is persuasive enough, the senator will agree with you, and the DREAM Act will not become law.