

Obama takes common-sense step for dreamers

By Charles C. Foster

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The significant announcement by President [Barack Obama](#) that [U.S. Citizenship and Immigration Services \(CIS\)](#) will grant deferred action status for a temporary two-year period to a large number of students who were brought here as children deserves applause. It is not only a win/win for our country, but it is the right thing for a great and compassionate nation to do. While the president obviously made his unprecedented decision with an eye on the November election, his action demonstrates that good politics can also make good policy.

In Houston, the president's announcement brought tears of joy and hope to these students, their families and their supporters. From honor students at [Rice University](#) to part-time attendees at [Houston Community College](#), each can breathe free from fear of arrest and deportation for the first time in their life.

But the decision affects more than simply the lives of hard-working immigrants. Our society will benefit as well. An estimated 800,000 students can now seek employment at competitive wages rather than being relegated to an underground economy that undermines wages in this country. Because many of them are honor graduates of leading universities, America's business will benefit.

While the scope of this action is unprecedented, the legal basis for such action is found in federal regulations that have existed for decades under both Republican and Democratic administrations. Current regulations give the CIS broad authority to grant "deferred action," meaning that the government can temporarily delay the deportation of a particular individual. Additionally, the CIS can approve temporary work authorization. Thus, President Obama clearly acted broadly within his legal authority.

To be eligible for "deferred action," one must have entered the United States under the age of 16 and have continuously resided here for a minimum of five years. Additionally, a candidate must be enrolled in school, have graduated from high school, have obtained a General [Education Development](#) certificate or have been honorably discharged from the U.S. armed forces. However, one cannot be eligible if convicted of a felony, a significant misdemeanor or multiple minor misdemeanors, or if he or she otherwise poses a threat to national security or public safety.

From a policy point of view, the president took this action after Congress failed to pass the 2010 DREAM Act, despite strong support for it on Capitol Hill. The [U.S. House of Representatives](#) passed the legislation that year and it was supported by a majority of the [U.S. Senate](#). But it could not muster the 60 Senate votes that were required to end the Republican filibuster. At that time, the DREAM Act had virtually unanimous support from business and labor organizations,

religious leaders, university presidents and even the [Joint Chiefs of Staff](#). Since then, sadly, there has been no real prospect for congressional action.

Polling shows that the American public strongly supports such action and understands that those who will benefit from this temporary relief from arrest and deportation were brought here as children. Many of them have spent most of their lives in this country with little or no knowledge of their native countries. It is hard to argue that these special immigrants broke the law because they were children when they were brought here and therefore had no knowledge of our laws and did not willingly break them. Further, many were brought here as legal visitors and simply never went home. Interestingly, overstaying one's visitor status does not constitute a criminal offense.

President Obama's action, however, is at best a temporary solution that hopefully spurs Congress to deal with this issue in a constructive fashion on a permanent basis, as called for mostly recently by Gov. [Mitt Romney](#). On "Face the Nation" this past Sunday, Romney said that this issue should be dealt with by Congress, although he declined three times to say whether he would revoke President Obama's action if he is elected.

With the precedent and procedures now established, Republicans and [Democrats](#) alike should embrace a permanent solution. For the good of our country, they should support a DREAM Act that would grant industrious immigrants with a legal status that allows them to work and eventually apply for lawful permanent resident status.

This should not be a dream for some, but a reality for all of us who want to build a better country.

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<http://www.chron.com/default/article/Obama-takes-common-sense-step-for-dreamers-3656688.php>