

Why Protection for Dreamers is Needed by March 2018

- Given the Limited Nature and Uncertainty of Court Protections, The March 5th Deadline is Real. The President set March 5th as the deadline for Congress to pass protection for Dreamers. Two federal judges, in California (Ninth Circuit) and New York (Second Circuit), have since issued injunctions that temporarily block the Administration from ending the Deferred Action for Childhood Arrivals (DACA) program while litigation over its cancellation continues. The Administration has appealed these orders. Briefing is due in the Ninth Circuit case in April. Consequently, it is anticipated that the preliminary injunctions will stand at least until early June.

It is important to remember, however, that these injunctions only partially block the program's termination and may be overturned on appeal. Both nationwide orders require U.S. Citizenship and Immigration Service (USCIS) to accept renewal applications from people who were previously approved for DACA. The orders do not require USCIS to accept applications from people who never held DACA, which prevents many Dreamers from applying for the program even while the injunctions are in place.

- Hundreds of DACA Youth Will Lose Protection Each Day a Solution is Not Found. If the DACA termination is allowed to proceed by the courts, it is estimated that more than 900 young people will lose their protection and work authorization every day, between March 6, 2018 and March 5, 2020.

- Even Now, the Risk of Deportation Remains for Many. USCIS is currently processing initial and renewal DACA requests filed as far back as December 2016. Those whose DACA has expired or with first-time DACA applications pending have no authorization to work and no protection from deportation while they wait for their requests to be processed. USCIS has said that it continues to follow earlier policies for the confidentiality of DACA applicants and their families, and that it will not refer DACA applicants to ICE unless they pose a threat to national security or public safety. However, USCIS also said it may change these policies at any time and there are no guarantees that a former DACA recipient or a current DACA applicant will not be targeted for enforcement. In addition, ICE may still pick up people as "collaterals" when conducting another enforcement operation or raid.

- Without Legislative Action, Thousands of Dreamers Remain Unprotected. There are many young people who were brought to the U.S. as children but were prevented from obtaining DACA due to the program's age cut-offs. We believe that this Dreamer population of 1.8 million (as opposed to just the 800,000 DACA Youth) should be included in any legislative solution that the Congress takes up. We support these young people who are contributors to our economy and leaders in our parishes and communities.

- The Time for Congress to Act is Now. An overwhelming majority of Americans agree that Dreamers need a permanent legislative solution. We urge Congress to swiftly enact a common sense and just legislative solution for Dreamers that includes a path to citizenship, respects the sanctity of families, does not undermine protections for vulnerable immigrants, including unaccompanied children, and ensures that border security provisions are balanced and humane.