

Statement for the Record

Submitted to the U.S. Senate Committee on the Judiciary

On Full Committee Hearing Titled:
“Dream Deferred: The Urgent Need to Protect Immigrant Youth”

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Introduction

UnidosUS, formerly the National Council of La Raza, is the largest national Latino¹ 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 our country's social, economic, and political tapestry. In this capacity, UnidosUS and its Affiliate Network of nearly 300 community-based organizations 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.

Our Affiliate engagement work has allowed us to cultivate deep ties with on-the-ground communities nationwide and serve these diverse constituents by amplifying their voice to legislators. We have documented stories and collected data that depict the hardships – and successes – of some of the most vulnerable immigrant populations in the country: individuals with protections under the Deferred Action for Childhood Arrivals (DACA) program and the broader population of individuals who arrived as children without authorization known as Dreamers.

Our work led us to submit testimony to this Committee in June 2021 on the need to protect DACA recipients and Dreamers through legislation such as the “Dream and Promise Act of 2021.”² Three years later, these individuals continue to make vital contributions to the U.S. economy, especially as more DACA recipients graduate from institutions of higher learning, enter and advance in the job market, and purchase their first homes.

Further, DACA recipients and Dreamers, who have long been described as “immigrant youth,” are entering adulthood in growing numbers, a step that includes personal milestones such as marrying U.S. citizens and having children who are U.S. citizens. Nevertheless, DACA recipients face the very real prospect that legal challenges may nullify the program. In contrast, Dreamers who are ineligible for the program continue to wait for Congress to act on a permanent solution to resolve their status.

In the same testimony, we stated that “the moment for action is now” and called on Congress to protect these individuals who served on the frontlines of the COVID-19 pandemic.³ We firmly reiterate this urgent call to action because only Congress can decisively and permanently resolve the legal status of Dreamers. Congress should invest in legal service providers who help longtime undocumented residents such as Dreamers identify and apply for immigration benefits for which they are eligible. An expanded and robust legal services network will be vital for assisting DACA recipients and Dreamers to access protection when Congress passes relief legislation.

¹ 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.

² UnidosUS “H.R.6, American Dream and Promise Act of 2021.” *UnidosUS*. 15 June 2021. <https://unidosus.org/publications/2169-h-r-6-american-dream-and-promise-act-of-2021/> (accessed 9 May 2024).

³ Svajlenka, Nicole Prchal; Jawetz, Tom. “A Demographic Profile of TPS Holders Providing Essential Services During the Coronavirus Crisis.” *Center for American Progress*. 14 April 2020. <https://www.americanprogress.org/issues/immigration/news/2020/04/14/483167/demographic-profile-tps-holders-providing-essential-services-coronavirus-crisis/> (accessed 9 May 2024).

Congress is running out of time to protect DACA recipients and Dreamers

In the three years since this Committee held a hearing about immigrant youth, the urgency to pass legislation to protect them has intensified. The program faces the substantial threat that the U.S. Supreme Court strikes down the program in 2025. Although the Supreme Court could order a gradual wind-down of the program, this scenario would see approximately 800 DACA holders lose their work permits and protection from deportation every day for two years.⁴

The broader population of Dreamers also faces dire straits for finding protection. The last set of legalization programs Congress created in the 1990s do not apply to Dreamers, many of whom arrived after 2000. As a result, 68 percent of the 10 to 11 million undocumented residents in the United States, which includes Dreamers, have been waiting for a decade or more for relief, which translates to greater vulnerability for many of the country's 11.3 million mixed-status families⁵ and employers reliant on these longtime workers across a range of industries.⁶

While the vulnerabilities facing DACA recipients and Dreamers persist, Congress has failed to act on this urgent issue. In addition to failing to enact legislation that protects these groups, the 2024 bipartisan Senate border deal did not include any provisions that would resolve the status of the longtime undocumented.⁷ The peril faced by millions of Dreamers who grew up in the U.S. and know no other home demands that lawmakers put them on a path to legal status and citizenship as a top legislative priority.

Putting Dreamers at risk continues placing the country's economic future at risk

Congress' failure to pass legislation protecting DACA recipients and Dreamers has grave economic and social risks since these individuals are deeply integrated into our country's economic and social fabric. Approximately 83.1 percent of DACA recipients are currently employed,⁸ with this number increasing to 91 percent for individuals over 25.⁹ Studies also find that DACA recipients have high levels of home ownership, with an estimated 30.7 percent purchasing a home since being approved for DACA.¹⁰

⁴ Ruiz Soto, Ariel G.; Gelatt, Julia. "A Shrinking Number of DACA Participants Face Yet Another Adverse Court Ruling." *Migration Policy Institute*. September 2023. <https://www.migrationpolicy.org/news/shrinking-number-daca-participants> (accessed 9 May 2024).

⁵ Connor, Phillip. "Immigration reform can keep millions of mixed-status families together." *FWD.us*. 18 January 2024. <https://www.fwd.us/news/mixed-status-families-1/> (accessed 9 May 2024).

⁶ New American Economy. "Undocumented Immigrants." *New American Economy*. <https://www.newamericaneconomy.org/issues/undocumented-immigrants/> (accessed 9 May 2024).

⁷ Cowan, Richard. "Dreamers left out in the cold by US Senate border bill." *Reuters*. 5 February 2024. <https://www.reuters.com/world/us/dreamers-left-out-cold-by-us-senate-border-bill-2024-02-05/> (accessed 9 May 2024); Gamboa, Suzanne. "No allies left: Dreamers, DACA recipients are left out amid rightward shift on immigration." *NBC News*. 10 February 2024. <https://www.nbcnews.com/news/latino/congress-ignores-dreamers-daca-recipients-immigration-rcna137725> (accessed 9 May 2024).

⁸ Wong, et al. "DACA Recipients' Livelihoods, Families, and Sense of Security Are at Stake This November." *Center for American Progress*. 19 September 2019. <https://www.americanprogress.org/issues/immigration/news/2019/09/19/474636/daca-recipients-livelihoods-families-sense-security-stake-november/> (accessed 11 June 2021).

⁹ Wong, et al. "DACA Boosts Recipients' Well-Being and Economic Contributions: 2022 Survey Results." *Center for American Progress*. 27 April 2023. <https://www.americanprogress.org/article/daca-boosts-recipients-well-being-and-economic-contributions-2022-survey-results/> (accessed 9 May 2024).

¹⁰ Campbell, Emma. "More DACA recipients are homeowners than ever before." *Niskanen Center*. 25 April 2024. <https://www.niskanencenter.org/more-daca-recipients-are-homeowners-than-ever-before/> (accessed 9 May 2024).

The lack of protection for these individuals threatens the country's economic vitality. In 2022, DACA recipients earned \$27.9 billion in annual wages as employees and employers and contributed nearly \$2.1 billion in Social Security and Medicare taxes, funds the country would lose if they were forced to leave the country.¹¹ The elimination of DACA would cost the economy 18,000 jobs a month for two years in a period where the country is experiencing workforce shortages.¹² Given relief legislation such as the "Dream and Promise Act of 2021" is a boon for the economy, Congressional inaction on this issue is a lose-lose prospect for the country.¹³

The lack of permanent protection for these groups also threatens U.S. families. Estimates suggest that 1 million U.S. citizens currently live with DACA recipients, which includes spouses, children, siblings, and other family members. Without DACA, an estimated 1,000 of these U.S. citizens face the prospect of a family member falling into the risk of deportation every day for two years. Our research finds that the threat of deporting undocumented parents is extremely detrimental to the health of their children,¹⁴ showing that providing relief to DACA recipients and Dreamers upholds our country's values and improves the public health of families living with these individuals.

Expansion of legal services capacity is essential for protecting DACA recipients and Dreamers

Congress must pass legislation that protects longtime undocumented individuals such as DACA recipients and Dreamers. It must also invest in and grow community-based immigration legal services and infrastructure, so DACA recipients have access to trusted and qualified legal service providers. In the face of congressional inaction, we need these providers to help Dreamers identify immigration benefits for which they may qualify under current law. Furthermore, establishing a robust legal services network is essential for successfully implementing a legalization program and ensuring potentially millions of eligible individuals enroll.

Although most DACA recipients cannot adjust their status in the United States, some can pursue relief through specific channels, including one linked to an existing legal authority known as advance parole.¹⁵ Currently, DACA recipients who meet certain requirements can leave and enter the country without facing immigration penalties or detention if DHS grants them this benefit.¹⁶

¹¹ FWD.us. "Dreamers: By the numbers." FWD.us. 7 March 2023. <https://www.fwd.us/news/dreamers-by-the-numbers/> (accessed 9 May 2024).

¹² Connor, Phillip. "What Happens if DACA ends?" *FWD.us*. 2 May 2024. <https://www.fwd.us/news/what-if-daca-ends/> (accessed 9 May 2024).

¹³ Estimates suggest that passing the American Dream and Promise Act of 2021 (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 in American workers seeing their annual wages increase by \$400. Peri, Giovanni; Zaiour, Reem. "Citizenship for Undocumented Immigrants Would Boost U.S. Economic Growth." *Center for American Progress; UC Davis Global Migration Center*. June 2021. <https://www.americanprogress.org/?p=500433> (accessed 14 June 2021).

¹⁴ UnidosUS. "Beyond the Border Family Separation in the Trump Era." *UnidosUS*. March 2019. <https://unidosus.org/publications/1915-beyond-the-border-family-separation-in-the-trump-era/> (accessed 9 May 2024).

¹⁵ U.S. Customs and Border Protection. "Advance Parole." *U.S. Customs and Border Protection*. 5 March 2024. <https://www.cbp.gov/travel/us-citizens/advance-parole> (accessed 9 May 2024).

¹⁶ Immigrant Legal Resource Center. "Travel for DACA Applicants (Advance Parole)." *Immigrant Legal Resource Center*. 2015. https://www.ilrc.org/sites/default/files/documents/advance_parole_guide.pdf (accessed 9 May 2024).

Some DACA recipients can pursue a green card¹⁷ or visas such as the H-1B high skilled visa¹⁸ after returning through this process since it satisfies the requirement that individuals must lawfully enter the country so a family member¹⁹ or an employer can sponsor them for these benefits.

In addition to the tangible benefits that qualified legal service providers offer DACA recipients, investing in our community-based immigration legal services infrastructure will be vital for successfully operationalizing relief legislation. The more qualified legal service providers are available to assist immigrants, the more likely the applications will be prepared accurately without needing things like requests for additional evidence. As a result, these investments can help reduce the adjudication costs of applying for green cards through relief legislation and provide a return on the investment made in these legal networks.²⁰

Conclusion: Investing in legal service providers is investing in Dreamers

DACA recipients and Dreamers have demonstrated their integral role in the American economy, education system, and communities. Nevertheless, their future remains uncertain due to legal challenges and the absence of comprehensive legislation to protect them. Far from being an ancillary part of protecting these individuals, funding access to qualified legal assistance is crucial to helping these groups pursue pathways to permanent residency and citizenship. By investing in community-based immigration legal services infrastructure, we can retain these indispensable members of our communities and reduce inefficiencies in the immigration system, ultimately benefiting the nation's economy. Protecting DACA recipients and Dreamers is not just a matter of justice and compassion, it is a strategic investment in America's future.

¹⁷ Garcia, Veronica. "Advising and Screening DACA Recipients for Present and Future Options." *Immigration Legal Resource Center*. March 2023. https://www.ilrc.org/sites/default/files/2023-03/DACA%20Options%20FinalFormatted_0.pdf (accessed 9 May 2024).

¹⁸ Withanachchi, Mikesha. "Adjustment of Status Through Work Visas for DACA Recipients: Explainer." *National Immigration Forum*. 12 December 2023. <https://immigrationforum.org/article/adjustment-of-status-through-work-visas-for-daca-recipients-explainer/> (accessed 9 May 2024).

¹⁹ DACA recipients have established family networks that can help them secure sponsors for a green card. A 2023 survey of the DACA population found 75.9 percent of respondents have an immediate family member, meaning a parent, sibling, spouse, or child who is a U.S. citizen. Among married respondents, 48.4 percent have a spouse who is a U.S. citizen. Wong, et al. "DACA Boosts Recipients' Well-Being and Economic Contributions: 2022 Survey Results." *Center for American Progress*. 27 April 2023. <https://www.americanprogress.org/article/daca-boosts-recipients-well-being-and-economic-contributions-2022-survey-results/> (accessed 9 May 2024).

²⁰ Chishti, Muzaffar; Kamasaki, Charles; Vasquez, Laura. "Advancing Immigrant Legal Representation: The Next Fifteen Years." *Fordham Law Review* 865. 2023. <https://ir.lawnet.fordham.edu/flr/vol92/iss3/3/> (accessed 9 May 2024).