

Statement for the Record
Submitted to the U.S. Senate Committee on the Judiciary

On Full Committee Hearing Titled:
“H.R.6, American Dream and Promise Act of 2021”

Submitted by:
UnidosUS
Raul Yzaguirre Building
1126 16th Street NW, Suite 600
Washington, DC 20036-4845

June 15, 2021

Introduction

UnidosUS, formerly the National Council of La Raza, is the largest national Latino* civil rights and advocacy organization in the United States. For more than 50 years, we have worked to advance opportunities for Latino families to enhance their significant contributions to the social, economic, and political tapestry of our great nation. In this capacity, UnidosUS and its Affiliate Network of nearly 300 community-based organization in 36 states, the District of Columbia, and Puerto Rico, work to provide education, health care, immigration, housing, workforce development, free tax preparation, and other services to millions of Latinos in the United States each year.

Through our Affiliate engagement, we have cultivated deep ties with on-the-ground communities across the country and serve these diverse constituents by amplifying their voice to legislators. Namely, we have documented stories and collected data that depict the hardships of some of the most vulnerable immigrant populations in the country: individuals with protections under the Deferred Action for Childhood Arrivals (DACA) policy—also known as DREAMers—and those who have long held Temporary Protected Status (TPS). During the Trump administration, these communities have been stressed by the onslaught of policy directives designed to upend the lives of more than one million of these *documented* individuals and their nearly half a million U.S.-citizen children. Meanwhile even as a number of court cases have delayed the full implementation of these policies in recent years, they are a reminder that long-term permanent solutions are needed.

In this statement, we reassert the urgent need for Congress to pass legislation offering DREAMers and TPS holders a path to citizenship. The American Dream and Promise Act of 2021, H.R. 6, which already passed in the U.S. House of Representative in March 2021, affords the Senate the ideal opportunity to do just that. DREAMers and TPS holders have laid down roots in the United States and are inherent to our country's social fabric. They have also made critical contributions to our economy, an impact evident throughout the COVID-19 pandemic. This past year, approximately 333,800 DREAMers and TPS holders stepped up to the frontline and served as essential workers to provide Americans with important goods and services.¹ Due to the precarity of their legal status and other discriminatory barriers, DREAMers and TPS holders, along with other immigrants working in essential roles, have been unfairly excluded from facets of prior pandemic relief packages, despite the necessary role they have played in keeping our country afloat.

The moment for action is now. Our leaders have a unique opportunity to ensure that the nation emerges stronger from a historic pandemic event by promoting policies that advance an equitable recovery for everyone. UnidosUS maintains that to truly achieve an inclusive and equitable recovery emerging from the COVID-19 pandemic, a path to citizenship for individuals like DREAMers and TPS holders is necessary. Passing the American Dream and Promise Act of

* The terms "Hispanic" and "Latino" are used interchangeably by the U.S. Census Bureau and throughout this document to refer to persons of Mexican, Puerto Rican, Cuban, Central and South American, Dominican, Spanish, and other Hispanic descent; they may be of any race.

2021 and providing a pathway to citizenship for DREAMers and TPS holders is an essential piece of the way forward.

Dreamers and TPS holders are integral to the American social fabric

The DACA program was instituted in 2012 to authorize individuals who were brought into the country as undocumented youth – also known as DREAMers – who have completed or enrolled in high school, and who have not committed serious offenses, to obtain work permits and have temporary protection from deportation.² As of September 30, 2020, about 640,000 undocumented immigrants had active DACA status.³ A sizable majority—roughly three-fourths (76%)⁴—of DREAMers entered the United States in 2011 or earlier, a decade ago or longer. A common characteristic amongst DREAMers is that they are young: the average DREAMer arrived to this country at the age of seven and is now 25 years old.⁵ Based on these figures alone, it’s safe to say that many of these individuals have known nothing but the United States for the majority of their lives. They have been raised as Americans, yet are forced to juggle school, work, and the incessant fear of being deported to a country they do not call home.

MAJORITY OF DREAMERS ARE LESS THAN 30 YEARS OLD			
<small>% of eligible Dreamers under the 2021 Dream Act in each state, by current age</small>			
State	% <18 years old	% 18-29 years old	% 30 years or older
United States	21	43	37
Alabama	47	34	19
Alaska	n/a	n/a	n/a
Arizona	13	44	43
Arkansas	26	43	31
California	13	39	48
Colorado	18	52	29
Connecticut	34	35	32
Delaware	11	60	29
District of Columbia	38	54	9
Florida	30	37	32
Georgia	24	39	37
Hawaii	36	24	40
Idaho	13	62	25
Illinois	10	43	48
Indiana	31	57	12
Iowa	23	41	36
Kansas	28	44	28
Kentucky	38	40	22

TPS is a humanitarian program authorized under the Immigration Act of 1990 that generally is designed to protect individuals from countries experiencing natural disaster, civil strife, or other extraordinary circumstances.⁶ It is estimated that more than 325,000 individuals—among 10 protected countries—hold TPS today. More than 250,000 of these recipients are from Central American countries, specifically El Salvador, Honduras, and Nicaragua. Similar to DREAMers, most TPS holders have established deep and long-lasting roots in their communities here. For example, TPS recipients from El Salvador, Honduras, and Haiti—90% of the current TPS population—have resided in the United States for an average of 19 years.⁷

Though our work with our affiliate network and experiences with our communities, it is clear to us that DREAMers and TPS holders recognize the opportunities offered to them in the United States and are not taking these privileges for granted. With work authorization and the stability it provides, DACA and TPS recipients have, over time, secured higher paying jobs, higher rates of home ownership, and greater access to lines of credit. This is borne out by the data. Consider that DACA recipients have seen their average hourly wages increase 45%,⁸ while having TPS has been shown to lead to higher earnings for men and higher employment for women.⁹ Moreover,

an estimated 94% of all TPS recipients live in 206,000 households and about 30% of those houses are secured by mortgages.¹⁰ A survey of DACA recipients found that 15% of those aged 25 and older owned homes (with presumably a large number being secured by mortgages).¹¹

These communities' participation rates in the workforce and education system affirm their many contributions. Approximately 91% of DREAMers across the country are currently employed,¹² and similarly, TPS holders have a work force participation rate of more than 80%, primarily in industries such as construction, restaurants and food services, landscaping, and child care.¹³

Critically, DREAMers and TPS holders are also essential to the economic standing of the United States, and providing them a path to citizenship would only further promote our nation's prosperity. A recent report by the University of California Davis and Center for American Progress finds that enacting the American Dream and Promise Act (H.R. 6) would increase U.S. GDP by a cumulative total of \$799 billion over 10 years, create 285,400 new jobs, and result American workers seeing their annual wages increase by \$400.¹⁴ Moreover, in 2017 alone, TPS holders and the DACA-eligible—with a collective spending power of \$25.2 billion—contributed more than \$5.5 billion in taxes, including almost \$2.5 billion to state and local governments.¹⁵ A pathway to citizenship for these individuals, thus, is the epitome of a win-win situation.

These contribution to the nation have been acutely felt during the past year. Across the country, DACA recipients and TPS holders have worked in essential roles during the COVID-19 pandemic, accounting for 202,500¹⁶ and 131,300¹⁷ of essential workers, respectively. DREAMers are making up for critical shortages in medicine and education: They are serving on the frontlines of hospitals as physicians and medical students,¹⁸ and teaching our nation's youth as children struggle to learn remotely.¹⁹ Likewise, TPS holders are occupying a range of roles as they tend to the health of fellow Americans. According to estimates, 11,600 health care workers are TPS recipients, comprised of the following: 8,100 home health and personal care aides, nursing assistants, orderlies, and psychiatric aides; 1,900 health technologists and technicians; and 1,300 other health care support occupations.²⁰ In addition to the health care sector, DREAMers and TPS holders have made significant contributions that help feed America. Farm to folk, these individuals are well represented in food-related occupations and industries, including the 142,100 DACA recipients—more than a quarter of all employed DACA holders—and²¹ 76,100 TPS holders who work in food production and distribution jobs.²²

A pathway to citizenship for DREAMers and TPS holders is as much about them as it is their American children

The American children for DREAMers and TPS holder are among a generation of American children who live with a parent who lacks permanent legal status. By some estimates, between 4.1 million²³ and 5.7 million U.S.-citizen children²⁴ live with an undocumented resident. TPS holders from El Salvador, Honduras and Haiti—comprising about 94% of all TPS holders²⁵—have an estimated 273,000 U.S.-citizen children.²⁶ Moreover, approximately 26% of DACA recipients are a parent of a U.S. citizen,²⁷ equating to at least 200,000 U.S.-citizen children.²⁸ Adding

together the highest estimates of U.S.-citizen children living in households with at least one undocumented adult to those living in households with at least one DACA or TPS recipient parent, the total number of U.S.-citizen children in households at risk of being separated from an income-earning or caregiving adult could be as high as six million.²⁹

Many of the youth at risk of being separated from family—including those with DACA and TPS parents—today are the same Latino youth that are critical to the long-term vitality of our nation. As UnidosUS has consistently argued, Latino youth are the nation’s future workers, voters, parents, and taxpayers. In 2017, Latino children accounted for one-fourth of U.S. children under age 18,³⁰ and by 2050, they are projected to make up nearly one-third of the child population.³¹ It is wholly unacceptable to them, their families, and our nation that the administration’s policies are imperiling their educational attainment, health and well-being, economic prospects, and general safety through policies that threaten separate them from parent or other loved one at a moment’s notice.

Deported Parents of U.S. Citizen Children^{xviii}

(by Calendar Year)	2011	2012	2013	2014	2015	2016	2017	Totals
Deportation Orders Sought	66,785	84,676	61,218	Unavailable	29,611	23,085	19,241	284,616
Deportation Orders Obtained	41,918	39,843	28,414	Unavailable	11,282	9,966	11,120	142,543
Deportations Carried Out	31,918	29,843	71,898	Unavailable	31,411	28,860	27,080	221,010

Source: U.S. Immigration and Customs Enforcement, "Deportation of Aliens Claiming U.S.-Born Children [1]" (Multiple Reports). <https://www.dhs.gov/publication/2017-dhs-congressional-appropriations-reports> (accessed October 2018).

What the Trump administration may have regarded as casual and trivial policy choices when they ended DACA and TPS protections have in fact resulted in serious and significant consequences that have disproportionately impacted hundreds of thousands of Latinos families, including children. On September 5, 2017, the Trump administration announced the end of the DACA policy,³² and in doing so thrust nearly 800,000 predominantly Latino immigrant youths and their families into a state of legal limbo. Similarly, in January 2019, the Trump administration announced terminations of TPS for six countries.³³ While legal decisions have halted the full implementation of these policy decisions to date, legal challenges remain and thus keep thousands of families in a constant state of uncertainty.³⁴ Children deserve a permanent solution for their parents.

Conclusion: Support for legalization is a moral obligation and requires bipartisan effort

In his Executive Order “Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusions Efforts for New Americans,” President Biden stresses the duty of government to “encourage full participation by immigrants, including refugees, in our civic life; that immigration processes and other benefits are delivered effectively and efficiently; and that the Federal Government eliminates sources of fear and other barriers that prevent immigrants from accessing government services available to them.”³⁵ DREAMers and TPS holders, among many other immigrants, have demonstrated commitment to civic life, most notably through their work on the frontlines of the pandemic. Their inclusion in the American fabric also enriches the nation and American workers.

For a long time, recipients of DACA and TPS have been—and continue to be—integrated into our society. They are effectively Americans in every single way, except on paper. To be a society that fully embraces these Americans, we must give them a path to citizenship. UnidosUS urges the Senate to pass the American Dream and Promise Act of 2021, which represents a timely and unique opportunity to do just that.

Please feel free to contact Carlos Guevara (cguevara@unidosus.org) for any questions raised by this statement.

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