

Congress, stop ducking – free the ‘dreamers’

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In the expansive realm of congressional dysfunction, there are few recent examples that surpass the failure to shield from deportation hundreds of thousands of unauthorized migrants, now in their 20s and 30s, who have grown up, studied and entered the job force after being brought to the United States as children. Here is a youthful cohort of more than 700,000 — as ambitious and promising as their native-born neighbors, classmates, co-workers and friends — whom large majorities of Americans want to protect. And still their fate remains hostage to Capitol Hill’s habitual gridlock.

As the Supreme Court hears legal arguments Tuesday on the Obama-era policy that provided a reprieve from removal and gave job permits to hundreds of thousands of young unauthorized immigrants, and on the Trump administration’s 2017 attempt to rescind that policy, it’s worth remembering some history. Specifically, that members of Congress of both parties have been trying, and failing, to codify those very protections for so-called dreamers nearly since the turn of the century.

It was August 2001 when then-Sen. Orrin Hatch, a Utah Republican, and Sen. Richard Durbin, an Illinois Democrat, introduced the Dream Act, outlining a pathway to legal permanent residency for migrants who entered the United States as minors, usually with their parents. Since then, repeated iterations of that measure have become enmeshed in the broader partisan impasse over immigration, even as lawmakers, including many Republicans, voiced ritual sympathy for dreamers.

An attempt to break the logjam last year, with a compromise pairing a long-term fix for the dreamers with funding for border security, including President Donald Trump’s wall, fizzled in the Senate when he threatened a veto. Now that the president is building portions of the wall anyway, by diverting funds appropriated by Congress for the military, what possible justification can lawmakers find to avoid doing the moral and humane thing by guaranteeing a normal life for dreamers?

Perversely, it is imaginable that Congress, and perhaps even Trump, could be jarred into acting on the dreamers’ behalf by a Supreme Court ruling that removed their protections and job security. Mass layoffs and waves of deportations, along with the financial distress those would trigger, could create the sort of crisis that focuses minds in Washington when all else fails. And the fiscal and economic impact of layoffs affecting hundreds of thousands of employees, and others still in college, would be consequential. A 2017 CATO Institute study found that deporting 750,000 young people protected by the Deferred Action for Childhood Arrivals program would sap the U.S. economy by \$280 billion over a decade, and the federal tax coffers by an additional \$60 billion.

But Congress could regain some respect by doing the right, the obviously right, thing before the court rules.