

DACA and California CEO Board Meeting Agenda Friday, September 15, 2017



Earlier this month, President Trump rescinded the Deferred Action for Childhood Arrival (DACA) program, phasing out protections from deportation proceedings for hundreds of thousands undocumented Americans over the next six months. This item will focus on the impacts of the decision on DACA means to California and highlight various congressional proposals to codify elements of DACA into law. Staff will then discuss important next steps related to advocacy on this issue.

It is estimated that slightly more than 500,000 undocumented Californians were eligible to qualify for protections under DACA. In order to qualify, a person must have:

- Not committed a felony or a serious misdemeanor.
- Have been brought into the country under the age of 16.
- Lived continuously in the United States since 2007.
- In school at the time of application.
- Graduated from high school or honorably discharged by the armed forces of the United States.

It is difficult to estimate the number of students with protections through DACA who are attending a California community college. While an estimated 240,000 Californians have received DACA protection, the data is not disaggregated by system or institution. Roughly 60,000 undocumented community college students receive in-state tuition via AB 540, however it is important to note that many undocumented students qualify for in-state tuition but did not meet the eligibility requirements for DACA. Experts estimate that roughly half of AB 540 students have applied for and receive protections under DACA, putting the number of students at around 30,000.

What is not difficult, however, is quantifying the benefits to both the recipients and our country of temporally providing protection from deportation to this population. DACA recipients were brought into this country at the average age of six, have spent almost two decades living here and are working to obtain a college degree. Studies have shown that DACA is responsible for a fourfold increase in the wages of recipients and that our nation's economy would shrink by \$200 billion in reduced wages and foregone tax revenue over the next 10 years if the program is eliminated. Protection enabled by DACA has helped provide this population with some certainty that they will continue to live and work in this country and contribute to our economy.

Congressional Initiatives to Replace DACA

While President Trump has asked for Congress to fix the problems caused by the cancellation of DACA, he has not provided any details that he would want to see in legislation. Independent of President Trump's actions a number of bills have been introduced that would codify various elements of DACA into law. While exact details of the proposals are different, they all provide protection from deportation for those who were brought to the United States as children and typically a path to permanent residency and citizenship. With little policy guidance provided by

President Trump, it is likely that either one of these bills or items contained within them will could potentially become part of a DACA “fix.”

2017 Dream Act (S. 1615 and H.R. 3440):

- Provides protection from deportation proceedings if person has entered the United States under the age of 18 and been living in the country since 2012.
- Provides path to legal permanent residency after five years and citizenship in 10 years.
- Less restrictive requirements than the Recognizing America’s Children Act to meet to become either a legal permanent resident or citizen.
- Some bipartisan support in both the Senate and the House.

BRIDGE Act (H.R. 496)

- Provides protection from deportation proceedings if a person has entered the United States under the age of 16 and have been living here since 2007.
- No path to citizenship or legal permanent residency.
- A person who qualifies must reapply for protection from deportation proceedings every two years.
- Most similar proposal to DACA.
- Some bipartisan support in both the Senate and the House.

Recognizing America’s Children Act (H.R. 1468)

- Provides protection from deportation proceedings if a person has entered the United States under the age of 16 have been living here since 2012.
- Provides a path to legal permanent residency after five years and citizenship in 10 years.
- More restrictive requirements than the Dream Act to meet to become either a legal permanent resident or citizen.
- Some support by House Republicans.

Hope Act (H.R. 3591)

- Provides against deportation proceedings if a person entered the country under the age of 18 prior to 2016.
- No requirements to be working, enrolled in an education institution or in the military.
- Provides path legal permanent residency after three years and citizenship in five years.
- Strongly supported by House Democrats.