



Written by [R. Cort Kirkwood](#) on July 6, 2011

Sessions: DREAM Acters Lying About Bill

Not least of the misperceptions, thanks to leftist propaganda, is that the bill, [S. 952](#), applies almost exclusively to illegal aliens who are “children” and those of good moral character. It doesn’t. It applies to adults, including felons.

In other words, Sen. [Dick Durbin](#), the leftist Democrat from Illinois, and force behind the reincarnation of this amnesty, is lying about it.

Durbin’s Coming Disaster

Such is Durbin’s perfervid support for the bill that [he recruited](#) a pack of border jumpers to show up at its opening hearing by the Senate Judiciary Committee’s Subcommittee on Immigration, Refugees and Border Security.

There, [he suggested](#) that we must change the Constitution so that a border jumper can run for President. In illegal aliens, Durbin said, he sees the country’s future.



When I look around this room, I see America’s future. Our doctors, our teachers, our nurses, our engineers, our scientists, our soldiers, our congressman, our senators and maybe our president. I ask my colleagues to consider the plight of these young people who find themselves in a legal twilight zone through no fault of their own.

They are willing to serve the country they love. All they’re asking for is a chance. Opponents of this bill say they sympathize with Dream Act students, but they criticize the bill and offer no alternative.

Do they want these young people to leave to go back to countries where they may never have lives or don’t remember, or to continue living in the shadows and in doubt about their future? These DREAMers would happily go back to the back of any line and wait their turn for citizenship, but there is no line for them to get into.

I urge my colleagues to support the DREAM Act. It is, I think, one of the most compelling human rights issues of our time in America.

The Constitution requires the President to be a [natural-born citizen](#) of the United States. Illegal aliens need not apply for the job. But maybe Durbin has a plan not only to erase the borders but also to erase the Constitution.

Sessions Says No

A statement [from Sessions](#) belies the Durbin’s treachery rhetoric. Sessions shows that the bill does a little more than give a pass to innocent children, not least because it isn’t limited to children. “Incredibly, previous versions of the DREAM Act had no age limit at all, so illegal aliens of any age who satisfied the



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Act's requirements — not just children — could obtain lawful permanent resident (LPR) status."

But Durbin corrected that oversight.

In response to this criticism, S.952 includes a requirement that aliens be under the age of 35 on the date of enactment to be eligible for LPR status. Even with this cap, many could be much older before petitioning for status — hardly the "children" the Act's advocates talk about. The bill's 35-year-old age cap on "children" applies only to the date of enactment, and the registration window will remain open indefinitely regardless of future age.

Of course, taxpayers will fund the DREAM Act applications of \$700 a piece, as well as the [\\$5 billion increase](#) in projected 10-year deficits starting in 2021.

But worse than the cost of Durbin's bill is that "provides safe harbor for any alien, including criminals, from being removed or deported if they simply submit an application."

[Sessions quotes](#) the bill:

The bill forbids the Secretary of Homeland Security from removing "any alien who has a pending application for conditional nonimmigrant status" — regardless of age or criminal record — providing a safe harbor for millions. Though the bill requires a modest "prima facie" showing of eligibility, this is the lowest standard of legal proof and could likely be satisfied by the alien's signature.

And "certain inadmissible aliens and all deportable aliens," he says, "including those from high-risk regions, will be eligible for amnesty."

Certain categories of criminal aliens who are inadmissible to the United States will be eligible for DREAM Act amnesty, including alien gang members. The DREAM Act allows the following illegal aliens to be eligible for amnesty: alien absconders (aliens who failed to attend their removal proceedings), aliens who have engaged in document fraud, aliens who have falsely claimed U.S. citizenship, and aliens who have been unlawfully present in the United States, even after being previously removed.

[Sessions says](#) the fraud exemption "is particularly troubling because it creates a potential loophole for unknown terrorists who have defrauded immigration authorities — as was the case with the 9/11 hijackers."

Aside from permitting criminal aliens to game the system with fraud and mere applications, the bill even exempts other criminals from deportation at all and considers them eligible for the amnesty.

Certain categories of criminal aliens can qualify for status under the DREAM Act. The bill includes a 1 felony/3-misdemeanor rule, similar to the 1986 amnesty rule. As a result, criminal aliens who have less than 3 misdemeanor convictions will remain eligible for legal, permanent status through the DREAM Act. Some misdemeanors can be extremely serious, such as driving under the influence, certain drug offenses, gang activity, some charges of sexual abuse of a minor, assault and battery, and even prostitution.

[Sessions believes](#) Durbin and his allies can't predict how many illegals will apply, and that many more than the 2.1 million aliens that the DREAMing Senators estimate will be eligible because of "widespread fraud and our inability to accurately estimate the illegal alien population." The generally accepted figure is about 12 million to 13 million.



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Durbin's bill does not, [Sessions says](#), require DREAMers to "finish any type of degree" or to join the military. As well, he notes, the government already expedites the naturalization process for illegals who join the military, the DREAM Act is unnecessary to reward illegals who serve our country.

The bill also slaps legal immigrants and naturalized Americans right in the face. That is because DREAMers "will be given all the rights that legal immigrants receive." That includes the right to bring over a wagonload of relatives from parents and siblings to extended family.

Last, [Sessions says](#), the illegals who fulfill their DREAM will immediately get a place in a line with the rest of the gluttonous crowd at the federal trough. They will be eligible for student loans and other financial aid.

Bill Isn't Necessary

But Durbin's bill isn't necessary anyway, at least as far as permitting illegals to stay.

Last week, [ICE](#) chieftain John Morton published a memorandum that excuses his underlings from deporting aliens. [Morton drafted](#) a list of criteria even longer than that envisioned by leftist Durbin. Among the reasons an ICE officer can refuse to deport an alien are his age, whether he has relatives who are citizens, whether he is the "primary caretaker of a person with a mental or physical disability, minor, or seriously ill relative," whether she is pregnant or nursing and whether he or his spouse "suffers from severe mental or physical illness."

Morton's list is so long it will be virtually impossible to deport an illegal alien unless he is a mass murderer.

But Morton merely put in writing what he and Homeland Security Secretary Janet Napolitano [had done](#) in practice. "If you take a look at the record, people that fit within the confines of the Dream Act, there are in fact very, very few deportations of those kinds of individuals," [Morton said](#) in April. His boss said that illegals who meet criteria in the DREAM Act "are not a priority" for deportation.

Related stories:

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