

THE DREAM ACT (S.1615/H.R. 3440): THE RIGHT ANSWER FOR DREAMERS AND THE U.S.

On September 5, 2017, the Trump Administration rescinded the Deferred Action for Childhood Arrivals (DACA) program. Established in 2012, DACA has allowed over 800,000 undocumented immigrant youth who were brought to this country as children to be protected from deportation, become eligible for work, start small businesses, serve in the military, and contribute to their families and communities in innumerable positive ways. These DREAMers—almost all of whom are people of colorⁱ— now face the threat of deportation from the only home they’ve known, and thousands will be forced to return to countries they do not know starting in March 2018. **YWCA USA, in coalition with many partners in the immigrant youth community, calls on Congress to immediately pass a “clean” Dream Act, separate from other immigration enforcement legislation that could harm immigrant communities.**

Rescinding DACA Hurts DREAMers and the U.S.

- Rescission of DACA is a grave injustice to youth who were guaranteed safety and security within our borders.
 - DACA recipients have passed rigorous background checks and shared extensive personal information about where they live, work, and go to school.
 - Despite a promise to wall off this personal information from immigration enforcement agencies, the federal government is now poised to use that same data to deport DREAMers.
 - DACA recipients currently enrolled in school may now have to drop out of school in the middle of the year due to the program’s end.
- Deportation of DREAMers will have a significant negative impact on the U.S. economy.
 - 97 percent of DACA recipients are currently employed or enrolled in school.ⁱⁱ
 - 72 percent of the top 25 Fortune 500 companies employ DACA recipients.ⁱⁱⁱ
 - DACA beneficiaries will contribute \$460.3 billion to the U.S. gross domestic product over the next decade.^{iv}
- There is broad, bipartisan and bicameral consensus that a legislative solution must be passed to protect the immigrant youth community from deportation.
 - 76 percent of voters think that DREAMers should be allowed to stay in the United States.^v
 - Congress is currently considering multiple approaches to address the ending of the DACA program including the BRIDGE Act (S. 128/H.R. 496), the Recognizing America’s Children (RAC) Act (H.R. 1468), the American Hope Act (H.R. 3491), and the SUCCEED Act (S. 1852).

Why the Dream Act is the Best Option for DREAMers and the U.S.

- The Dream Act^{vi} ensures fairness, keeps families together, and relieves the tremendous stress and undue trauma that DREAMers now face.
 - The Dream Act—a bipartisan, bicameral, comprehensive bill to protect immigrant youth— provides a permanent fix, ending a long period of undue trauma and uncertainty in the lives of undocumented youth.
 - The Dream Act is more inclusive, setting eligibility requirements that the majority of DREAMers can meet, including “work track” and military service eligibility options.

- The DREAM Act would stop the removal proceedings of any DREAMer meeting the DREAM Act requirements and children over the age of 5 years old who are enrolled in school.
- The DREAM Act would improve college access and affordability for undocumented youth by changing the rules that prohibit their access to in-state tuition and college loans.

In contrast, other proposed legislation would impose highly restrictive eligibility requirements, eliminate critical due process protections, and prevent DREAMers from supporting their families.

- For example, the SUCCEED Act would:
 - Provide a tenuous and restrictive path to citizenship that would take over 15 years to complete
 - Prohibit DREAMers from sponsoring family members like children and spouses
 - Exclude individuals convicted of a broader range of illegal activity than other bills
 - Penalize those who use public benefits like the Earned Income Tax Credit (EITC), unemployment benefits, or health and nutrition assistance—supports that are critical for working families, young families, and low-income students
 - Impose merit-based work and education requirements that do not account for the explicit and implicit racial biases found in many hiring practices and in education systems (e.g., racial and ethnic disparities in school discipline and academic achievement). Such biases and disparities could potentially limit opportunities for DREAMers and prevent them from fulfilling the education, military service, employment, and other requirements for remaining in the U.S.
 - Undermine due process by requiring DREAMers to relinquish nearly all forms of legal protection and be subject to expedited removal should they not meet set requirements for their status. This means a student who is forced to drop out of school before meeting the bill’s education requirement due to extreme circumstances like needing to provide care for an ailing family member, would be subject to deportation. Similarly, students who accidentally overstay a visa or drop below a minimum course of study would be forced to waive their rights to legal relief from deportation.
- The BRIDGE, RAC, and American Hope Acts have varied eligibility requirements that limit DREAMers’ ability to remain in the U.S. These include requirements related to age of entry into the U.S., continuous physical presence, moral character, background checks, and the availability of a “work track” alternative to education requirements.^{vii}

We urge you to support immediate passage of a “clean” Dream Act, separate from other immigration enforcement legislation that could harm immigrant communities.

ⁱ Tom K. Wong, Greisa Martinez Rosas, Adam Luna, Henry Manning, Adrian Reyna, Patrick O’Shea, Tom Jawetz, and Philip E. Wolgin. (2017, August 28). DACA Recipients’ Economic and Educational Gains Continue to Grow. Retrieved September 29, 2017, from <https://www.americanprogress.org/issues/immigration/news/2017/08/28/437956/daca-recipients-economic-educational-gains-continue-grow/>

ⁱⁱ Ibid.

ⁱⁱⁱ Ibid.

^{iv} Ibid.

^v Shepard, S. (2017, September 05). Poll: Majority opposes deporting Dreamers. Retrieved September 29, 2017, from <http://www.politico.com/story/2017/09/05/poll-trump-deporting-daca-dreamers-242343>

^{vi} For more information, see “Dream Act of 2017” National Immigration Law Center. Retrieved October 4, 2017, from <https://www.nilc.org/wp-content/uploads/2017/07/DreamAct2017-summary-and-facts-2017-07-24.pdf>

^{vii} See “Side by Side: DACA and Related 2017 Legislation” National Immigration Law Center. Retrieved October 5, 2017, from <https://www.nilc.org/wp-content/uploads/2017/08/DACA-and-2017-legislation-compared-2017-08-10.pdf>