

The recent decision of the Trump Administration to rescind the Deferred Action for Childhood Arrivals (DACA) program and the threat to end a refugee program for Central American minors (CAM) has placed many innocent children at risk of deportation, some who have lived in the U.S. for most of their lives and some who have fled here seeking safety from violence in their home countries. Immigration reform is a hot button topic but it is one we must tackle if we are to truly be the country of equal opportunity.

- Karen Richards

“I had always hoped that this land might become a safe & agreeable Asylum to the virtuous & persecuted part of mankind, to whatever nation they might belong.”

- George Washington



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Did you know?

On August 1, 2001 Senator Orrin G. Hatch introduced the [S.1291—DREAM Act](#) to the Senate Judiciary for the purpose of repealing the denial of an unlawful alien's eligibility for higher education from the [Illegal Immigration Reform and Immigrant Responsibility Act of 1996](#)

On June 15, 2012 President Obama created the Deferred Action for Childhood Arrivals (DACA) policy which was implemented on August 15, 2012. See the summary [here](#).

DACA has protected nearly 800,000 young unauthorized immigrants from deportation and allowed them to work legally since 2012.

To be eligible for DACA immigrants had to have arrived in the U.S. before 2007, have been 15 years old or younger when arriving, younger than 31 when DACA was created, have a nearly spotless criminal record and be enrolled in high school or have a high school diploma or equivalent.

DACA wasn't a legalization program, it allowed DACA recipients to be lawfully *present* in the U.S., but not have legal *status*.

On September 5, 2017, under the Trump administration, the U.S. Department of Homeland Security issued a [Memorandum on Rescission of Deferred Action for Childhood Arrivals \(DACA\)](#), which countermanded the *June 15, 2012 Memorandum Entitled "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children"*

The initial DACA application fee was \$495.00. Multiplied by the number of accepted applications (800,000), the DACA program has generated \$396 million dollars in revenue for the U.S.

DACA



Deferred Action for Childhood Arrivals

In June of 2012 President Obama created the DACA policy for the purpose of providing protection of deportation to eligible immigrant youth coming to the United States as children. In addition, the program was designed to provide work permits that expired after two years requiring renewal applications.

Eligibility requirements for DACA included that the individual:

- Was under the age of 31 as of June 15, 2012;
- Arrived in the United States before turning sixteen;
- Lived continuously in the United States from June 15, 2007 to the present;
- Was physically present in the United States on June 15, 2012 and at the time of application;
- Arrived in the United States without documents prior to June 15, 2012, or with lawful status having expired as of that date;
- Was currently studying, or had graduated from high school or earned a certificate of completion of high school or GED (technical and trade schools also qualify), or been honorably discharged from the Coast Guard or military; and
- Had NO felony convictions or significant misdemeanors (including a single DUI), or three or more misdemeanors of any kind.

The application process was neither easy nor free. Many colleges, universities, organizations and agencies strongly suggested that individuals obtain qualified legal counsel throughout the process whereas the Official Website of the Department of Homeland Security, [U.S. Citizenship and Immigration Services](#) made no mention of the need for legal counsel or the ways that it might benefit the applicant during the process.

The steps involved for initial application included:

- Collection of required, supporting documents as evidence of eligibility;
- Completion of Applications:
 - ⇒ If using legal counsel, [Form G-28](#)—Notice of Entry of Appearance;
 - ⇒ [Form I-821D](#)—Consideration of Deferred Action for Childhood Arrivals;
 - ⇒ [Form I-765](#)—Application for a Work Permit; and
 - ⇒ [Form I-765WS](#)—Worksheet explaining the economic need to work.
- Applications were then submitted to the United States Citizenship and Immigration Services (USCIS), including all supporting documents, two photos and a check for \$495.00 payable to the Department of Homeland Security.
- A receipt and appointment were then sent by mail to the applicant with an appointment notice for fingerprinting for a background check.
- Once fingerprinted, a second letter was mailed to the applicant requesting additional information or a final decision. Most initial applicants received a final decision within 6-8 months from date of filing.

There were a significant number of required documents for the initial application process including:

- Proof of identity and date of birth;
- Proof you were physically present in the U.S. on 6/15/12;
- Proof of 5-years of continuous residence in the U.S. (6/07—present);
- Proof of being in school, having a high school diploma/GED or were honorably discharged from the military;
- Proof that entry to the U.S. was before the age of 16;
- Proof that there are no criminal convictions or threats to national security/Public safety; and
- Two pass-port size photos.

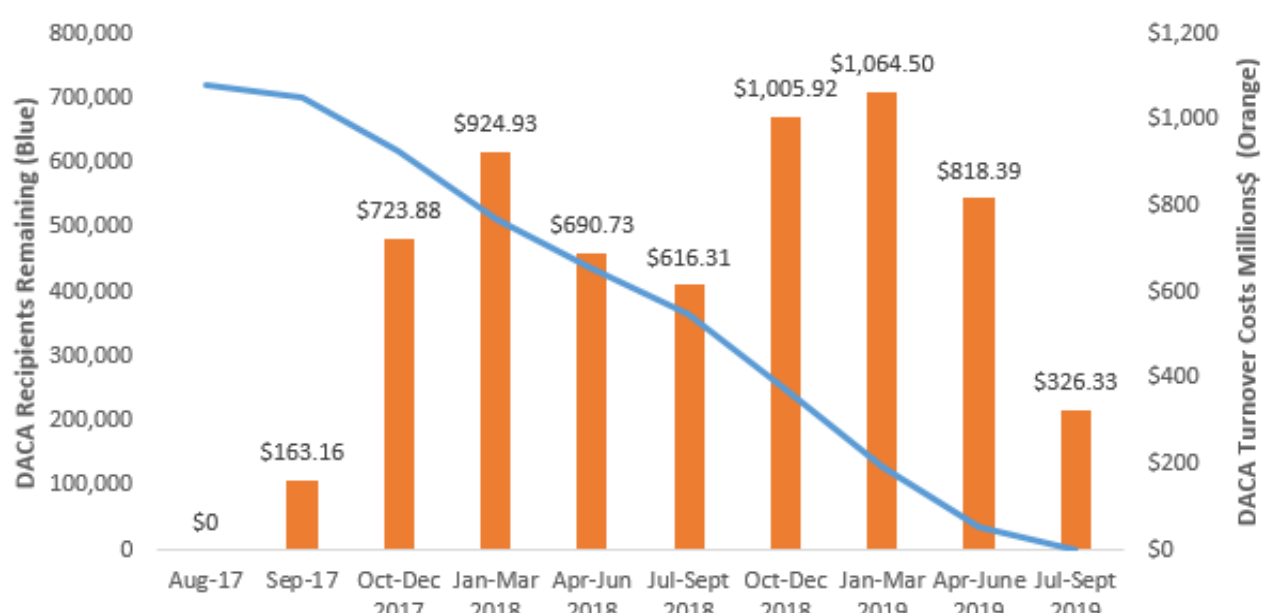
Given the complexity of the application process and thorough vetting process, those determined to be eligible, pose no threat to the United States. This is the only home most have known. They are deserving of the opportunity to achieve their DREAM in America.



Ending the DACA program essentially removes the shield of protection from deportation for 800,000 young immigrants, many of whom know no other country or life than the one created in America. When the program was initially offered in 2012, many DACA eligible individuals hesitated to apply, fearing that they were simply supplying the Department of Homeland Security with the documentation needed to deport them at some future date. That fear has become a reality.

In addition to facing deportation, individuals will lose their right to work resulting in significant economic hardship for themselves and their families. Business across the U.S. and the U.S. taxpayer will also be adversely affected by cessation of the program. [Chad Stone](#), Opinion Contributor for U.S. News writes, “[Trump’s] decision to end the program is inhumane and unwarranted.” The ACLU released a [statement](#) calling “the decision to end DACA a manufactured crisis in response to an artificial deadline from anti-immigrant leaders.”

Notwithstanding significant evidence to the contrary, the anti-immigrant factions want Americans to believe that this decision is necessary for a stronger economy and for our own protection. According to the Immigrant Legal Resource Center’s (ILRC) [report](#), the economic effects of ending DACA will result in 645,145 unemployed DACA recipients, \$3.4 billion in unnecessary turnover costs for business and employers, and a \$26.4 billion reduction payments into social security and Medicare over a decade. The Cato Institute [reported](#) even higher projected costs to employers of \$6.3 billion and the loss of 6,914 jobs per week with turnover costs of \$61 million weekly over the next two years.



R I G H T T O

DREAM

CONGRESS IS POISED TO ACT

The Administration's rescission of DACA has placed the issue squarely before Congress. There appears to be bipartisan support for legislation that would protect DACA recipients but, as is often the case, the means of achieving that end varies.

Three Republican Senators Thom Tillis, James Lankford and Orrin Hatch introduced the [SUCCEED Act](#) (Solution for Undocumented Children through Careers Employment Education and Defending our nation). The proposed legislation mandates that in order to receive "conditional status" in the U.S., a recipient must be maintaining gainful employment, pursuing higher education or serving in the U.S. military.

Under the bill, eligibility for protective status includes having arrived in the U.S. before the age of 16 years, holding a high school diploma or equivalent, passing an extensive criminal background check, submitting biometric data to the Department of Homeland Security and being able to pay off any existing federal tax liabilities. After five years of gainful employment, earning a degree or military service, a recipient would then become eligible for a second round of 5-year protected status. After which, the Senators said an individual can then apply for a green card to jumpstart the naturalization process. The entire process would take 15 years.

In contrast, a bipartisan group of Senators, Lindsey Graham (R-SC), Dick Durbin (D-IL), Jeff Flake (R-AZ), and Chuck Schumer (D-NY) introduced the [Dream Act of 2017](#) that would provide a direct road to U.S. citizenship for people who are either undocumented, have DACA or temporary protected status (TPS), and who graduate from U.S. high schools and attend college, enter the workforce, or enlist in a military program. It would:

Grant current DACA beneficiaries permanent resident status on a conditional basis, and allow TPS beneficiaries, people without lawful immigration status, and people with final orders of removal the opportunity to apply for this same immigration status.

Permit conditional permanent residents to obtain lawful permanent resident (LPR) status (sometimes referred to as getting a "green card") if they go to college, have worked for a certain amount of time, or served in the U.S. military. They also would have to meet other requirements.

Provide a pathway to U.S. citizenship. A person would have to be in conditional permanent resident (CPR) status for 8 years before they could become eligible to apply for LPR status, and after a certain period as an LPR (probably five years), they could apply for U.S. citizenship. The entire process would take 13 years.

Improve college affordability for undocumented youth and other immigrants by changing rules that limit their access to in-state tuition and college loans. See <https://www.nilc.org/issues/immigration-reform-and-executive-actions/dreamact/dream-act-2017-summary-and-faq/> for more detailed information.

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RESOURCES:

[ACLU of Vermont](#)

[Immigrant Legal Resource Center](#)

[National Education Association \(NEA\)](#)

[TheDream.US](#)

[Vermont Law School—South Royalton Legal Clinic](#)

[Vermont Refugee Resettlement Program](#)

[Migrant Justice](#)

[Justice For All](#)