



The Daily Dish

A Wake-up Call on Immigration Reform?

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Eakinomics: A Wake-up Call on Immigration Reform?

Friday, a U.S. District Judge ruled that President Barack Obama overstepped his executive authority in creating the Deferred Action for Childhood Arrivals (DACA) and labelled DACA an “[illegally implemented program](#).” While Judge Hanen did not end DACA, he barred any new entrants into the program, issued a permanent injunction vacating the memo that created DACA in 2012, and remanded the issue to the Department of Homeland Security for reconsideration.

But this is clearly not something to be dealt with by executive action. Indeed, the *Washington Post* [reports](#) that the president issued a statement saying: “Only Congress can ensure a permanent solution by granting a path to citizenship for Dreamers that will provide the certainty and stability that these young people need and deserve” and “It is my fervent hope that through reconciliation or other means, Congress will finally provide security to all Dreamers, who have lived too long in fear.”

All of this is a stark reminder of the shockingly [small amount of progress](#) on immigration reform this year. Legalizing the Dreamers is the low-hanging fruit of immigration reform – and Congress has failed on a bipartisan basis to do so. The Dream Act is only one part of the ambitious legalization that the administration calls immigration reform. But legalization should be only one part of the reform effort. The border remains a chronic issue – there have been mass migration episodes under every president since Bush – and the core visa system is infused with a [vision for growth](#) that contributes to a quality, growing labor force.

How, then, to get it done? Certainly not via [reconciliation](#), as the president suggests. It is a bit of a parlor game to speculate as to whether the Senate Parliamentarian would permit legalization in reconciliation. But regardless of what twisted reasoning prevails, legalization is not primarily budgetary in nature. The point of legalization is legalization; it would be a plain abuse of the budget procedures to rule otherwise.

Congress does need to act. But that should mean doing the hard work to craft a bill that both parties can support.