



# #cleanDREAMAct

## **Congress Must Pass the DREAM Act by the End of the Year**

About 1.7 million undocumented Asian immigrants live in the United States. Of the 1.2 million immigrants that were eligible for DACA, around 120,000 were Asian. On September 5<sup>th</sup>, President Trump announced the end of the Deferred Action for Childhood Arrivals (DACA) program, thereby creating a crisis for the close to 800,000 young people in the program and many others who are or would become eligible for relief.

Asian Americans Advancing Justice urges Congress to pass a clean DREAM Act by the end of the year. Every day since President Trump cancelled DACA, 122 people lose DACA and work authorization. Already, 10,000 people have lost DACA. We can't afford to wait until March when tens of thousands more young people will lose their DACA. These immigrant youth need to be able to prepare for their futures, both in the long-term and next year.

## **About the DREAM Act**

The Development, Relief & Education for Alien Minors (DREAM) Act is a bipartisan bill that would immediately offer legal status and a path to citizenship for close to 1.8 million undocumented immigrants who came to the U.S. as children.<sup>1</sup> The bill was filed by Senator Graham (R-SC) and Senator Durbin (D-IL) in the Senate (S.1615) and Rep. Ros-Lehtinen (R-FL) and Rep. Roybal-Allard (D-CA) in the House (H.R. 3440). The DREAM Act does not create an easy path, as participants would have to wait 13 years before becoming citizens in addition to meeting other criteria.

The DREAM Act would allow undocumented immigrants (including those with TPS & DACA) who meet the following criteria to have conditional permanent residence (CPR) status for 8 years:

- Came to the US before the age of 18; and
- Have continuously resided in the U.S. for the 4 years prior to enactment.

To become Lawful Permanent Residents, CPRs may apply after 8 years if they have:

- A degree from an institution of higher education or have completed at least 2 years in a Bachelor's program; or
- Served for at least 2 years in uniformed services or have been honorably discharged; or
- Been employed for at least 3 years; or
- Applied for and received a hardship exemption.

Certain criminal issues bar people from the legalization program.

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<sup>1</sup> Estimates are taken from the Migration Policy Institute, Fact Sheet: Protecting the DREAM: The Potential Impact of Different Legislative Scenarios for Unauthorized Youth, by Jeanne Batalova et al. (July, 2017). MPI estimates that more people could become eligible for the program by meeting the educational requirements in the future.

## **President Trump Ended DACA, Creating an Urgent Crisis for Congress to Act**

DACA is a temporary program that allows certain undocumented immigrants who came to the U.S. before they were 16 years old and were 30 or younger as of June 2012 to apply for a two-year reprieve from deportation and a work permit which is renewable every two years. Almost 800,000 young people have received DACA. Several hundred thousand more people are eligible or would have aged into the program. This program was created by former President Obama – not Congress – which means that President Trump was able to end the program without Congressional action.

Since the President's decision, the Department of Homeland Security has stopped accepting renewal applications for DACA recipients and DACA recipients have already begun to lose their DACA and work authorization. As a result, many will lose their jobs, their driver's licenses and be at risk of losing school funding, homes, and vehicles. They would also be subject to deportation. This is particularly concerning since these immigrants have affirmatively come forward to the government in good faith, admitted they are undocumented, and provided their addresses and contact information to the Federal government.

## **What About the Other Bills for Undocumented Youth?**

While there are other bills that offer a path to citizenship for undocumented immigrants who came to the U.S. as children, we advocate for the DREAM Act. The only other *bipartisan* bill that offers these young immigrants *a path to citizenship* is the Recognizing America's Children Act (RAC Act) H.R. 1468. This bill is only filed in the House and would immediately cover 0.8 million fewer immigrants than the DREAM Act. Other bipartisan bills such as the BRIDGE Act do not place undocumented youth on a path to citizenship. The SUCCEED Act and the SUCCESS Act are bills in the Senate that only have Republican cosponsors. The SUCCEED Act contains harmful provisions that would strip due process protections and other humanitarian provisions, and would also limit the ability of lawful permanent residents to sponsor their close family members for permanent residency. The SUCCESS Act does not contain a path to citizenship and contains a litany of enforcement measures to further militarize the border and further tear families apart.

## **What Does It Mean to be a Clean DREAM Act?**

We oppose the attachment of harmful immigration policies that would serve as poison pills to prevent the DREAM Act from passing. These include harmful enforcement policies, such as increased agents, increased detention beds, harmful changes to sanctuary city policies, increased inadmissibility or deportability criteria or a wasteful border wall.

We also oppose harmful changes to our family immigration system, diversity lottery or refugee programs. Cutting family immigration and the diversity visa is a direct attack on our communities and other communities of color. Two-thirds of Asian Americans and Pacific Islanders are immigrants, and 92 percent of Asian Americans are immigrants or the children of immigrants. The vast majority of Asian immigrants have come to the U.S. through the family-based immigration system.

There is no time to wait. Many of those who want to postpone action on a bill this year are likely looking to avoid action at all. The DREAM Act is a must-pass piece of legislation, and Congress should treat it as such and pass it before they go home for the holidays. For questions, please contact Megan Essaheb ([messaheb@advancingjustice-aaajc.org](mailto:messaheb@advancingjustice-aaajc.org)).