

PROTECTING DREAMERS AND TPS RECIPIENTS

HEARING BEFORE THE COMMITTEE ON THE JUDICIARY HOUSE OF REPRESENTATIVES ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

—————
MARCH 6, 2019
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Serial No. 116–5
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Printed for the use of the Committee on the Judiciary



Available on: <http://www.judiciary.house.gov> or www.govinfo.gov

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PROTECTING DREAMERS AND TPS RECIPIENTS

WEDNESDAY, MARCH 6, 2019

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The committee met, pursuant to call, at 10:12 a.m., in Room 2141, Rayburn Office Building, Hon. Jerrold Nadler [chairman of the committee] presiding.

Present: Representatives Nadler, Lofgren, Jackson Lee, Cohen, H. Johnson, Deutch, Bass, Jeffries, Cicilline, Lieu, Raskin, Jayapal, Correa, Scanlon, Garcia, Neguse, McBath, Stanton, Dean, Mucarsel-Powell, Escobar, Collins, Sensenbrenner, Chabot, Gohmert, Jordan, Buck, Ratcliffe, Gaetz, Biggs, McClintock, Lesko, Reschenthaler, Cline, and Armstrong and Steube.

Staff present: Joshua Breisblatt, Counsel; Rachel Calanni, Professional Staff Member; Betsy Lawrence, Counsel; David Shahoulian, Chief Counsel, Subcommittee on Immigration and Citizenship; Madeline Strasser, Chief Clerk; David Greengrass, Senior Counsel; Susan Jensen, Senior Counsel and Parliamentarian; Andrea Loving, Minority Chief Counsel, Subcommittee on Immigration and Citizenship; Jon Ferro, Minority Parliamentarian; Erica Barker, Minority Legislative Clerk.

Chairman NADLER. The Judiciary Committee will come to order. Without objection, the chair is authorized to declare recesses of the committee at any time.

We welcome everyone to this morning's hearing on "Protecting Dreamers and TPS Recipients." I will now recognize myself for an opening statement.

Today's hearing examines the critically important issue of delivering permanent protections including a path to citizenship for Dreamers and recipients of Temporary Protected Status, known as TPS, or a similar authority known as Deferred Enforcement Departure, or DED.

This hearing takes on a greater urgency in light of the Trump administration's decisions to dismantle current protections for Dreamers and recipients of TPS and DED—actions that have thrown hundreds of thousands of families into turmoil, fear, and uncertainty.

Dreamers are young undocumented people who were brought to this country as children and who have lived here for most of their

lives. They are our neighbors, they are our children's classmates, and they serve in our military with distinction.

Many Dreamers do not even know they are undocumented until they are in their teens and are approaching adulthood. They then discover that they are unable to work legally, to travel abroad, to obtain driver's licenses in most states, to obtain federal financial assistance for post-secondary education or even in most states to attend a college or university at the in-state tuition rates that the U.S. citizen and lawful permanent resident classmates and their younger U.S. citizen siblings pay.

And suddenly the bright future they imagined for themselves may seem out of reach. To help encourage these young people to come out of the shadows and to enable them to contribute more fully to their communities, in June 2012 Secretary of Homeland Security Janet Napolitano announced the Deferred Action for Childhood Arrivals initiative, or DACA.

DACA is an exercise of prosecutorial discretion providing temporary relief from deportation and work authorization to Dreamers who meet certain criteria. DACA has enabled almost 800,000 eligible young adults to work lawfully, to attend school, and to plan their lives without the constant threat of deportation.

In September 2017, however, the Trump administration announced the end of DACA, threatening to remove these young people from the only country many of them have ever known. That is why it is more important than ever than Congress enact permanent protections for this vulnerable population.

For nearly two decades various proposals have been introduced to address this issue and the DREAM Act almost passed both chambers in 2010.

But despite bipartisan support in Congress and the support of nearly three-quarters of the American public, legislation has never been enacted. Today's hearing, hopefully, is the first step toward ending that injustice.

Dreamers are an essential part of our communities and they are critical to building a future America that is strong, united, and economically and socially vibrant. Very much the same can be said for those who have temporary protected status, or TPS. Our immigration laws authorize the secretary of homeland security to designate countries for TPS in response to armed conflict, natural disaster, or other extraordinary circumstances.

Persons from TPS countries in the United States at the time the designation is announced can remain here lawfully for the duration of the designation and can receive work authorization.

The president also has the discretion to provide similar relief known as deferred enforced departure, or DED. Several hundred thousand foreign nationals from 10 countries currently have TPS and nearly 750 Liberian nationals have DED-related work authorizations.

Most of these TPS and DED recipients have lived lawfully in the United States for more than 20 years and they have built lives, families, and businesses in this country. Once people lay down such deep roots in this country it would be cruel, not to mention economically counterproductive, to remove them from their commu-

nities and from the lives and businesses they have built over the course of decades.

But the administration has decided to do just that. It has announced the termination of TPS for six countries representing 98 percent of TPS recipients currently in the United States.

Protections for Liberian DED holders are also scheduled to be terminated by the end of this month. If these vital protections are removed, hundreds of thousands of people, people who are integral parts of our communities who have lived here often for more than 20 years, will be torn from our midst and sent to countries where they no longer have much connection, where they may not even be able to speak the language of those countries, and where they may face alarming levels of poverty and violence.

If the Trump administration is permitted to go forward with its plans to cancel TPS and DED status, it could be responsible for an utterly avoidable humanitarian disaster.

Fortunately, the courts have once again stepped in to stop this administration's divisive efforts to advance its anti-immigrant agenda. Courts have issued multiple injunctions against efforts to terminate DACA and several of the cancelled TPS designations.

But even if the courts ultimately rule against the administration it would only result in partial relief. This is because those currently with DACA represent less than half of all Dreamers.

Only four of the six terminated TPS designations are currently being blocked by the courts and neither DACA nor TPS by their nature provide permanent protections.

Thus, preserving the status quo would mean that only a fraction of Dreamers and TPS recipients will benefit and that benefit will only serve as a temporary reprieve. That is why passing legislation that provides permanent protection and a pathway to citizenship for Dreamers and TPS recipients is a top priority for this committee and for the House of Representatives.

I am heartened by the fact that at least seven and possibly all eight witnesses before us today support the goal of permanently protecting our friends, neighbors, and loved ones who are Dreamers and TPS or DED recipients.

For the sake of our economy, our communities, and our humanity, I hope we can move forward in a bipartisan way finally to provide the permanent protections these individuals need and deserve.

It is now my pleasure to recognize the ranking member of the Judiciary Committee, the gentleman from Georgia, Mr. Collins, for his opening statement.

Mr. COLLINS. Thank you, Mr. Chairman, and I appreciate the opportunity to discuss what is really an important issue and one that has come up many times before this committee.

Unfortunately, legislation to provide legal status to certain illegal immigrant populations isn't a new topic. In fact, in Congress we have been here before. These discussions, though, help.

As members of Congress not to repeat the mistakes made when such legislation or orders were drafted, we must also ensure that any legislation avoids mistakes previous administrations made when they implemented mass legalizations.

It is our responsibility to provide guidance to the administration about the congressional intent behind our laws. It is my hope on

this issue and the intent of every member of the House and Senate is to provide for a legal status for some of the illegal immigrant population and to not find ourselves back in this same position having this same conversation five, 10, or 20 years down the road.

The majority of House Republican caucuses voted to provide a legal status for some of the current illegal immigrant populations, namely, recipients of the last administration's Deferred Action for Childhood Arrivals program.

We supported such a legal status because the reality of deferred action has real consequences for people whose parents brought them here, people who did not make the conscious choice to violate the law.

We are also supported—we also support legal status for DACA recipients because the bill gave us a path forward out of the legal confusion and incorporated enforcement measure to reduce illegal immigration in fact which was pointed out by a former member of this committee, Mr. Gutierrez, who pointed out this problem many, many times from this dais.

Congress's penchant for kicking the immigration can down the road is unsustainable and unfair to American citizens, legal immigrants, and everyone who respects our generous immigration system and hopes to make the country their home.

The only way to protect against the legislative *deja vu* that has in the past made promises that weren't kept is to ensure that the administration has the right tools to secure our borders and enforce our laws. Right now, that is not the case.

As I noted at last week's hearing, years of inconsistent enforcement and limited resources have fueled illegal immigration into the United States. For evidence of that, we need to look no further than our southern border.

Yesterday CBP released data showing over 66,000 people were apprehended between the ports of entry last month. Family unit apprehensions are up more than 300 percent over the same time last year and let us not forget about the 70 groups of over 100 immigrants entering illegally that Border Patrol has apprehended this fiscal year and I think this was pointed out very well in the New York Times today discussing this crisis that is emerging.

Mr. Chairman, we cannot discuss the illegal immigrant population without also recognizing those who have entered legally and make a conscious decision to stay longer than their visas allow.

In recent history, an estimated 40 percent of all illegal immigrants have overstayed their visas. DHS has estimated that just over 600,000 aliens overstayed their admission period during fiscal year 2017. It is not all about coming across our border. There is a problem here that we have to fix in a bigger sense.

We must, therefore, balance interior enforcement and border security and we cannot neglect either priority. Day after day, parents give their children to smuggling cartels. Employers have no reliable way of verifying an employee's work eligibility documents, and adults who drag children through the dangerous border crossings are rewarded with release into America's interior.

That status quo isn't practical and it is not compassionate and it is absolutely not sustainable. For this reason, any bill legalizing certain populations must include robust anti-fraud measures.

Experts have determined up to two-thirds of the applicants for the 1986 special agricultural worker amnesty were fraudulent because aliens submitted fake affidavits and documents from their employers to substantiate their claim that they had met the legislation's requirement when they had not.

Unfortunately, most of the fraudulent applications were approved. So why does that matter? Who suffers when we allow our immigration system to fail?

Well, one of the terrorists who perpetrated the 1993 World Trade Center attack received that special agricultural worker status despite the fact he was a taxi driver, not a farm worker, when he applied for that status.

Sadly, it is very telling that the only witnesses today who support anti-fraud measures and enforcement were invited by our side. Most of my—my Democratic colleagues know without including sufficient measures addressing fraud and enforcement of border security any bill that we move on the House floor will get few, if any, Republican votes.

They know that if they admit such common sense measures no bill will they pass—or in consideration in the Senate and they know that if they refuse to include these crucial pieces no bill they pass will see a presidential signature.

So I implore my colleagues, democratically, to give us a bill to legalize some of the illegal immigrant population, to secure our border, and to enforce the law inside our country. Any bill granting mass legalization and shunning real enforcement measures will be opposed by Republicans for the stunt that it is.

Today I look forward to hearing the ideas that my Democratic colleagues have to stem the tide of illegal immigration because I have yet to encounter even one idea from the other side that would give us a long-term solution and restore America's integrity in its immigration system.

When I ask what their plan is, the only chorus many times I hear is just pass the DREAM Act. That is not a plan. It is a talking point. That bill doesn't even attempt to address illegal entry, fraud, or visa abuse.

If we don't offer real solutions that consider legal status and enforced immigration law, we will undoubtedly repeat the problems from the past years from now and history will judge us for shirking our responsibility.

I hope today produces honest conversation about the consequences illegal immigration has for American citizens and those who aspire to become American citizens and people who suffer when others abuse our system.

I look forward to the witnesses' testimony and hope we truly can, as someone who has talked about this many times, find a solution that works long term and not simply something that puts us in legal peril continually down the line.

And with that, I yield back the balance of my time, Mr. Chair. Chairman NADLER. Thank you, Mr. Collins.

It is now my pleasure to recognize the chair of the Subcommittee on Immigration and Citizenship, the distinguished gentlewoman from California, Ms. Lofgren, for her opening statement.

Ms. LOFGREN. Thank you, Chairman Nadler, and welcome to the panel of witnesses. And more than 10 years ago, I had the honor of chairing a hearing before the Immigration Subcommittee to shine a spotlight on the plight of undocumented young people who had been brought to the United States as children.

At that hearing, we were inspired by the personal stories of three courageous young women, all in their early 19, 20s, who grew up in America and despite the difficulties they faced without immigration status, they embraced this country as their own. With the support of families, friends, and communities, they chased their dreams.

I am still saddened by the tragic death of one of these young women, Tam Tran, who was taken from us in a car accident in 2010. But I am heartened by the knowledge that Martin Calla, who was an orphan, who fought deportation for seven years is now a U.S. citizen.

Ten years ago, and we still have not solved this problem. We revisit this issue again today, something we have been trying to solve for two decades.

Eighteen years ago, the first iteration of the DREAM Act was introduced and the term Dreamer was coined. Eighteen years ago, the Dreamers who appear before us today to share their stories were children or not even yet born who couldn't possibly envision the challenges they would face and the things they would go on to accomplish in the United States.

Needless to say, 18 years later their plight is not over. Today, approximately 800,000 people, including some of our witnesses have been granted temporary reprieve from removal through the Deferred Action for Childhood Arrival, or DACA program.

DACA has allowed them to work legally, pursue their higher education dreams, and plan tentatively for their futures in America. But DACA is not enough.

It temporarily protects only a small portion of Dreamers and, if the administration ultimately wins in courts—in court, DACA could be a thing of the past and far too many young people will be plunged back into the shadows.

Also 18 years ago the world experienced additional events that would ultimately contribute to today's immigration debate. While recovering from the effects of Hurricane Mitch, El Salvador was devastated by two major earthquakes which triggered multiple landslides, caused the death or injury of thousands and displaced an estimated 1.6 million people.

As a result, then President George W. Bush designated El Salvador for temporary protected status, providing security to Salvadorian nationals in the U.S. and relief to that nation as it began the long and arduous process of rebuilding.

With this designation, El Salvador joined its neighbors, Honduras and Nicaragua, which were more directly impacted by Mitch and had received TPS designation two years earlier.

Around that same time, as civil war in Liberia erupted for a second time in a decade, approximately 10,000 Liberian nationals were granted deferred enforced departure.

Today, some 320,000 people from 10 nations reside legally in the United States with TPS and up to 4,000 Liberians have DED. More

than half the TPS recipients from El Salvador, Honduras, and Haiti have been in the United States for at least 20 years.

Nearly 275,000 U.S. citizen children have been born to a parent or parents with TPS from these countries. Liberian DED holders have all been here since at least 2002 and have been building their lives and raising their families here for much longer than that.

Now, as with DACA, the Trump administration has unceremoniously terminated the TPS designation for six countries and DED for Liberia. This brings uncertainty and fear into the lives of approximately 300,000 long-term residents and their U.S. citizen families.

Several courts are now in the process of examining whether the administration acted lawfully in some of these terminations. In less than a month after nearly three decades of protection with TPS or DED, all protections for Liberians would come to an end.

Today, we are going to examine the plight of these two groups but I will say this. This is not just about the trauma of the individuals who are protected. It is about trauma to our country.

Why would we want a Rhodes Scholar to have to leave the U.S.? Why would we want a medical student who is going to provide medical care that we need to have to leave the U.S.? This isn't just about the individuals who are protected. This is about doing damage to our country. Why would we do that?

And I will just say a final thing. You know, we have tried every which way to reform our immigration laws sensibly—top to bottom reform, piecemeal reform.

I am of the view that if we say we can do nothing unless we do everything, 18 years from now we will still be spinning our wheels. We need to take steps to protect the Dreamers and the TPS–DED recipients.

We need to do other things to reform our law. We should not be stymied by the inability to do everything. Let us not let the perfect be the enemy of the good. Let us make progress finally on this important issue that faces our country.

And I yield back, Mr. Chairman.

Chairman NADLER. I thank the gentlelady.

I am now pleased to recognize the ranking member of the Immigration Subcommittee, the gentleman from Colorado, Mr. Buck, for his opening statement.

Mr. BUCK. Thank you, Mr. Chairman.

Today's witnesses include DACA recipients who are high-achieving individuals with no criminal record. They were brought to the U.S. when they were children. While this violated America's laws, we understand they did not choose to violate the law.

When given a chance, they used DACA to get right with the law. But we must be realistic. Not everyone who applies for DACA is a Rhodes Scholar, not—nor will every recipient go to medical school or graduate from college.

We are kidding ourselves if we think that all DACA recipients could even pass a background check. Last year, Republicans put forward a bill that balanced compassion for exemplary young immigrants with the need for robust screening and fraud prevention to deny status to criminals and gang members.

The bill contained enforcement to end illegal immigration. That approach remains the only realistic path to enacting a DACA fix. So where were the Democrats? Nowhere.

No Democrats voted for that DACA fix and that, sadly, is why we are having today's hearing. Today's witnesses are pawns in a tragic open border strategy being pushed by the Left.

Democrats are employing a strategy to undermine America's sovereignty and stress our schools and social safety net to the breaking point with unmanageable levels of illegal immigration.

Our witnesses are victims of that radical agenda. The American people are compassionate but they are frustrated. Americans know Congress's cycle of broken immigration promises.

In 1986, Chuck Schumer, who served on this committee, promised that the '86 amnesty would reduce federal immigration to no more than 200,000 persons per year. It didn't take long to conclude that that was a preposterous prediction.

In 1989, the New York Times wrote that the law, quote, "likely encouraged unlawful entry," end quote. No kidding. The Times projected annual illegal border crossings as high as 2.5 million per year and quoted Leonel Castillo, the INS commissioner in the Carter administration, as saying Congress would have to deal with amnesty again soon.

That prediction proved to be true. The '86 amnesty was followed by another temporary amnesty in 1994, two more failed amnesties in 1997 followed by another in 1998 and two in 2000, including on to extend the '86 amnesty.

Every amnesty brings more illegal immigration and demands for another amnesty. President Obama's DACA, or the president's DACA and the unaccompanied minor legislation enacted into law a decade ago has incentivized a massive influx of children coming to our borders.

If we are going to have a fix for the young adults before us today, it must be accompanied with border security and enforcement to ensure that the fix is the last amnesty Congress ever passes.

But instead of following that path, I fear the majority will bring forward a blanket amnesty-only DACA bill or one that contains the illusion of border security and phantom interior enforcement. That would be horribly unfair to today's witnesses because that approach has little chance of becoming law.

Why do I fear Democrats will take that approach? First, we recently had a hearing with Carla Provos, the chief of the Border Patrol. She testified—and she is in a position to know—that there was, quote, "a humanitarian and immigration crisis," end quote, on the border.

You can't make this up, but on the same day the majority voted to nullify the president's emergency declaration that sought to address the crisis. Second, the majority's omnibus spending bill reduced spending on ICE detention facilities and cut funding for fencing compared to prior bills.

Third, members of the majority have called for the abolition of ICE. One member has even threatened Democrats who supported last week's motion to recommit, requiring ICE notification if an illegal alien tries to purchase a gun.

I fear these witnesses are being held hostage by the majority, that they are being used as pawns to score political points while the majority intends to push a partisan bill that has little hope of becoming law.

If the majority chooses to move forward with hard partisanship rather than a pragmatic bipartisan approach, Mr. Chairman, we might as well go ahead and schedule this same hearing again for two, five, and 10 years from now because we won't have a solution and we will be facing the same situation as we are facing today.

I yield back.

Chairman NADLER. I thank the gentleman for yielding.

I will now introduce today's witnesses. Jin Park came to the United States at age seven from Korea and is a DACA recipient. He graduated from Harvard College with a degree in molecular and cellular biology and has been awarded the Rhodes Scholarship to attend the University of Oxford.

Yazmin Irazoqui-Ruiz arrived in the United States from Mexico at age three and is also a DACA recipient. She earned her undergraduate degree from the University of New Mexico in biology and Spanish and is currently a student at the University of New Mexico School of Medicine.

Yatta Kiazolu is a Liberian national DED holder who has been in the United States for 22 years. She has a Bachelor's degree in history and philosophy from Delaware State University, a Master's degree in history from UCLA, and is currently obtaining a Ph.D. in history from UCLA.

Jose Palma serves as a national coordinator of the National TPS Alliance. He is a TPS recipient originally from El Salvador. He received an associate degree in paralegal studies from North Shore Community College and he currently attends the University of Massachusetts Boston where he is obtaining a labor studies certificate.

Donald Graham is chairman of the board of Graham Holdings Company. He is a former owner and publisher of the Washington Post and he is the co-founder of TheDream.US, which provides educational scholarships to Dreamers and TPS recipients. Mr. Graham graduated from Harvard.

Bishop Mario Dorsonville is an auxiliary bishop of the Archdiocese of Washington. He was born in Colombia and he is the incoming migration chairman of the U.S. Conference of Catholic Bishops.

He received Bachelor's degrees in philosophy and sacred theology in the Major Seminary of the Archdiocese of Bogota, a licentiate in sacred theology from the Pontificia Universidad Javeriana de Bogota, if I pronounced it right, and a doctorate in ministry from the Catholic University of America.

Hilario Yanez came to the United States from Mexico at the age of one and is a DACA recipient. He received a Bachelor of business administration and supply chain management and management information systems from the University of Houston.

Andrew Arthur is a resident fellow in law and policy for the Center for Immigration Studies. Over the course of his career, he has been an attorney at the Department of Justice, Immigration and Naturalization Service, and on Capitol Hill before serving as an im-

migration judge in York, Pennsylvania. He received a Bachelor's degree from the University of Virginia and a JD from the George Washington University School of Law.

We welcome all of our distinguished witnesses and thank them for participating in today's hearing. Now, if you would please rise I will begin by swearing you in.

Raise your right hands, please. Do you swear or affirm under penalty of perjury that the testimony you are about to give is true and correct to the best of your knowledge, information, and belief, so help you God?

[A chorus of ayes.]

Chairman NADLER. Thank you. Let the record show the witnesses answered in the affirmative, thank you and please be seated.

Please note that each of your written statements will be entered into the record in its entirety. Accordingly, I ask that you summarize your testimony in five minutes. To help you stay within that time, there is a timing light on your table.

When the light switches from green to yellow you have one minute to conclude your testimony. When the light turns red it signals your five minutes have expired.

Mr. Park, you may begin.

TESTIMONIES OF JIN PARK, DACA RECIPIENT, HARVARD UNIVERSITY UNDERGRADUATE STUDENT, RHODES SCHOLAR; YATTA KIAZOLU, DED RECIPIENT, UCLA PHD CANDIDATE; YAZMIN IRAZOQUI-RUIZ, DACA RECIPIENT, UNIVERSITY OF NEW MEXICO MEDICAL STUDENT; JOSE PALMA, TPS RECIPIENT, NATIONAL COORDINATOR OF THE NATIONAL TPS ALLIANCE; DONALD E. GRAHAM, CHAIRMAN OF THE BOARD, GRAHAM HOLDINGS COMPANY, CO-FOUNDER, THE.DREAM.US; BISHOP MARIO DORSONVILLE, AUXILIARY BISHOP, ARCHDIOCESE OF WASHINGTON; HILARIO YANEZ, DACA RECIPIENT, UNIVERSITY OF HOUSTON GRADUATE; ANDREW R. ARTHUR, RESIDENT FELLOW IN LAW AND POLICY, CENTER FOR IMMIGRATION STUDIES

TESTIMONY OF JIN PARK

Mr. PARK. Chairman Nadler, Ranking Member Collins, and members of this committee, thank you for inviting me to testify before you today.

My name is Jin Park. I am 23 years old and the son of two loving and hardworking parents—my father, a line cook at a restaurant, and my mother, a beauty salon worker.

I am a recent graduate of Harvard University. I am also a New Yorker. I am a DACA recipient. After the Asian financial crisis in late 1990s, my parents made the wrenching decision to leave behind the only home they had ever known in search of a better life for our family.

That is how, at seven years old, I ended up on a plane bound for Flushing, Queens. My first day of school went poorly, mainly because I spoke essentially no English. When my teacher directed a question to me, she might have well have been speaking gibberish.

Scared, I grasped for the only English words I could remember and responded with, “Home alone,” which I had picked up—picked up from the movie on the plane. And, fortunately, my teacher quickly realized the problem and got me into ESL.

After several months, I had learned enough English to join regular classes and quickly slipped into life of a normal New York City public school kid. I spent most of my time after school with friends playing pickup basketball at the courts in the neighborhood.

When my dad learned that baseball was an all-American pastime, he started taking me out to play on the sidewalk in front of our apartment complex.

He was a little fuzzy on the rules and his pitching left something to be desired. But he was determined that his son would not miss out on this American rite of passage.

I was always aware on some level that I was different. But as a kid, I was not able to grasp such a weighty concept as citizenship. I would learn eventually. When I was about 15 I went to a hospital to sign up as a volunteer. The administrator I spoke with said she was sorry but they did not allow illegal aliens.

Embarrassed and confused about how to respond, I just mumbled an apology, walked outside, and cried. The hurt of that experience stayed with me until one afternoon in the summer of 2012 when President Obama stood in the Rose Garden and announced a new policy that would allow undocumented immigrants brought here as children to officially have a place in American society.

I remember clearly the mixture of relief and growing excitement as I listened to the speech and realized he was talking about kids like me.

Five years after that moment, the gnawing ever-present uncertainty that comes from being undocumented slowly faded away. In 2017, at the start of my senior year at Harvard, that uncertainty came rushing back as DACA’s future was thrown into question. But I was determined to continue pursuing my goals and applied for a Rhodes Scholarship. When I became the first DACA recipient to win the Rhodes, I was overwhelmed with unspeakable gratitude to my parents, my community, and to my country, the United States of America.

Right now, there is a major obstacle between me and the Rhodes Scholarship. When DACA was halted in 2017, the guidance that allowed DACA recipients to get advanced permission to leave the country to study, work, or visit elderly family members was also terminated.

This means that if I leave the country to study at Oxford I will forfeit my DACA and there will be no guarantee that I can return home to the United States. That is the perpetual reality of being undocumented. No matter how hard I work or what I achieve, I will never know if I have a place in America, my home.

I am supposed to leave for Oxford in October, roughly, seven months from now. But I feel caught in an impossible position. How can I leave knowing I might not be able to come back to my home, my family, my friends, and the life I have built here for the past 16 years?

My proposed study includes field work in Flushing, where I grew up. How can I do that if I can’t even get into the United States and

how many others have found themselves at a similar crossroads faced with an impossibly difficult choice?

We know some of their stories like Mayra Garibo, a DACA recipient studying at California State University, who was unable to visit her father in Mexico before he died, and we know of Angel Martinez, a DACA recipient diagnosed with terminal leukemia who had to choose being saying goodbye to his family in Mexico and receiving Hospice care in the U.S.

Every day that DACA recipients are left in limbo it inflicts unnecessary pain, suffering, and hardship, and it will only get worse if Congress does not take action to provide permanent protection for DACA recipients.

The scholarship offers me an extraordinary opportunity but it does not make me more extraordinary or deserving than other Dreamers. Like all dreamers, my family came to this country seeking a better life. My parents desperately wanted to give me opportunities they never had.

Like all Dreamers, the United States is my home. For many of us, it is the only home we can really remember. I can only hope my testimony shows the need for quick action to permit dreamers to fulfill their potential and contribute to American society.

Thank you again for the opportunity to testify today and I am happy to answer the committee's questions.

[The statement of Mr. Park follows:]

Testimony of Jin Park
House Committee on the Judiciary - Protecting Dreamers and TPS Recipients
March 6, 2019

Chairman Nadler, Ranking Member Collins, and Members of the Committee, thank you for inviting me to testify before the committee today.

My name is Jin Park. I am 23 years old and the son of two loving and hardworking parents—my father, a line cook at a restaurant, and my mother, a beauty salon worker. I am a recent graduate of Harvard University where I majored in biology and minored in migration studies. I loved Cambridge, but I am a New Yorker at heart.

I am also a DACA recipient. In 1997, the year after I was born in South Korea, a financial crisis hit east Asia and the economy cratered. My parents eventually made the wrenching decision to leave behind the only home they had ever known in search of a better life for our family. That is how, at the age of 7, I ended up on a plane bound for a strange land called Flushing, Queens.

My first day of school went poorly, mainly because I spoke essentially no English and nobody recognized that. The only words I knew were “Where is the bathroom?” and “I don’t speak English,” both of which my mother had taught me, as well as “Home Alone,” which I had picked up from the subtitled movie I watched on the plane ride over. When my teacher directed a question to me, she might as well have been speaking gibberish. Scared and unable to remember my mother’s lessons, I grasped for the only other English words at my disposal and not-too-helpfully responded: “Home Alone.” Fortunately, after I repeated that a few times, my teacher realized the problem and quickly got me into an English as a Second Language course.

After several months, I learned enough English to join regular classes and quickly slipped into the life of a normal, New York City public school kid. I spent most of my time after school with friends and playing pickup basketball at courts in my neighborhood. When my dad learned that baseball was an all-American pastime, he started taking me out to play on the sidewalk in front of our apartment complex. He was a little fuzzy on the rules and his pitching left something to be desired, but he was determined that his son would not miss out on this American rite of passage.

Our life felt normal to me, even though I was always aware on some level that I was different. My parents always warned me not to talk about where I was born and to be careful never to misbehave, particularly around police. I knew I should avoid busy streets, where immigrations raids often took place. But, like any kid, I was more preoccupied by things like the latest NBA standings and not able to grasp such a weighty concept as citizenship and what it meant not to have it.

I would learn eventually. Years later, when I was about 15, I went to a hospital to sign up as a volunteer. After a few minutes, the administrator who interviewed me came back and said she was sorry, but they did not allow “illegal aliens.” Embarrassed and confused about how to respond, I just mumbled an apology, walked outside, and cried. What did she mean I was an alien? I felt dehumanized, hurt, and ashamed, as if I had done something wrong, even though I

had only tried to volunteer at a hospital. This is what my parents had tried to warn me about, but there is simply no way to prepare a kid for something like that.

The hurt of that experience stayed with me until one afternoon in the summer of 2012, when President Obama stood in the Rose Garden and announced a new policy that would allow undocumented immigrants brought here as children to obtain a temporary reprieve from deportation. I remember clearly the mixture of relief and growing excitement as I listened to his speech and realized he was talking about kids like me.

For five years after that moment, the gnawing, ever-present uncertainty that comes from being undocumented faded. For five years, I could experience some things that teenagers born here take for granted – picturing my long-term future and having the assurance that I would be able to go to college, to work, and to support my family.

I began studying at Harvard in 2014. Before I left for school, I had many conversations with friends who are also undocumented and were unsure about how to apply to college or whether they even could. In 2015, I launched a nonprofit called Higher Dreams dedicated to educating teachers and guidance counselors about how to advise undocumented students about applying for college. We also provide a forum for undocumented students to network with one another and share advice about navigating the world of higher education, a place where we often feel that we do not belong. During my time at Harvard, I also participated in a program that helps prepare immigrants for their naturalization exam.

In 2017, at the start of my senior year, DACA's future was thrown into question. That was a scary moment for me – I was forced to grapple anew with the fact that there was a very real possibility that I might be forced to pack up and leave my home. But, I determined that would not derail my goals. I applied for a Rhodes Scholarship to study at Oxford even though, as a DACA recipient, I was technically ineligible. The course of study I proposed would merge my two academic paths—biology and migration—to understand immigrants' lives through an ethnographic approach to design effective policy interventions to improve immigrant health, starting in my own community in Flushing.

My goal in applying was also to start a conversation – to try to get the Rhodes Trust to rethink what it means to belong to a country and to show the contributions people can make regardless of their citizenship status. As expected, I did not initially receive the scholarship, but the conversation I started had an impact – the Rhodes Trust changed its policy the following year and allowed DACA beneficiaries to apply. So I tried again. This time I was accepted, becoming the first DACA recipient to win the Rhodes Scholarship.

It took a while for the news to sink in. Once it did, I was overwhelmed with unspeakable gratitude to my parents, my community, and my country – the United States of America. The honor felt as much a recognition and validation of my parents' sacrifices as it was of my own achievements. Although a Rhodes Scholarship is awarded to a specific person, behind every recipient is a sea of people who supported that person along the way – my parents chief among them in my case. I know that I will spend the rest of my life trying to live up to this opportunity and make good on the faith they have shown in me.

But as of this moment, there is a major obstacle between me and the Rhodes Scholarship. When DACA was halted in 2017, the guidance that allowed DACA recipients to get advance permission to leave the country to study, work, or visit elderly family members was also terminated. That permission is called Advance Parole. No court ruling has reinstated that guidance. This means that if I leave the country to pursue my studies at Oxford, I will forfeit my DACA and there will be no guarantee that I can return home to the United States. I first learned about this only after receiving the Rhodes Scholarship. That fact drove home for me the perpetual reality of being undocumented: no matter how hard I work or what I achieve, I never know if I have a place in America, my home.

I am supposed to leave for Oxford in October – roughly 7 months from now – but I feel caught in an impossible position. How can I leave knowing I might not be able to come back to my home, my family, my friends, and the life I have built here for the past 16 years? How can I conduct my fieldwork at home in Flushing and use the knowledge I will gain through this scholarship to improve healthcare in the United States if I cannot even return?

How many others have found themselves at a similar crossroads, faced with an impossibly difficult choice? We know some of their stories. I ask each member of this Committee to consider the following – if you had to choose between leaving your home, knowing that you likely could never return, and visiting your dying father abroad, what would you choose? That was the situation that Mayra Garibo, a DACA recipient studying at California State University, faced. She was unable to visit her father in Mexico before he died. Or imagine being faced with your own imminent mortality and being forced to choose between receiving palliative hospice care in your home, the U.S., and the opportunity to say goodbye to your parents before you passed. That was the choice that Angel Martinez, a DACA recipient diagnosed with terminal leukemia, had to make, as his parents had been deported to Mexico. Leaving DACA in limbo is inflicting unnecessary pain and suffering and hardship right now. It will only get worse if Congress does not act to provide permanent protection for DACA recipients.

No matter what I decide to do, being named a Rhodes Scholar is an honor I will spend the rest of my life trying to live up to. The scholarship offers me an extraordinary opportunity, but it does not make me any more extraordinary or deserving than other Dreamers. Like many Dreamers, and like the generations of immigrants who preceded us, my family came to this country seeking a better life, and because my parents desperately wanted to give me opportunities for a life they never had. Like all Dreamers, the United States is my home. For many of us, it is the only one we can really remember. Like all Dreamers, I am an American in every way that matters – except for a piece of paper.

I am overwhelmed by the responsibility I have been given today to address the very people who have the power to ensure that Dreamers truly have a place in America. I hope my testimony helps show the need for quick action to permit Dreamers to fulfill their potential and contribute to American society.

Thank you again for the opportunity to testify today. I am happy to answer the committee's questions.

Chairman NADLER. Thank you very much.
Ms. Kiazolu.

TESTIMONY OF YATTA KIAZOLU

Ms. KIAZOLU. Chairman Nadler, Ranking Member Collins, and members of the committee, thank you for this opportunity.

My name is Yatta Kiazolu. I am 28 years old and I am a beneficiary of Deferred Enforced Departure, also known as DED. In addition, I am a Ph.D. candidate in the Department of History at UCLA with plans to graduate by fall 2018.

After 22 years in the U.S., however, 25 days from now Liberian DED will end and my entire life will be interrupted. I have only visited Liberia once as a toddler and I have never lived in the country.

I am here today to appeal to Congress to create a permanent solution on behalf of myself and the thousands of Liberians who have rebuilt their lives here in the United States.

I was born in Botswana to Liberian national parents and arrived in the U.S. at six years old in 1997. My father worked as a professor at the University of Botswana for the United Nations while my mother was a stay-at-home parent and later worked as a teacher at a local school.

We had no other family in Botswana. When my parents made an attempt to move back to Liberia after the first civil war, in fear of my safety my mother sent me to live in Georgia with my grandmother while they assessed the situation.

Living in the States provided me security and stability I otherwise would not have known because the fragile political climate soon descended into a second civil war.

My mother joined me soon after. In fact, one of my fondest memories at this age was being in a Little League in Decatur, Georgia, where my cousins and I made up almost the entire team.

I have been a recipient of both TPS and DED. If DACA had not been rescinded it is possible that I would be a Dreamer as well. The protection of these relief programs allowed me to maintain a stable and health life despite living deadline to deadline.

The ability to attend college and graduate from Delaware State University with honors helped me discover my passion for history and higher education. An undergrad, I was an active member of my campus and community, leading student organizations, joined the public service sorority, Delta Sigma Theta, and even completed internships at congressional local offices.

DED made it possible for me to leave the U.S. in 2012 through advanced parole for the first time since my arrival to travel to South Africa. I participated in the UC Office of the President HBCU Initiative. I was thrilled to be able to travel freely with my classmates for once.

This program exposed me to graduate education and is the reason I decided to pursue my doctorate in history at UCLA. On campus, I have been a strong advocate of student support, led numerous diversity and inclusion initiatives, and worked as a teaching assistant for undergraduate courses.

In my local community I work to support student access to higher education through tutoring and working as an adjunct instruc-

tor. Nothing I have accomplished thus far would be possible without the unwavering support of my family, who are here with me today.

I am here because of the love and labor of my mother, grandmother, and aunties who, when I first arrived, were all working class black immigrant women. They worked jobs that required them to stand on their feet for sometimes over 10 hours a day in order to protect me and offer me a space to imagine, dream, and explore my world as a child should.

Their resilience, hope, and lessons about good will inspire my graduate research, about histories of black women's political activism. My grandmother used to say when you do good you don't do it for yourself. You do it for God.

And with that philosophy as my personal mantra through the majority—though the majority of my family are now permanent residents and U.S. citizens, I am here for all the working class immigrants on DED, TPS, and are also DREAM eligible.

I am here for all the young people like myself who have anxiety about their futures. If Congress allows DED to end in 25 days, I do not know what will happen to me. My mother and stepfather lose sleep every night worrying about me.

I want to graduate this year and begin my career in higher education. I am incredibly passionate about teaching history, public history programming, and student mentorship. Through various roles in the classroom over the last five years, I have been invested in the academic personal achievement of over 200 students, especially those who are historically under represented.

As a product of dedicated advocates, I want to be able to give back, especially to students who have limited access to higher education.

To this end, it is my greatest appeal that Congress create a permanent path to citizenship for DED and similar programs like DACA TPS.

Thank you for your time.

[The statement of Ms. Kiazolu follows:]

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Testimony of Yatta Kiazolu
The University of California, Los Angeles
Ph.D. Candidate 2019

March 6, 2019

House Judiciary Committee Hearing on Protecting Dreamers and TPS Recipients

My name is Yatta Kiazolu. I am a twenty-eight-year-old sixth year Ph.D. candidate in the Department of History at the University of California, Los Angeles with plans to graduate by Fall 2019. I arrived in the United States at JFK airport from Botswana as a six-year-old in September of 1997, almost twenty-two years ago.

The termination of Deferred Enforced Departure, or DED, for Liberians in 25 days means that I will soon be asked to self-deport to Liberia--a country that I have only visited once as a toddler, and in which I have never lived.

I am here today because of the love and labor of my mother, grandmother, and aunties who are all working class Black immigrant women who have protected me and offered me space to imagine, dream and to be the woman that I am today.

I am inspired by these women to build power in my community. I am here for all the working class immigrants on DED, TPS, and are DREAM eligible, whose dreams are no different from any of us. From the Nepalese salon workers to the Haitian hospitality workers and to Liberian nurse aides around the country. I am here for all young people like me who want an opportunity to thrive and live their fullest lives.

MY STORY

I was born in December 1990 and raised in Botswana by Liberian national parents. While I have always maintained Liberian nationality, obtaining documentation from the Liberian government at the time of my birth to reflect my nationality was incredibly difficult because the country was engulfed in the first half of the civil war.

At the time of my birth, my father worked as a professor of agriculture at the University of Botswana for the United Nations. My mother was a stay-at-home parent and would later work as a teacher at a local school. We had no other family in the country.

At the height of the first half of Liberia's civil war, in the early 1990s, my mother and I came briefly to Georgia, in the United States. In addition to the danger she would have faced if she returned to Liberia, my father was physically abusive to her. She wanted to escape both the intimate violence she was facing in her marriage as well as escape the horrors of the war. Ultimately my father manipulated my mother into returning to Botswana so that they could reconcile and keep the family together.

We rejoined my father in Botswana where he did not keep his promise, and the abuse continued. By 1997, there was a second civil war in Liberia. My father got a job in Liberia, and my mother was determined to protect me from the turmoil there. She feared for my physical safety, and so she sent me to the United States to be with my grandmother in Georgia.

My mother followed shortly after me on what was supposed to be a temporary visit. The plan was for my father to make arrangements for us to settle in Liberia when it was safe at the end of the school year, but no such arrangements were ever made, and conditions in Liberia only got worse.

Most of my mother's siblings and my grandmother had relocated to the United States because of the civil war. Together, my mother and I lived with my aunt, uncle, three cousins and grandmother in a crowded three bedroom apartment in Decatur, Georgia. The love and support of our family members made an incredible impact on our ability to transition, heal, and begin our new lives in the U.S.

Slowly, life began to take a turn for the better. My mother met and fell in love with my amazing stepfather who has helped raise me since I was eight years old.

They were both beneficiaries of Temporary Protected Status (TPS). I remained undocumented until I started high school and then also became a recipient of TPS in 2002. When TPS for Liberia ended in 2007, President George W. Bush immediately granted Deferred Enforced Departure (DED). I was able to attain this DED status and until recently DED has continuously been renewed. These immigration relief programs allowed me to obtain a driver's license when I turned 16, just like my peers and, later, allowed me to get my first job.

However, the inability to obtain permanent residency meant that I could not access financial aid to attend college nor pay in-state tuition despite graduating at an in-state school high school with honors; a reality I was completely unaware of until my senior year. Through the kindness, generosity, and sacrifice of my U.S. citizen aunt, I obtained private student loans that helped me transition from Delaware Technical Community College to Delaware State University, where I graduated magna cum laude in 2012.

Since gaining TPS, I have not been eligible to apply for permanent residency, despite many attempts made by my parents including applying for the Diversity Lottery and family sponsorship. Though my grandmother became a U.S. citizen and applied for my mother, she passed away as we waited for over 10 years for a visa number to become available. I also aged out as a derivative beneficiary when I turned 21. My stepfather, who has also since become a U.S. citizen, applied for me in 2016; however, there is a 7 plus year waiting period. It is also noteworthy that I am unable to obtain an F-1 international student visa because I lack the strong ties to my home country necessary under current U.S. visa policy.

As the March 31, 2019 termination of DED approaches, my life remains in limbo. I have ahead of me opportunities that are unmatched and the termination has already begun to negatively impact my academic and professional development. Recently, there was an extensive delay on the part of USCIS to renew my work authorization for the final six

months and I received my work authorization only in February 2019, a month before it expires.

If DED ends in 25 days, it will certainly interrupt my education by making it difficult to finish the research and writing necessary to graduate in 2019. The termination will stunt my professional development by separating me from my academic and professional network and resources. Additionally, my finances, particularly student loans (and U.S. citizen co-signer), will be negatively impacted because I will be unable to continue repayment due to my inability to work. I need stability. This lack of a secure future has taken a tremendous toll on my mental and emotional well-being such that I have had to seek professional support from a therapist due to increased anxiety, panic attacks, and acute stress about my future.

For the last 22 years in the United States, with some immigration relief in place, though challenging, I have been able to maintain a somewhat stable and healthy life. However, throughout my early adolescent to adult years, I have met social milestones along with my peers. The ability to attend college and complete a Bachelor's degree allowed space for me to discover my passion for history and higher education. I have always been an active participant in campus life by creating and leading student organizations. I joined the public service sorority, Delta Sigma Theta Sorority, Inc. and completed college internships at the offices of (now) Governor John Carney and U.S. Senator Christopher Coons.

DED made it possible for me to leave the United States in 2012, through Advanced Parole, for the first time since my arrival, to travel to South Africa in order to participate in the University of California's Office of the President and Historically Black Colleges and Universities (HBCUs) initiative. This program exposed me to graduate education and is the reason I decided to pursue my doctorate in history at UCLA. On campus, I have been a strong advocate of student support, led numerous diversity and inclusion initiatives, and worked as a teaching assistant for undergraduate courses. In my local community, I work to support student access to higher education through tutoring and working as an adjunct instructor.

It is my greatest appeal that Congress create a permanent path to citizenship for us. I have worked so hard to get here, and my family and community have supported me throughout my educational career. My dream is to complete my Ph.D this year and begin my career in higher education as a university professor. I am incredibly passionate about teaching history, public history programming, and student mentorship. Through various roles in the classroom over the last five years, I have been invested in the academic and personal achievement of 200+ students, especially those who are historically underrepresented in higher education. As a product of dedicated advocates and mentors, I want to be able to give back, especially to students who have access resources kept away from them.

On behalf of other TPS and DED holders from Nepal to Haiti to Liberia, I appeal to Congress to create a permanent path to citizenship for us.

Chairman NADLER. Thank you.
 Ms. Irazoqui-Ruiz—I got that right—Ruiz.

TESTIMONY OF YAZMIN IRAZOQUI-RUIZ

Ms. IRAZOQUI-RUIZ. Good morning Chairman Nadler, Ranking Member Collins, and distinguished members of the Judiciary Committee.

My name is Yazmin Irazoqui-Ruiz. I am a third-year medical student at the University of New Mexico School of Medicine. This past Friday I completed my surgery clerkship. I hope to provide women's health and specialize in obstetrics and gynecology to do what I can to ensure all women and girls get the excellent health care they deserve.

It is my honor to be here today and to share my story and the stories of young people who benefit from Deferred Action for Childhood Arrivals and what it is like to live in fear of ICE and CBP.

I want to thank you for holding this necessary hearing. I moved to the U.S. with my mom and twin sister when my sister and I were three years old and, like most immigrant youth, I belonged to a mixed status family.

My younger brothers are U.S. citizens, I am a DACA recipient, and my twin sister is a legal permanent resident. We moved to Phoenix, Arizona, where my mother built a loving home for our family. In my eyes, my mother and all immigrant parents have made great sacrifices and taken risks so that their children can thrive.

They are the original Dreamers. When I was 16 years old, my world was shaken. My mother suffered a stroke and we feared that she wouldn't make it. I am happy to say that my mother recovered and is at home right now watching me testify before you. Te quiero, Mama.

It was during this time that my twin sister and I learned of our immigration status. In the blink of an eye our biggest concern went from student government and obtaining good grades to living with the burden of wondering whether our mother would survive and whether ICE agents or Arizona Sheriff Joe Arpaio, would tear our family apart.

During this time my mother and I approached an attorney for legal advice and I will never forget his words: In this country you are no one. In this country you do not exist. You will never be able to attend college.

I remember my throat tightening as I choked back tears while trying to process his words. My young mind could not wrap itself around them. I had done everything right. My grades, my extracurricular achievements, all of the hard work, my mother's sacrifices, didn't matter. We didn't know how we would survive but we dug deep. Immigrant families know how to do that. We made the decision to move to Albuquerque, New Mexico.

This was before DACA, and while we knew that ICE still posed a threat, we went about making friends at our new school and obtaining good grades. College applications were tricky.

Despite receiving a full tuition scholarship, New Mexico State University was out of the question because of its proximity to the border and other forms of financial aid were difficult to come by.

I went on to earn a Bachelor of science at the University of New Mexico, and because immigrant youth fought to be protected, the DACA program was created in 2012. After that, life changed for me and many immigrant youth.

I had access to different jobs. I could now move freely in the U.S. I could finally breathe a sigh of relief. Unlike DREAM Act legislation of years past, academic achievement was not a qualification for DACA.

This is important, because even though I sit here today as a medical student and as someone who is proud of her accomplishments, I come from a community of resilient and strong mechanics, construction workers, teachers, home care workers, cosmetologists, moms, dads, and people from all walks of life who call this nation their home.

So when Donald Trump killed DACA, my mental health was tenuous. Here I am, once again, having worked hard in medical school and now facing the reality of my future career as a physician being pulled out from under me.

And I know that I am not alone. While I am on my way to becoming a physician, I know that others with DACA, TPS, and DED protections have started careers, bought homes, started families, and here we are facing that being taken away.

I know what my life without DACA would be because I see it every day. With the New Mexico Dream Team and United We Dream, young people and allies brought counseling to the community because children were terrified, fearful that their parents would be taken away.

I visited the Cibola ICE Detention Center, which is run by the Core Civic Corporation to help uncover the mistreatment of trans women and queer men who reported being abused by guards.

Ladies and gentlemen, the tents and cells where immigrant children are being held in detention along the border bring back memories of Arpaio's Arizona tent cities and it shakes me to my core.

I know that some say that young people with DACA should be protected for a price. They call for more immigration enforcement, which would put my mother in danger in exchange for my safety.

Mr. Chairman and members of the committee, I come before you today as the product of my community. So protecting me in exchange for increased danger for my community is not a protection at all.

I come to ask that you pass legislation to provide for permanent protection and a pathway to citizenship and I ask that you not use my plight as a DACA recipient who could become vulnerable to ICE and CBP as leverage to increase the power for those enforcement agencies.

Thank you.

[The statement of Ms. Irazoqui-Ruiz follows:]

**Prepared Testimony of
Yazmin Irazoqui Ruiz**

**House Committee on the Judiciary
March 6, 2019
Washington, DC**

Good morning.

Chairman Nadler, Ranking Member Collins and distinguished members of the Judiciary Committee - my name is Yazmin Irazoqui Ruiz.

I am a third year medical student at the University of New Mexico School of Medicine. This past Friday, I completed my surgery clerkship. I intend to specialize in women's health and become an OBGYN to do what I can to ensure that all women and girls receive the excellent healthcare that they deserve.

It is my honor to be here to share my story and the stories of young people who benefit from the Deferred Action for Childhood Arrivals program and what it is like to live in fear of ICE & CBP.

I want to thank you for holding this necessary hearing.

I will share my story with you as well as my belief that Congress should pass legislation to create permanent protections for immigrants without adding to the pain we face with more detention camps and deportations

Like hundreds of thousands of other immigrant youth, I am a beneficiary of the Deferred Action for Childhood Arrivals program.

And like most immigrant youth, I come from a mixed-status family. My younger brothers are U.S. citizens, I am a DACA recipient, and my sister is a legal permanent resident.

I moved to the U.S. with my mom and twin sister when my sister and I were three years old. My mom was a doctor in her home country of Mexico, but as a single mother trying to raise two girls she wasn't able to make ends meet and decided to come north to the U.S.

We moved to Phoenix, Arizona where my mother built a loving home for our family. Although we didn't have much in the way of money, my mother made sure that my sister, my brothers and I had what we needed.

In my eyes, my mother, and all immigrant parents who have made great sacrifices and taken risks so that they and their children can thrive, are heroes. They are the original dreamers.

When I was sixteen years old, my world was shaken.

My mother - my hero - suffered a stroke and we feared that she wouldn't make it. I remember the overwhelming fear I felt at the thought of losing my mom. I remember worrying and wondering how we could keep a roof over our heads in addition to paying the medical bills which were beginning to pile up.

It was this experience that led me to pursue a career in medicine. I dreamt of providing dignified, culturally competent medical care to women like my mother. Medical care that wasn't dependent on where you came from or your immigration status or the accent you had, but that was based on the basic human right to lead and live a healthy life.

I am so happy to say that my mother recovered and is at home right now watching me testify before you today. Te quiero, mama.

I have shared my mother's experience with you because it was during this time that my twin sister and I learned of our immigration status.

In what felt like the blink of an eye, our biggest concerns went from student government and grades to living the burden of wondering whether our mother would survive and whether ICE agents would tear our family apart.

My mother's distrust of Maricopa Police under then Sheriff Joe Arpaio and his tent cities right in the middle of the city all made sense now. It seemed as if everyone we knew, knew someone who was taken by either Arpaio or ICE.

During this time, my mother, my sister and I approached an attorney for legal advice and I will never forget his words that day. He said: "In this country, you are no one and in this country you do not exist. You will never be able to attend college."

I remember my throat tightening as I choked back tears while trying to process his words. My young mind could not wrap itself around them. I had done everything right, everything I was supposed to do. My grades, my extracurricular achievements, all of the hard work, my mother's sacrifices didn't matter because this man was telling me that individuals without documentation simply did not matter and couldn't attend college.

We didn't know how we would survive but we did.

Immigrant families are strong, resilient and dig deep to persevere. We made the decision to leave Arpaio's Arizona and move to Albuquerque, New Mexico, where my mom could concentrate on recovering and not have to worry about Joe Arpaio anymore.

This was before DACA and while we knew that ICE still posed a threat we went about making friends at our new school and trying our best to get good grades.

College was coming and even though we did well in school and won scholarships, we couldn't take advantage of them.

The New Mexico State University or anywhere south of the Border Patrol checkpoints was out because it was too dangerous - and any out-of-state scholarships were out because we were undocumented.

I eventually attended and earned my Bachelor's degree from the University of New Mexico and because immigrant youth fought to be protected, the DACA program was created in 2012 and I qualified.

After that, life changed for me and many immigrant youth. I had access to different jobs, I could move freely in the U.S. and I could breathe a sigh of relief.

And unlike Dream Act legislation of years past - academic achievement was not a qualification for DACA.

Because even though I sit here today as a medical student and as someone who is proud of her accomplishments; I come from a community of resilient and strong mechanics, construction workers, teachers, home care workers, cosmetologists, moms, dads and people from all walks of life who call this nation our home.

And core to DACA is the idea that immigrant youth should be protected without hurting other immigrants. Without building more detention camps, hiring more deportation agents or ripping apart any more families.

So when Donald Trump moved into the White House, I was once again terrified.

Like Arpaio, he had been very vocal about his plans to go after families like mine. His plans to kill DACA and in his words, create a "deportation force" to deport us.

Then he actually killed DACA and my mental health was shot. Everywhere around me, I saw people confused and scared about what would happen next.

Here I was once again, having worked hard and made it to medical school and was facing the reality of having the opportunity to become a physician being pulled out from under me.

I took a leave of absence from medical school to join together with other immigrant young people of the New Mexico Dream Team and United We Dream to see what I could do to help.

We brought counseling into schools because children were terrified, fearful that their parents would be taken away by Trump and CBP and ICE.

We did research on the mental health of immigrant youth who we knew were encountering tremendous pressure at this time. With the support of the University of New Mexico's Transdisciplinary Research, Equity and Engagement Center for Advancing Behavioral Health (TREE Center), we found that the trauma of migrating and of life with the constant fear of deportation, as well as the lack of access to healthcare have seriously impacted the wellbeing of undocumented youth and their families. I remember one young woman telling me that she went to go see a counselor and the counselor started crying because her story was so traumatic.

We went to the Cibola ICE Detention Center - which is run by the Core Civic Corporation - to uncover the mistreatment of trans women and queer men who reported being abused by the guards.

And the tents and cages where immigrant children are being held in detention along the border bring back memories of Arpaio's tent cities that had us shaken to our core.

We brought attention to the ICE agents who camped out at the courthouse waiting for undocumented people to come pay tickets.

And everywhere, employers forcing their workers to labor without pay or women unable to report their abusers because of the looming threat to call ICE.

I know what life would be like without DACA because I see it every day.

I am well on my way to becoming a physician and I know that young people with DACA have started careers, have bought homes, have started families and here we were facing all of that being taken away.

Young people with DACA have lived here our entire lives, immigrants with TPS have lived here for ten, twenty years and this is our home.

I know that some policymakers believe that young people with DACA should be protected for a price. They call for more immigration enforcement which would put my mother in danger in exchange for my safety.

Mr. Chairman and members of the committee, I come before you today as the product of my community. So protecting me in exchange for increased danger for my community is not a protection at all.

I come to ask that you pass legislation to provide for permanent protection and a pathway to citizenship.

And I ask that you not use my plight as a DACA recipient who could become vulnerable to ICE and CBP as leverage to increase the power of those enforcement agencies.

I ask you to draw strength from your own immigrant ancestors to lead the nation today as others are working so hard to divide us.

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Chairman NADLER. Thank you.
Mr. Palma.

TESTIMONY OF JOSE PALMA

Mr. PALMA. Thank you, Chairman Nadler, Ranking Member Collins, and distinguished members of the committee.

My name is Jose Palma. I am a father of four U.S. citizen children. I am a loving husband to my wife and for 18 years a proud resident of Lynn, Massachusetts, and I am also a TPS holder.

I also speak to you today as a husband, a father, a coordinator for the beautiful alliance of TPS holders, the National TPS Alliance. I hope to give their experiences the justice they deserve.

I ask that you look at me and the TPS community beyond the politics, the sound bites, and rhetoric with more than half a million TPS holders and their families on the verge of being separated. We ask that you look at humanity and our stories.

Our story is no different from that of millions of Americans who have established roots, who are the strong foundations in their communities, and fight to make sure their families are safe.

I was first granted TPS in 2001. I was 25 years old. We were given 18 months to work, to get our affairs in order, and any planning beyond that was unthinkable. However, after a year passed, I began working.

I obtained an associate degree of paralegal studies from North Shore Community College. I was awarded a distinguished alumni award. I married the love of my life, who also has TPS, and we had our son, Kevin, who is now getting ready to apply to colleges, hoping to become a cardiologist.

Like other fathers, I am helping him fill out the applications and hope to continue supporting him throughout his career. Angie, my 13-year-old daughter, is part of every club possible at school and dreams about being a physical therapist.

Our three-year-old Ezekiel is about to go to pre-K and we have a seven-month-old baby girl, Valentina, whose greatest gift to my life is a beautiful smile.

For the last 18 years, our life has been measured in 18-month periods, background checks, application fees, visits to DHS offices. We have always done everything we have been asked to do to be protected from deportation and to continue working and supporting our family.

But after so many years we have simply begun to live our lives and to build our homes where we work. The U.S. is our home now. I am not unique or special. This is the experience of any TPS family in this country.

Many of you are fathers and mothers. The story of a TPS holder are the stories of family, home, and community. But since the TPS program was terminated our life has been on hold.

I now only have nine months left before I am separated from my children. Kevin will be in his first semester at college. Like me, hundreds of thousands of TPS holders and their families are confronted this terrible reality. Being on the verge of losing our stability and, like me, many have chosen to lift up their voices and share the TPS experience.

Do you know who is the TPS community? When New Orleans was flooded after Hurricane Katrina, TPS holders were among the workers that helped rebuilt the city. A business owner in Boston who employed dozens of Americans with well-paid jobs and runs a multi-million-dollar construction business hold TPS from El Salvador.

In Dallas, Texas, a TPS holder that is an auto mechanic has a son who recently joined the U.S. Marines, willing to risk his life at the same time his parents are at risk of losing their immigration status.

The most important, we are parents trying to stop a humanitarian crisis of family separation. There is nothing temporary about our family's life. We have been given some of our best years to this country. Our lives are proof of the promise of resilience and well-grounded families.

I ask that you be proud to stand with us and help us on the path toward permanent residence for hundreds of thousands of TPS families who call this country home.

Thank you.

[The statement of Mr. Palma follows:]

**Testimony prepared for the
United States House Committee on the Judiciary
March 6, 2019
(Washington, DC)**

Jose Palma, Coordinator, National TPS Alliance,
TPS holder, and resident of Lynn, MA

Thank you, Chairman Nadler, Ranking Member Collins, and distinguished members of the Judiciary Committee, for the opportunity to testify today.

My name is Jose Palma. I was born in El Salvador, however my home – and my family’s home – is in the United States. I am a father of four (4) US citizen children, and I have lived in Lynn, Massachusetts for eighteen (18) years as a TPS holder. I speak to you today as an individual, as a husband, a father, and a worker.

Importantly, I also serve as the coordinator of a beautiful alliance of TPS Holders, the National TPS Alliance representing 60 committees of TPS holders, in 27 states across the country. Today, I am representing their voices and I hope to give our claims the justice they deserve.

Defending TPS and securing permanent residency for TPS communities is an emblematic test for our time. We represent the promise of a diverse and prosperous nation; the courage of immigrant families that have thrived in America; the example of hard work and strong families upon which strong communities have always been built.

I know the members of the committee understand, these are not things to fear. These are the shared values that we all know we should celebrate. These values are things we should cherish and defend. That is what is at stake.

We ask that you look at us, beyond the politics beyond the sound bites and rhetoric. With more than half a million TPS holders and their families on the verge of being separated, we ask that you look at our humanity and hear our stories.

My hope is that you will see how our story is no different from that of millions of Americans who have established roots, are strong foundations in their communities, and are fighting to ensure their families are safe and protected. I’d like you to have a clear idea of who TPS holders are.

I also would like you to know why the term “temporary” is no longer an appropriate term or category for our communities across the nation. We have given the best years of our lives in this country.

When the Trump administration began to terminate legal status for TPS holders across the nation, families across the country had to confront the reality, and in response we built an inspiring coalition that is standing up for the thirteen (13) countries that have had TPS in recent years.

The National TPS Alliance has coordinated with our partner organizations to file the lawsuit that has so far blocked the Trump administration's termination of TPS for El Salvador, Haiti, Sudan, and Nicaragua, and we are currently litigating to secure protections for TPS holders from Nepal and Honduras. A preliminary injunction has now given some of us until January 2, 2020, but we know that a federal court's preliminary injunction does not give justice to our families and, in any event, is not stable. Permanent residency is what we seek.

We have been involved in the revival of local economies, contributed to the social fabric of hundreds of towns across the country, undergone rigorous background checks, paid taxes, purchased homes, paid mortgages, and raised American--born children. I can assure you that our lives and our stories are anything but temporary.

JOSE'S STORY: "YOUR EDUCATION IS YOUR FUTURE"

I invite you to picture my life as a young ten-year-old child from a town square in El Salvador. I would shine people's shoes all morning every day, because my parents lost everything in the Civil War, and they needed me to work to afford food and to sustain our humble home.

At noon every day I would leave work and go to school, because my parents would say, "your education is your future." Even though neither of them knew how to read or write they knew their child needed a better future and that future was in school. **That dream became the boy's dream too.**

I soon realized that even though I worked so hard and loved my family and country, there was no other choice. I was forced to leave El Salvador as a result of a devastating civil war, multiple earthquakes, and other natural disasters, which produced unbearable social and economic conditions.

One doesn't just wake up one day wanting to leave their home country and their family, there are long standing conditions that make it unbearable to live.

I was first granted TPS in 2001, when I was 25. We were given 18 months to work, to get our affairs in order and anything beyond that was unthinkable. However, as the years passed I began working, I obtained an associate's degree in Paralegal studies from North Shore Community College and was awarded the distinguished alumni award. After meeting the love of my life, who also has TPS, we had our son Kevin, who is now getting ready to apply to colleges – hoping to become a cardiologist. Like other fathers I am helping him fill out his application and hope to continue supporting him throughout his career. Now, 18 years have passed and my home is in Lynn, Massachusetts.

For the last 18 years, our lives have been measured in 18-month periods. Background checks, application fees, visits to DHS offices – we've always done everything we've been asked to do to be protected from deportation and to continue working and supporting our family. But after so

many years, we simply began to live our lives and to build our homes where we were. This is our home now.

But today, since the TPS program was terminated, our lives have been on hold and in limbo. I only have 9 months left before I'm permanently separated from my children. Kevin will be in his first semester in university. Like me, hundreds of thousands of TPS holders and their families are living in fear and with anxiety every day.

STORIES OF THE TPS EXPERIENCE IN AMERICA:

My story is not an isolated case. TPS families across the country have amazing stories that exemplify the values that every member of this committee cherishes. Who are these men and women that are giving a voice to TPS families?

- When New Orleans was flooded after Hurricane Katrina, TPS holders were among the workers that took on the often risky reconstruction challenges and helped rebuild the city.
- A father who worked on the reconstruction of the Pentagon after the national tragedy of September 11 and works on government projects within some of our most cherished institutions was also a TPS recipient.
- A TPS recipient is a hotel worker that proudly calls Las Vegas, Nevada her home, and is the mother of 3 U.S.-born children.
- A business owner in Boston who employs dozens of Americans with well-paid jobs, and runs a multi-million dollar construction business holds TPS from El Salvador.
- The Nepali nail salon worker in New York City that sees and greets people every day has TPS.
- The bridge builder in Maryland, who is responsible for ensuring that drivers from the region cross safely every day, has TPS.
- In Dallas, a TPS holder that is an auto-mechanic has a son who will be joining the U.S. Marine in the next a few weeks.
- In Richmond, CA, a young 14 year old – US born daughter of a TPS holder is spearheading a legal effort to demand transparency in the termination of the program and to ensure that we are also treated fairly.

THE IMPACT ON OUR CHILDREN

For 18 years I, along with my wife Mayra, have been raising four beautiful US-citizen kids, who are now dreaming about their education and futures.

Kevin, my oldest son turned 18 last week. He's about to graduate and he is applying to universities, hoping to become a cardiologist. Angela, my 13 year old, is a part of every club possible at school and dreams about being a physical therapist. Our 3 year old Ezequiel, is about to go to Pre-K and we have a 7-month-old baby girl Valentina whose greatest gift to my life is her beautiful smile.

Everyday, I hear stories of immigrants being detained and deported from this country. I have heard these for years under all administrations. And while it has always been a concern, I have never succumbed to as much anxiety as I have in the last year and a half when terminations were issued to this critical program.

I think about my children more than anything. What is to happen to them? They are US citizens, most of them have never been to El Salvador and my oldest, in his application to colleges, is planning to spend his professional life here.

There are over 275,000 American children¹ with TPS parents from El Salvador, Haiti, and Honduras alone. We have all witnessed the pain and suffering that family separation causes and the great impact and trauma it can have on children. Family separation--not only the separation of kids at the border but from within communities all throughout this country--will be regarded as a stain on this country.

There is a growing contingent of US-born children that are advocating on the behalf of their parents and family members, working with legislators from across the country to ensure a permanent solution and a pathway to normalizing ones legal status.

If we cannot find a permanent solution I'll be forced to look down the barrel of family separation on top of leaving my life behind to start over in a country I no longer know. Everything will be upended.

Our TPS families were easy targets because what is evident has not been resolved: We have made our homes here. Today, we cannot simply extend TPS, we seek permanent residency here in the place we've called home for decades.

Like me, hundreds of thousands of families with children who call this country their own are raising their voices to ensure that we know their plight and are doing everything possible to protect them.

¹ CAP analysis of 2017 one-year American Community Survey microdata. Data accessed via Steven Ruggles and others, "Integrated Public Use Microdata Series, U.S. Census Data for Social, Economic, and Health Research, 2017 American Community Survey: 1-year estimates" (Minneapolis: Minnesota Population Center, 2018), available at <https://usa.ipums.org/usa/>. This measure includes children under the age of 18 who are U.S. citizens living in a household with a family member who holds TPS. Data reflect TPS holders from El Salvador, Honduras, and Haiti, making up 94 percent of all TPS holders.

WORKING TOWARD PERMANET SOLUTION:

Immigrants are the fabric of the U.S., so many young children across generation after generation, those dreams like mine, like my son's will continue to make the country strong and respected. My dream is one of 450,000 families across the country. Let us not destroy the dreams we are planting and have already planted. Let's grow together!

The social fabric of the United States of America is made up of workers, teachers, scientists, business owners, families and more - this is who TPS holders are. The reality I share with you today is that TPS holders and our families genuinely love this country, our home, and we have contributed and rooted in our communities for many years.

Our lives are not temporary. Our lives are very real and what is real today is that over 450,000 TPS families are at risk of being the next wave of family separation. What is very real today is that over 80% of TPS holders² are part of America's workforce and right now according to the U.S Department of Labor's 2019 numbers there are over 7.3 million jobs³ needed to be filled- losing skilled labor workforce is not how we strengthen our country. What is also very real today is that only Congress has the power to address a plan to ensure that TPS holders and our families are able to remain permanently in the U.S so that America's values of integrity and family preservation win.

Let us not destroy the contributions that our U.S citizen children and us as TPS holders from Honduras, El Salvador, Nicaragua, Nepal, Haiti, Sudan, Syria, South Sudan, Yemen, Somalia, Guinea, Sierra Leone and Liberia have built.

Chairman Nadler, Ranking Member Collins, and every Members of this Committee, thank you for the opportunity to testify today and I look forward to your questions.

² Warren, Robert, and Donald Kerwin. "A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti." Center for Migration Studies of New York, July 2017, journals.sagepub.com/doi/pdf/10.1177/233150241700500302.

³ "Job Openings and Labor Turnover Summary." U.S. Bureau of Labor Statistics, U.S. Bureau of Labor Statistics, 12 Feb. 2019, www.bls.gov/news.release/jolts.nr0.htm.

Chairman NADLER. Thank you.
Mr. Graham.

TESTIMONY OF DONALD GRAHAM

Mr. GRAHAM. Mr. Chairman, Ranking Member Collins, members of the committee, my name is Donald Graham. I am chairman of Graham Holdings and I am co-founder of a scholarship program called TheDream.US.

Along with my co-founders, Henry Munoz of San Antonio and Secretary Carlos Gutierrez of Miami, I helped announce the start of our program five years ago. We now have 3,400 Dreamer students from 35 states in college. Another 380 have already graduated.

Since Mr. Munoz is a well-known Democrat and Secretary Gutierrez is a former member of the Cabinet of President George W. Bush, we started bipartisan. When we announced our program, a statement backing us—backing the nature of our program was signed by many Democrats and also by former Governor Jeb Bush, Grover Norquist, Rupert Murdoch, and a figure from very ancient history named Newt Gingrich.

We three co-founders have met many students who seem to us perfectly qualified for college but were effectively barred from attending because they were Dreamers. They had gone—they had come to this country as young children, grown up and gone to school here, many believing that they were U.S. citizens like their classmates.

But as seniors, watching their classmates apply to college, they learned, of course, that they were not eligible for Pell Grants or for a dollar of loans from the federal government or anyone or, in most cases, state grants as well.

As a practical matter, they couldn't go to college and in some cases they were told that by their own college counselors. In some states, they had to pay out-of-state tuition—typically, three times in-state tuition—and in a handful of states they were barred for all at some state colleges even if they paid.

Mr. Chairman, like every member of this committee, I love this country. Like many of you, I served in the armed forces of the United States, although in my case it was a hell of a long time ago.

Also like many of you, but much more briefly, I had time in law enforcement. I was a patrolman in the Metropolitan Police Department at Washington for a year and a half. I am as proud of this country as I ever was.

But I fear that while we wait for a broader reform of our nation's immigration laws, which several members have already commented on, we are unintentionally being cruel to generations of young undocumented people. Among our 3,400 students with DACA and TPS, the average student came to the United States at the age of four. We have a good data person.

Once they are here, there is no line they can get in, no form they can fill out, no fee they can pay, no service they can perform to change their status. That is up to the remarkable people of this Congress and this committee.

Our scholarships are small. Our scholarship to a four-year college is \$8,250 a year. Most students carry a full time course load

but they also work. The supply of outstanding Dreamer students is enormous.

The number of our scholars is pitifully small compared to the 700,000 with DACA. Only the government can afford these students a chance and that chance would benefit this country hugely.

Our students are performing miracles. We are a five-year-old program and our students are as low income as any in the United States. Eighty-eight percent of all who ever enrolled are still enrolled or have graduated.

Mr. Chairman, what characterizes the Dreamers I know best is their almost impossible motivation. They are told to their face, you have no chance to go to college. It only seems to motivate them more.

In Chicago earlier this year I met a Dreamer whose older sister had pooled earnings with her so that the younger sister could go to community college. The earnings weren't much. They could only pay for one course at a time. She had graduated from her two-year college in 11 years. Now she has got our scholarship and is working toward a BA.

This magnificent bill would offer the Dreamers equal access to higher education. But I am an old man from Washington and I fear that this bill may not have a chance to pass both Houses and be signed by the president.

I beg the members of both parties to work together as you so often do. Please change the status of Dreamers and TPS holders and please do it this year. They are not exaggerating when they describe the tension baked into their lives, not by the fault of any member of this committee but by the situation that they are in.

Budget hawks among you will be pleased to know that this bill would—that giving access to the Dreamers would make money for the United States. The Cato Institute estimates that the 700 DACA recipients alone would pay \$92 billion in federal taxes in the next 10 years.

Chairman NADLER. Excuse me. You mean 700,000, I assume?

Mr. GRAHAM. Seven hundred thousand DACA recipients. Thank you, Mr. Chairman.

Mr. Chairman, I am awed, and I am not joking, to appear before this committee. I have never testified before a committee of Congress before. But this committee is special.

One great thing about this country is that we live by the rule of law and most federal law originated here, the work of you and your predecessors.

In my lifetime, the civil rights laws, the Voting Rights Act, and so much more were written here, the work of Republicans as well as Democrats. And so in the last Congress did the First Step Act, again, co-sponsored by members on both sides of the chairman.

I would beg the members of this committee to work together with your colleagues in the House and the other house. Please provide as much relief as you can to as many Dreamers as you can.

If you can do that, it will be an enormous benefit to countless worthy young people and to the country that they and we love so much.

Thank you, Mr. Chairman.

[The statement of Mr. Graham follows:]

Chairman Nadler, Ranking Member Collins, members of the committee:

My name is Donald Graham. I am the chairman of Graham Holdings Company. I am also co-founder of a scholarship program called TheDream.US. Along with my co-founders, Henry Munoz of San Antonio and Carlos Gutierrez of Miami, I helped announce the start of our program five years ago. We now have 3,400 Dreamer students from 35 states in college. Another 380 have graduated. Since Mr. Munoz is a well-known Democrat and Mr. Gutierrez is a former member of President George W. Bush's cabinet, we started bipartisan. When we announced our program, a statement backing us was signed by many Democrats and also by former Speaker Newt Gingrich, former Governor Jeb Bush, Grover Norquist and Rupert Murdoch.

I should add that I have spent many years helping scholarship programs for US citizen students, in my home town of Washington DC, where I was, for 19 years, chairman of the DC College Access Program.

We three co-founders had met many students who seemed to us perfectly qualified for college but were effectively barred from attending because they were Dreamers. They had come to the country as young children. They had grown up and gone to school here, many believing that they were US citizens like their classmates.

But as seniors watching their classmates apply to colleges, they learned that they were not eligible for Pell grants or federal loans of any kind, or in most states, state grants. As a practical matter, they could not go to college. In some states, they were required to pay out-of-state tuition, and that's typically three times in-state tuition. In a handful of states, they were barred from all or some state colleges, even if they paid.

Mr Chairman, I like every member of the committee am a proud American. Like many of you, I served in the armed forces of the United States, in my case a hell of a long time ago. And like many of you, although more briefly, I served in law enforcement. From January 1969 to June 1970, I was a patrolman in the Metropolitan Police Department in Washington.

I am as proud of my country as ever, but I fear that while we wait for a broader reform of our nation's immigration laws, we are being cruel to generations of young undocumented people. Among our 3,400 scholars with DACA and TPS, the average student came to the United States at the age of four. Once they are here, there is no line they can get in, no form they can fill out, no service they can render that can change their status and give them a green card. That is up to the remarkable people of this Congress.

TheDream.us decided to offer scholarships to the lowest-cost universities in states where Dreamers could get in-state tuition: for example, the University of Houston, CUNY, Miami-Dade, the Cal States, or the many excellent state colleges in Texas and Florida.

Our scholarships are small: our scholarship to a four-year college is \$8,250 per year. Most of our students carry a full-time course load but also work. We give scholarships to students with TPS as well as DACA.

Page 2 of 2

The supply of outstanding Dreamer students is enormous. We have almost 4,000 students who are either enrolled in college or have graduated. But that number is pitifully small compared to the 700,000 who have DACA. Only the government can afford these students a chance and doing that will benefit our country.

Our students are performing miracles. 88% of all who enrolled are still enrolled or have graduated. Few students have lower family incomes than the Dreamers. In every case I know of, their retention rates far exceed those of their university as a whole.

Mr Chairman, what characterizes the Dreamers I know best is their seemingly impossible motivation.

They are told they have no chance to go to college. It only seems to motivate them more.

In Chicago earlier this year I met a Dreamer whose older sister had pooled earnings with her so the younger sister could go to community college. The earnings weren't much. She could only afford one course at a time. She worked her way through community college—in 11 years. Our scholarship is now seeing her through to a BA.

The Dreamers work this hard because they want a chance to help themselves, their families and our country. I hope you will give them that chance.

This magnificent bill would afford the Dreamers equal access to higher education. But I am an old man from Washington. I fear this bill may not have a chance to pass both Houses and be signed by the President. I beg the members of both parties to work together as you so often do. Please change the status of Dreamers and TPS holders and please do it this year. It is urgent. Budget hawks among you will be pleased to know that this bill would make money for the United States; the CATO Institute estimates that the 700,000 DACA recipients will pay \$92 billion in federal taxes in the next ten years.

Mr. Chairman, I am awed to appear before this committee. Our country lives by the rule of law and most federal law originated here, the work of you and your predecessors. In my lifetime, the civil rights laws and the voting rights act were written here, the work of Republican and Democratic members alike. And so, in the last Congress, did the First Step Act, again a product of Republican and Democratic co-sponsors.

I would beg the members of the committee to work together with your colleagues in both Houses. Please provide as much relief as you can to as many Dreamers as you can. If you can do that, it will be a huge benefit to these worthy young people—and to the country that they and we love so much.

Chairman NADLER. Thank you.
Mr. Dorsonville.

TESTIMONY OF MARIO DORSONVILLE

Bishop DORSONVILLE. Thank you.

Chairman Nadler, Ranking Member Collins, and House Judiciary Committee members, thank you for giving me the opportunity to speak with you today about Dreamers and Temporary Protected Status holders and their importance to the Catholic Church.

My name is Mario Dorsonville. I am the auxiliary bishop of Washington and the upcoming chairman of the U.S. Conference of Catholic Bishops Committee on Immigration.

I come here to offer my perspective as a naturalized immigrant to this great country, a bishop of the Catholic Church, and a community leader. I am personally an example of the possibility of the American dream.

Originally from Colombia, I have had the opportunity to live here in the United States for close to 30 years, naturalize, and achieve my calling to work as a bishop with the Catholic Church. For this, I am really blessed.

I have been a priest for 33 years and then for the last—and for 10 years I have had the opportunity to work with Catholic Charities, the Spanish Catholic Center, here in the Archdiocese of Washington.

With this experience I have encountered many immigrants who have come to United States and thrived. I have met many individuals including DACA and TPS holders who are building lives here so that they can serve others, experience I have encountered in the daily work manifested in such a great way the Gospel we preach every day in our encounter with the people.

These young people are around in the life of the Archdiocese in more than 140 parishes and I watch them thrive and succeed and also listen to their dreams, and why not? I listen to their fears.

I would like to share with you the experience of Margarita, who is a DACA youth and volunteer with the Archdiocese. Margarita came to the United States when she was about 10 years old with her parents and young brother. Margarita is a student at Trinity University and she dreams of attending graduate school.

Margarita is set to succeed here in the United States, her home. If we pull her out of school and return to her—her to a country where she knows no one and does not understand the culture, we will be ripping away her bright future.

Providing Dreamers like Margarita a path to citizenship is not a policy issue. It is a moral and human dignity issue.

Now I also want to take a moment to speak about another vitally important group to our country and to our church—TPS holders and their families. TPS holders in the United States have called our country home for years, some for more than 20 years and are now facing uncertain futures in light of recent termination decisions.

TPS holders have integrated into our country and have over 273,000 U.S. citizen children. That is 273,000 children who are facing family separation if Congress does not act. While I was in the Washington, D.C. area, this is a especially heartbreaking situation

as we are home to the second largest number of Salvadorian TPS holders in the country.

Over 40,000 in Maryland and Virginia, we see them in many activities and especially in many works. The Archdiocese has in fact been contacted by numerous local businesses that are concerned about their TPS workers and their ability to replace these individuals.

They are those who serve our restaurants, our hotels, those who go into the construction companies. I really think that this is a real nightmare for these companies to be able to replace grateful people who have been working there for years.

In April of this past year, we welcomed the Salvadorian bishops to Washington, D.C. to share the consequences of TPS termination for the country and, more importantly, met those in local communities to whom they are shepherds.

We held many encounters, three Masses in local areas, as well as private community dialogues during which the TPS community spoke about their concerns and anxiety over their family futures.

I urge that this encounter that make us go away from the rhetoric but pull us in a real human encounter with those who have fear and those who really are going through very difficult times.

It is essential for us to look at the TPS holders as a part of our communities and as a part of our—of our nation and we must find them a solution and a path to citizenship.

[The statement of Bishop Dorsonville follows:]



Written Testimony of
Most Reverend Mario Eduardo Dorsonville-Rodríguez
Auxiliary Bishop of the Archdiocese of Washington and In-Coming Chairman of the U.S.
Conference of Catholic Bishops' Committee on Migration

**For a Hearing of the
House Committee on the Judiciary**

"Protecting Dreamers and TPS Recipients"

Wednesday, March 6, 2019
10:00 am EST

2141 Rayburn House Office Building

My name is Mario Eduardo Dorsonville-Rodríguez. I am the Auxiliary Bishop of the Archdiocese of Washington and the incoming Chairman of the U.S. Conference of Catholic Bishops' Committee on Migration (USCCB/COM). On behalf of USCCB/COM, I would like to thank the House Committee on the Judiciary, as well as the Committee Chair, Representative Jerrold Nadler (D-NJ), and the Ranking Member, Representative Doug Collins (R-GA), for holding this important hearing and for inviting me to testify before the Committee.

The Catholic bishops have long supported and will continue to support Dreamers,¹ as well as holders of Temporary Protected Status (TPS) and Deferred Enforced Departure (DED).² We recognize these individuals as children of God, and we will remain focused in our efforts to ensure that they and their families can live dignified lives and reach their God-given potential. In this testimony, I provide a brief overview of USCCB's work in serving immigrants and advocating for immigration reform, discuss the importance of finding a permanent solution for Dreamers and TPS holders, and share our key recommendations for Congress as it seeks a legislative solution for these individuals.

Catholic Social Teaching and Migration

The work of our Committee on Migration is carried out by USCCB's Migration and Refugee Services (USCCB/MRS). USCCB/MRS works to advance the migration-related priorities of our Committee, which include advocacy and policy advancement around humane and comprehensive immigration reform, just and proportionate immigration enforcement, and improved access to justice and due process for immigrants and refugees seeking refuge and fleeing persecution. Among its many activities, USCCB/MRS is also a long-standing government partner, providing support for and assistance through the Catholic Charities network to refugees, foreign national and U.S. citizen human trafficking survivors, Cuban and Haitian entrants, and unaccompanied immigrant children.

Our work assisting and advocating on behalf of immigrants and refugees stems from the belief that every person is created in God's image. We follow the teaching of the Gospel, and in his own life and work, Jesus identified himself with newcomers and with other marginalized persons in a special way: "I was a stranger and you welcomed me." (Mt. 25:35). When we see Jesus's example we reflect those values.

¹ Dreamers are young people who were brought to the United States without authorization as children by their parents or family members. Dreamers include those young people who have received Deferred Action for Childhood Arrivals (DACA), those who are eligible and did not apply for DACA, as well as other undocumented individuals of a similar age group who did not make the age-cut off for DACA (as they were slightly older or younger at the time). The Catholic Church advocates for permanent legal protection and a path to citizenship for all Dreamers, not just the DACA recipient population.

² TPS was established by Congress through the Immigration Act of 1990. TPS is intended to protect foreign nationals in the United States from being returned to their home countries if the home country became unsafe to return to during the time in which the individuals were in the U.S. Countries are designated for TPS due to armed conflict, environmental disaster, or other extraordinary and temporary conditions. See 8 U.S.C. § 1254a. First used in 1990, DED is a discretionary and temporary stay of removal that is granted to individuals from certain designated countries. Nationals from a certain country are designated for DED by the President under his constitutional authority to conduct foreign relations. *Adjudicator's Field Manual, Section 38.2 – Deferred Enforced Departure*, U.S. CITIZENSHIP AND IMMIGRATION SERVICES, <https://www.uscis.gov/ilink/docView/AFM/HTML/AFM/0-0-0-1/0-0-0-16606/0-0-0-16764.html> (last visited March 1, 2019).

Dreamers and TPS and DED holders are our neighbors, parishioners, and – most importantly – fellow children of God. We, as a Church, have long advocated for their legal protection, full inclusion into our country and the overall wellbeing of them and their families. USCCB worked with Members of the House and Senate in helping to draft the first versions of the DREAM Act in 2000 and 2001, and it has been calling for passage of the measure since that time.³ Even as we welcomed the announcement of the Deferred Action for Childhoods Arrivals (DACA) program in 2012, our Committee noted that it was not a substitute for enactment of the DREAM Act or similar legislative protections.⁴ We steadfastly believe that Dreamers need permanent legal protection, with a path to citizenship, enacted by Congress.

Similarly, for years, USCCB has advocated for TPS for those seeking safety from the ravages of violence, environmental disasters, and despair. In fact, USCCB worked closely with Senator Dennis DeConcini (D-AZ) and Representative Joe Moakley (D-MA) to support enactment of the authority for TPS in the Immigration Act of 1990.⁵ Through its global presence and the work of Catholic Relief Services (CRS), the official humanitarian and development agency of the Catholic community, the Catholic Church has assisted and ministered to those who have experienced firsthand the ravages of armed conflict, violence, and environmental disasters in their home countries. Given this global presence, the Catholic Church consistently advocated for protections of nationals living in the United States when Congress began debating the concept of temporary protected status in various forms during the 1980s.⁶

Over the years, the USCCB and other Catholic entities have encouraged various Presidential Administrations to designate countries for TPS in situations of environmental disasters and political instability.⁷ In 2017, USCCB/COM led delegation trips to Haiti⁸ and to El Salvador and Honduras⁹ in order to explore conditions and the need to extend TPS for these countries. The

³ USCCB, et al., *Letter to Senators Hatch and Durbin on DREAM Act* (March 6, 2003) (on file with USCCB).

⁴ Statement of Archbishop Gomez, *Bishops Welcome President's Deferred Action on Dream Eligible Youth, Urge Congressional Action on DREAM Act* (June 15, 2012), available at <http://www.usccb.org/news/2012/12-110.cfm>.

⁵ See, e.g., USCCB, *Letter to President George W. Bush on TPS for El Salvador, Honduras, and Nicaragua* (April 4, 2001) (on file with USCCB); USCCB, *Letter to President George W. Bush on TPS for Haiti* (Oct. 8, 2008) (on file with USCCB).

⁶ Claire Bergeron, *Temporary Protected Status after 25 Years: Addressing the Challenge of Long-Term "Temporary" Residents and Strengthening a Centerpiece of US Humanitarian Protection*, 2 JOURNAL ON MIGRATION AND HUMAN SECURITY 22, 26-28 (2014).

⁷ See, e.g., USCCB, *Letter to President Barack Obama on TPS for Haiti* (Jan. 15, 2010), available at <http://www.usccb.org/news/2010/10-013.cfm>; USCCB/COM, et al., *Letter to Secretary Jeh Johnson and Secretary John Kerry on Protection for and Aid to Haitians after Hurricane Matthew* (Nov. 1, 2016), available at <https://justiceformigrants.org/2016site/wp-content/uploads/2017/09/Catholic-Partners-Haiti-Letter-11.1.16-FINAL1.pdf>.

⁸ USCCB/COM, *HAITI'S ONGOING ROAD TO RECOVERY: THE NECESSITY OF AN EXTENSION OF TEMPORARY PROTECTED STATUS* (2017), available at <http://www.usccb.org/about/migration-policy/fact-finding-mission-reports/upload/mrs-haiti-trip-report.pdf>.

⁹ USCCB/COM, *TEMPORARY PROTECTED STATUS: A VITAL PIECE OF THE CENTRAL AMERICAN PROTECTION AND PROSPERITY PUZZLE* (2017), available at <http://www.usccb.org/about/migration-policy/fact-finding-mission-reports/upload/el-salvador-honduras-report-20171016.pdf>.

reports found that despite some improvements by home countries, the conditions still existed for the extension of TPS, most notably as most of the home countries could not adequately handle the return and reintegration of their nationals as required by the statute.¹⁰

In addition to our call to protect the individuals directly impacted, the Church also views the need to protect Dreamers and TPS recipients as the need to protect families – the very foundation of our country and of our Church. Not only do Dreamers and TPS recipients deserve a chance to stay and fully integrate in the U.S. through permanent protections – they deserve to be able to stay with their families. Dreamers and TPS holders and their families should not face family separation. Family unity is vital for the strength of our country, our Church, and our communities.

Dreamers

Knowing the many contributions of DACA youth to our nation, it was with extreme concern that we witnessed the Administration's attempt to terminate the program in 2017.¹¹ And, while the DACA termination has been partially and temporarily halted due to ongoing litigation, we know that DACA youth continue to face great uncertainty. Furthermore, we know that many of the over 1.8 million Dreamers do not have DACA protection. For these young people, Congressional action is the only solution.

We see and hear about this uncertainty every day in our dioceses and in our parishes. I have been personally impacted by the stories I have heard from DACA youth in the Archdiocese of Washington. I have witnessed their tears, their secret concerns not only for their futures but for their families. Many ask: What will happen to me? What will happen to my family?

Dreamers are exemplary youths. Like their name implies, they are examples of the American Dream. They are contributors to our economy, academic standouts in our universities, and leaders in our parishes. These young people have grown up in our country, some even choosing to put their lives on the line to serve in our armed forces. They truly exemplify the extraordinary contributions that immigrants have long provided to our nation. I have been privileged to meet so many of these ambitious young people who want nothing more than to work and achieve in this country so that they may better themselves and their families. This is the only home that they know and where they are sure they will be able to succeed because they are part of the language, the culture and they have their roots here.

Dreamers are young people like Edith. Edith is a 19-year-old DACA recipient and student at the University of New Mexico. Born in Mexico, Edith was brought to the U.S. as a toddler by her

¹⁰ *Id.*; *supra* note 8.

¹¹ Statement of Cardinal DiNardo, et al., *USCCB President, Vice President and Committee Chairmen Denounce Administration's Decision to End DACA and Strongly Urge Congress to Find Legislative Solution* (Sept. 5, 2017), available at <http://www.usccb.org/news/2017/17-157.cfm>.

mother and father. She grew up in Santa Fe, New Mexico with her parents and her two younger sisters, both of whom are U.S. citizens. As Edith states: "America is my home Despite being born in Mexico, I [] always felt at home here, where I have grown up since arriving as a two-year-old." Edith worked incredibly hard in school and graduated her high school class as valedictorian. She continues to excel in college and is double majoring in psychology and math. Her passion is helping others, and she finds time in her busy school schedule to volunteer at the Campus Agora Crisis Center, which handles area-wide crisis calls. Edith dreams of becoming a U.S. citizen so that she can one day work as a behavioral analyst for the F.B.I.

Providing Dreamers, like Edith, with a path to citizenship will advance the common good and allow these young people to reach their God-given potential.

Finding such a solution will further help families. Take, for example, Maria, a native of Peru, 21-year-old DACA recipient, and student at William Joseph University. Her parents, both undocumented, brought her to California when she was only four years old. As Maria explains: "This is the country I know. This is the country I grew up in. I know the language; I know the history. I know it better than I know the country I was born in." Maria has been a role model for her three younger sisters who are all U.S. citizens. Given that her parents are both undocumented and the uncertainty surrounding her DACA status, Maria worries about the possibility of deportation and the implications for her family: "My sisters, who are U.S. citizens, would be left without anyone."

Dreamers are young, educated, tax-paying individuals who are valuable members of American families, our work force, and our communities. They have not only the support of the Church but of the American public as well. Finding a solution for these admirable young people is both the moral and common-sense path. On behalf of the USCCB Committee on Migration, I urge Congress to act now to ensure that Dreamers have permanent legal protection that includes a path to citizenship.

TPS and DED Holders

Over the past few years, we have also expressed our deep concern over the Administration's attempt to terminate the TPS designations for many countries, including Haiti, Honduras, Nicaragua, and El Salvador. These termination decisions have left hundreds of thousands of individuals and their families in a state of uncertainty and fear. While the terminations are subject to multiple lawsuits, an estimated 320,000 TPS holders – some of whom have lived in the U.S. for over twenty years – face potential loss of status and family separation if Congress does not act. TPS holders need a permanent legal solution that only Congress and the President, working together, can provide.

Like Dreamers, TPS and DED holders are part of our country and our communities. Many also are a part of our Church. They worship in our local parishes, own homes and businesses, and contribute to our economy. Many TPS recipients have families in the U.S., including over 273,000 U.S. citizen children.¹² It is, again, the issue of family unity that is so pressing to the Catholic Church in the case of TPS holders. Given the large number of U.S. citizen children who have TPS holder parents, we must think about what the terminations of TPS would do to these families. What type of choices would these families have to make? Would families endure separation of parents living apart from their children in order to ensure U.S. citizens receive the educational opportunities in the United States to which they are entitled? These are questions that we as the Church are facing, and, more importantly, TPS holders and their families are grappling with every day.

TPS holders are individuals like Blanca,¹³ who was originally from El Salvador but has been living in the U.S. for over 16 years. Blanca currently works as a school aide at a local public school. She is married and has four children (ages 16, 15, 11 and 9), all of whom are U.S. citizens. Blanca is actively engaged with her community. She attends Mass regularly and teaches Catechesis to children in her parish. She also finds time to volunteer in her children's school. Blanca worries about what will happen if there is no legislative solution for TPS recipients. She does not want to be torn from her children, but she also knows that their home is in the U.S. As Blanca explains, it is important to remember that "many TPS holders have families they have to feed and can't afford to be separated from them."

I know that Blanca is not the exception – I have met and spoken with many similar TPS holders and their families. In April 2018, I welcomed my brother bishops from El Salvador to Washington, D.C., and during their visit, I had the opportunity to join them not only in their meetings with the U.S. government but also in their community dialogues. During the community dialogues, which were held in conjunction with special Masses hosted at St. Camillus Parish, in Silver Spring, Maryland, the Shrine of the Sacred Heart, in Washington, D.C., and the Cathedral of St. Thomas More, in Arlington, Virginia, I repeatedly heard of TPS holders' many ties to the U.S. and the anxiety they and their families face given the possibility of being separated.

Since the announced terminations, I have also learned of many TPS holders who are fearful for their safety and livelihoods if they return to their countries of origin. These are individuals like Mitsu and her brother, who were born and raised in Haiti but came to the U.S. on student visas to attend college. In 2010, during the course of their studies, Haiti was hit with a 7.0-magnitude earthquake, which devastated the country. Due to the severity of the earthquake, the U.S. government designated Haiti for TPS. Mitsu and her brother applied for and received TPS,

¹² Robert Warren and Donald Kerwin, Center for Migration Studies, *A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti*, 5 JOURNAL ON MIGRATION AND HUMAN SECURITY 577 (2017).

¹³ Name changed to protect client confidentiality.

providing them protection and permitting them to continue their studies. Mitsu now works as a physician assistant, allowing her to provide financial support to her parents back in Haiti. She speaks to her parents frequently, hearing about conditions in Haiti. She knows that the country has not yet recovered from the earthquake and subsequent hurricanes. “Haiti is nowhere near in a condition to support its current residents let alone receive citizens currently living abroad.” Mitsu hopes that Congress will take action and find a permanent solution for TPS recipients. “We have done everything the right way [in applying for TPS and consistently renewing]; yet, still find ourselves entangled within the immigration debate.”

Finding a solution for TPS holders will ensure that hardworking individuals are not ripped from their homes, families, and businesses. It is the just and right course of action – not only for these families but for our communities.

Recommendations

As Congress contemplates a solution for these groups, we strongly encourage it to ensure that any legislation:

- 1. Protects All Dreamers and Offers Them a Path to Citizenship.** A legislative solution should address the entire Dreamer population, as there are many young people who were brought here as children but were prevented from obtaining DACA due to the program’s age cut-offs and filing fees. Additionally, most of these young people know the United States as their only home and should not be denied the opportunity to obtain U.S. citizenship and fully participate and integrate into American civic life.
- 2. Provides a Path to Citizenship for TPS and DED Holders.** A solution should ensure a path to citizenship for individuals who have personal equities that are closely associated with U.S. interests, such as U.S. citizen children, businesses, and home mortgages.
- 3. Maintains Existing Protections for Unaccompanied Children, Asylum Seekers, and Family-Based Immigrants.** A solution for Dreamers and holders of TPS and DED must not be achieved at the expense of other immigrant children and families. Such a tradeoff would be heartless and untenable. We ask that you ensure any solution maintains existing protections for unaccompanied children and asylum seekers, as these protections help prevent trafficking and abuse, as well as ensure access to adequate care and due process. We also ask that you ensure that any solution for Dreamers and TPS recipients, at a minimum, maintain existing avenues for family-based and diversity-based immigration. Eliminating or reducing these avenues would be inconsistent with our values and

encourage irregular flows of migration by people desperate to be reunited with close family members, from whom they have been separated from.

Conclusion

We appreciate the Committee on the Judiciary's attention to this important issue. And, we encourage all members of Congress to work towards a humane and just solution for these vital members of our communities. As always, the Catholic Church stands ready to work with you in achieving this goal and will continue to stand in solidarity with Dreamers, TPS holders and their families.

Chairman NADLER. The witness' time has expired.
Mr. Yanez.

TESTIMONY OF HILARIO YANEZ

Mr. YANEZ. Chairman Nadler, Ranking Member Collins, and members of the committee, thank you for giving me the opportunity to appear before you today. My name is Hilario Yanez, and I am a DACA recipient. I am here today to share my story, as well as to emphasize the importance of border security. I am not a policymaker or an immigration expert. I am just someone who lived in this limbo for as long as I can remember.

Chairman NADLER. Mr. Yanez, we will be a little lenient. Could you talk a little more slowly, please?

Mr. YANEZ. Yes, sir.

Chairman NADLER. Thank you.

Mr. YANEZ. Sorry. Trying to get my thoughts across.

It is my sincere hope that by sharing my life story today, I add a unique perspective to this discussion maybe helpful to you all as you work towards finally resolving the critical issues of border security and a permanent solution for Dreamers.

I believe keeping America safe is essential. For that reason, I support border security. I also support a solution for Dreamers. Congress must work across party lines to do both. This directly affects my life and that of all my fellow Americans, including the millions of other Americans who are citizens in every way but one. Let us unite behind border security and a permanent solution for Dreamers.

With that being said, I was born in Tampico, Tamaulipas, Mexico, and at the age of 1 my mom brought me to the United States to give me a better life. I did not have a choice in the matter. At the age of 3 my family became homeless and lived in a shelter called Star of Hope in Houston, downtown.

Despite being homeless, growing up in a rough neighborhood, and not having my father in my life, I was determined to make my family, community, and my country proud by taking full advantage of every opportunity I could find. But because of my immigration status, there was not much hope. My biggest fear was that if I did something wrong, anything, I would never see my mother again. I never told anyone of my situation because I feared I would be seen as weak or a lesser person.

Despite the circumstances I was dealt, I believe this is the greatest country on earth, the one where hard work is rewarded, the one where opportunity and hard work leads to success. All I needed was an opportunity.

I graduated from high school in 2011, and ironically DACA was implemented in 2012. I will say this: I am always going to be grateful for anyone that gives me an opportunity, no matter what. It does not matter if you are Democrat, Republican, white, black, yellow, green or blue. Thank you, former President Obama. At the same time, I believe what former President Obama did was the right thing to do, but it was the wrong way to do it, which is why I believe DACA is unconstitutional, and President Trump has every right to get rid of it. The best way then and today is action by Congress.

After going through extensive background checks and biometrics and paying a \$500 application fee, I was able to obtain a Social Security card and a two-year work permit. I then applied for a driver's license. That is all I needed. This was my moment, the opportunity I had been waiting for. This was my shot to live the American Dream, and I made sure I was going to take it.

As a result, I was able to attend a Tier 1 university, the University of Houston, main campus—go Cougs. I went on to intern with four different Fortune 500 companies. I went from making \$7.25 at a small grocery store to making almost \$30 an hour. This new income meant I paid more in taxes. That is a separate issue that we can talk about later. I was able to purchase my first car, pay my way through college, and support my family at the same time. By the grace of God, I was able to graduate with two Bachelor's degrees, and I now stand in front of you as a first-generation college graduate.

I am also a leader in my community, and I tithe every Sunday to my church. Through my hard-earned money, I make sure to save and invest frequently in the stock market. As an investor and consumer to many companies on the stock market, I hope to stimulate and provide millions of jobs across this country.

Because of DACA, I was able to not only dream the American Dream, I am living it and I am breathing the American Dream. All I needed was just one shot.

With that being said, this dream could soon end. I do not know what my life looks like long term. My permit expires a year from now, and I do not know if I will be able to work again or possibly live in the only country I call home. This not only affects me. It affects my family, my employer, my community, my church, schools, jobs, and businesses across this country.

The reality is your kids and I are no different. We all pledge allegiance to our beautiful American flag. We all get chills down our spines when we sing the National Anthem. We watch the same shows. I happen to watch "The Office." We are educated in the same school systems from an early age, and we root for the same sports teams. Go Houston Rockets.

I could easily be your son, and all of you in this room could be my mother and my father, my brother or my sister.

I did not choose where I was born. I did not choose to come to the United States, but America is my home. This is the only place on earth where a kid like me can go from living in a homeless shelter to working at a Fortune 500 company.

I love this country. I will be willing to lay my life to protect our freedom. It would be an honor for me to serve in our military and give back to our country.

Finally, the toughest policy issues call for honest, clear, and bold solutions. DACA is an American issue, not a Democrat or a Republican issue. If we cannot solve that soon, there will be a ripple effect across this country. My life and the lives of hundreds of thousands of other people just like me hang in the balance. Our lives should not be decided by executive actions or court decisions. I am asking both parties of Congress to act now. I am not done with my American Dream. I am only getting started. And I urge both par-

ties of Congress to give me the opportunity to continue to thrive in the land of opportunity.

I will end with this, Mr. Chairman, Ranking Member Collins, members of the committee. I challenge you and your colleagues in the House and Senate to put your political views aside and work with each other on behalf of the American people. The House of Representatives will vote soon on Dreamer protection, which is a good starting point. I hope that each of you support this effort. But a vote that goes nowhere is not enough.

We must also not forget the importance of border security reform and ensure that this issue does not come up again 20 years from now. In order to have immigration reform, we must have immigration control as part of the discussion. I hope that both sides in this debate, Republicans and Democrats, show commitment to getting things done.

Lastly, for decades Congress has tried and failed to deliver broad immigration reform. This situation cannot stand. Now is the time for action. The key is to work on solutions that most of you can agree on rather than trying to solve everything at once and risk dividing us all.

Let us unite behind a permanent solution for DACA and border security reform. It is time to bring certainty, stability, and safety, once and for all, for all the American people and to the Dreamers.

Thank you.

[The statement of Mr. Yanez follows.]

Hilario Yanez – My American Story

Chairman Nadler, Ranking Member Collins, and members of the Committee, thank you for giving me the opportunity to appear before you today. My name is Hilario Yanez, and I am DACA Recipient. I was born in Tampico, Tamaulipas Mexico and at the age of one, my mother brought me to United States to give me a better life. I didn't have a choice in the matter. At the age of three my family became homeless and lived in a shelter called, "Star of Hope."

I grew up in a rough neighborhood without a father. My experience as a child and young adult was made more difficult because of my immigration status. Growing up undocumented was and continues to be a source of fear and uncertainty. I am a man of faith and my belief in God has never wavered, but when my life was so incredibly challenging, and not because of any decision I ever made, I used to blame God and ask him, "Why me"?

What it meant to live undocumented

My biggest fear was that if I did something wrong, anything, I would never see my mother again. I wanted to help my mother as any good son wants to do. I wanted to contribute to our great country, but as an undocumented teenager, I couldn't work part-time like many of my friends. I also couldn't obtain a driver's license. I would always rely on public transportation to get to where I needed to go. I never experienced what a real family vacation was like since I couldn't travel as well.

I never told anyone of my situation because I feared I would be seen as weak or a lesser person. Despite the circumstances I was dealt, I believe this is the greatest country on earth, one where hard work is rewarded. One where opportunity and hard work lead to success. All I needed was an opportunity.

2012 - DACA comes around

I graduated from high school in 2011 and ironically, DACA was implemented in 2012. I'll say this, I'm always going to be grateful for anyone that gives me an opportunity, no matter what. Doesn't matter if you are a Democrat, Republican, white, black, yellow, green, or blue. Thank you, former President Obama. We can all agree what former President Obama did was the right thing to do, but many have argued it was the wrong way to do it. The best way then, and today, is action by Congress.

After going through extensive background checks and biometrics, and paying a \$500 application fee, I was able to obtain a Social Security card and a 2-year work permit. I applied for a Driver's license and I am happy to report that I passed it on my first try. I also didn't have to fear being separated from my mother and friends. That's all I needed, this was my moment, the opportunity I had been waiting for. This was my shot to live the American Dream. I made sure to take it.

I found a job to pay for college. I took a leap of faith by transferring from a community college to a Tier 1 university, the University of Houston – Main campus. During my time at the university, I worked hard and was fortunate to intern with four different Fortune 500 companies. I went from making \$7.25 an hour to making close to \$30 an hour during my internships. This new income also meant I paid more in taxes and contributed to our economy in bigger ways. I bought my first car.

Life was good. I graduated with not one, but two bachelor's degrees in Management Information Systems and Supply Chain management. Now I stand in front of you all as a first-generation college graduate. I'm also a leader in my community and tithes every Sunday to my church. Because of DACA, I was not only able to dream the American Dream, I am living it, and breathing the American Dream. All I needed was just one shot.

With that being said, this dream could soon end. I don't know what life looks like long term. My permit expires a year from now and I don't know if I'll be able to work again or possibly live in the only country I call home. This does not only affect me, it affects my family, employer, community, my church, schools, jobs and businesses across this country.

The reality is, your kids and I are no different - we all pledged allegiance to our beautiful American flag, we all get chills down our spines when we sing the National Anthem, we watch the same shows (The Office), we are educated in the same school systems from an early age and we root for the same sports teams (Everyone roots for Houston Rockets? Right?). I could easily be your son and you all in this room could be my mother, father, brother or sister.

I didn't choose where I was born. I didn't choose to come to the United States, but America is my home. This is the only place on earth where a kid like me can go from living in a homeless shelter, to working at a Fortune 500 company. I love this country. I'd be willing to lay my life to protect our freedom. It would be an honor for me to serve our military and give back to this country.

Time to take Action Now

The toughest policy issues call for honest, clear, and bold solutions. DACA is an American issue, not a Democrat or Republican issue. If we can't solve that soon, there will be a ripple effect across this country. My life and the life of hundreds of thousands of other people just like me hang on the balance.

Our lives should not be decided by executive actions, or court decisions. I am asking both parties of Congress to act now. I am not done with my American Dream. I am only getting started, and I urge both parties of congress to give me an opportunity to continue to thrive in the land of opportunity.

I'll end with this, Mr. Chairman, Ranking Member Collins, members of the Committee – I challenge you and your colleagues in the House and Senate to put your political views aside and work with each other on behalf of the American people. The House of Representatives will vote soon on Dreamer protection, which is a good starting point. I hope that each of you supports this effort. But a vote that goes nowhere is not enough. We must also not forget the importance of the Border Security Reform and ensure that this issue does not come up again 20 years from now. In order to have immigration reform, we must have immigration control as part of the discussion. I hope that both sides in this debate – Republicans and Democrats – show a commitment to getting this done.

For decades Congress has tried and failed to deliver broad immigration reform. This situation cannot stand. Now is the time for action. The key is to work on solutions most of you can agree on rather than trying to solve everything at once and risk dividing us all. Let's unite behind a permanent solution DACA and Border security reform and fix it once and for all.

Chairman NADLER. Thank you.
Mr. Arthur.

TESTIMONY OF ANDREW R. ARTHUR

Mr. ARTHUR. Mr. Chairman, Ranking Member Collins, and members of the committee, thank you for inviting me today.

Ten countries are currently designated for Temporary Protected Status, or TPS. In total, some 437,000 aliens have TPS. The majority, 262,526, are from El Salvador.

TPS has been available to those countries for several years; in cases, decades. It is temporary in name only, and the law must be amended to ensure that it is the extraordinary protection Congress intended almost three decades ago.

The Trump Administration has announced plans to terminate the designations of six of those countries. Because of a District Court order, however, the termination of the designation of four—Nicaragua, El Salvador, Haiti, and Sudan—has been enjoined indefinitely, leaving those TPS recipients in limbo.

On June 15th, 2012, then Secretary of Homeland Security Janet Napolitano decreed that certain illegal aliens who came to the United States under the age of 16 and who met specific guidelines could request consideration for Deferred Action for Childhood Arrivals, or DACA, for a two-year period, subject to renewal. Roughly 699,350 aliens have that status.

The eligibility standards for DACA are more lenient than for other aliens seeking immigration benefits. For example, certain criminal convictions would be disqualifying for green card or student visa applicants but are explicitly allowed for DACA applicants. USCIS has reported that almost 8 percent of DACA requesters, nearly 16,000 individuals, had criminal records. Some 199 of them had 10 or more arrests, and 51 of them actually received DACA.

In September 2017, DHS rescinded DACA effective March 5th, 2018. That rescission has subsequently been enjoined by various District Court judges, again leaving those recipients in limbo.

Legislative proposals were introduced in the last Congress to grant legal status to those DACA recipients, as well as others similarly situated. In March 2018, the White House proposed legalizing 1.8 million DACA applicants and others eligible for DACA, but importantly, together with border security fixes, a limit on chain migration, and an end to the diversity visa program, to ameliorate many of the effects of such a large-scale amnesty.

One of these effects would be a huge bill to taxpayers for the welfare programs and other new costs identified by the non-partisan Congressional Budget Office, to the tune of \$26 billion. The President's proposals did not become law.

Any amnesty has two significant downstream effects. First, it increases the incentives for others to enter illegally. And second, due to chain migration, it arithmetically increases the number of foreign nationals eligible to enter the United States legally.

The President's proposals could have closed loopholes that are exploited by smugglers and migrants at the border, including: one, our flawed credible fear system; two, the Flores settlement agreement under which even accompanied alien minors must be released

from DHS custody within 20 days; and TVPRA, which treats alien minors from non-contiguous countries differently than nationals of Mexico and Canada.

They would have beefed up border security, expanded infrastructure along the border, and increased the number of immigration judges, my former colleagues, who are currently facing a crushing backlog of more than 2,000 cases per judge.

They would have assured the quick removal of removable aliens, thereby limiting incentives for foreign nationals to seek illegal entry into the United States. Any amnesty proposal must provide for the implementation of these enforcement elements before the amnesty is awarded. We saw in 1986 that when the amnesty precedes the enforcement, the enforcement never occurs.

Any amnesty proposal must also address the issue of fraud, which was rife in the last major amnesty in 1986. No amnesty proposal should include a confidentiality provision which cuts off information sharing between agencies in a way that only serves to protect ineligible and removable aliens and which makes the already difficult job of ICE attorneys even harder. If you want to see the difficulties that come from a lack of information sharing, one need only look at the 9/11 Commission report.

An amnesty proposal must also be narrowly tailored to ensure that it serves the national interests of the United States. Only truly innocent, deserving aliens who have known no other country should be eligible for such extraordinary relief. Notably, such amnesty must be tailored to mitigate the effects on the most disadvantaged Americans, both U.S. citizen and lawful aliens, who have not had the benefits of solid education and work opportunities, most importantly inner-city youth, as identified by a former member of this committee, Representative Barbara Jordan.

Any amnesty proposal must also be narrowly tailored to ensure that USCIS has the capacity to fully vet all applicants for that benefit without adversely affecting its ability to adjudicate applications filed by those who have obeyed the law.

Our current system allowing naturalized immigrants to sponsor family members for green cards is obsolete. To minimize the long-term effects of an amnesty, such immigration should be ended.

Finally, to that end, the diversity visa lottery, by which aliens with no ties to the United States and limited education and skills can obtain green cards through sheer luck, should also be ended.

I look forward to your questions.

Thank you, Mr. Chairman.

[The statement of Mr. Arthur follows:]

<https://docs.house.gov/meetings/JU/JU00/20190306/109000/HHRG-116-JU00-Wstate-ArthurA-20190306.pdf>

Chairman NADLER. Thank you.

Before I begin, I ask unanimous consent to insert into the record a statement from Senator Durbin, the long-term Senate sponsor of the Dream Act, and a statement from the New York Immigration Coalition.

Without objection, these two documents will be entered into the record.

[The information follows:]

CHAIRMAN NADLER FOR THE RECORD

Testimony of Senator Dick Durbin
Hearing on “Protecting Dreamers and TPS Recipients”
U.S. House Committee on the Judiciary
March 6, 2019

Chairman Nadler, Subcommittee Chair Lofgren, Members of the Committee, thank you for holding this hearing and thank you for allowing me to submit this testimony.

I also want to thank Representatives Roybal-Allard, Velázquez and Clark for their leadership in introducing H.R. 6, the Dream and Promise Act of 2019.

I am honored to serve as the Ranking Member of the Senate Immigration Subcommittee. As the proud son of an immigrant, I believe that immigration makes America great. The need to ensure that our immigration laws are worthy of our heritage as a nation of immigrants has never been greater. Though our bipartisan efforts to fix our broken immigration system have been blocked time and again, we must continue fighting for a fairer and more humane system.

The Dream Act & DACA

Nineteen years ago, I first introduced the Dream Act, bipartisan legislation that would give young immigrants who grew up in this country a path to citizenship. For the last several years, I have come to the floor of the Senate more than 100 times to tell the stories of Dreamers. A study by the Center for American Progress found that passing the Dream Act would add at least \$281 billion and as much as \$1 trillion to the American economy in just one decade. In my home state of Illinois, passage of the Dream Act would add up to \$4 billion per year to our state’s GDP.

In 2010, a Republican colleague and I were the first members of Congress to call for the establishment of Deferred Action for Childhood Arrivals (DACA) to protect Dreamers from deportation. DACA has been a huge success. More than 800,000 Dreamers have come forward and received DACA, which has allowed them to contribute more fully to their country. Illinois is home to more DACA recipients than any state except California, Texas, and New York. DACA has unleashed the full potential of Dreamers, who are contributing to our country as soldiers, engineers, teachers, small business owners, and civil rights advocates.

Comprehensive Immigration Reform

In 2013, I was a member of the “Gang of Eight” – four Democrats and four Republicans – who authored comprehensive immigration reform legislation that passed the Senate on a strong bipartisan vote of 68-32 in 2013. This bill would have strengthened border security, provided a path to citizenship for Dreamers, Temporary Protected Status (TPS) recipients, and millions of other immigrants with deep roots in this country; established new protections for American workers; and cleared the backlog of legal immigrants who have been waiting for years for green cards. Unfortunately, the Republicans who then controlled the House of Representatives refused to even give our bill a vote. If they had, it would have passed by an overwhelming bipartisan vote and become the law of the land.

President Trump’s DACA and TPS Crises

On September 5, 2017, the Trump Administration announced its repeal of DACA. Hundreds of thousands of Dreamers faced losing their work permits and being deported to countries they barely remember. The Administration has also terminated TPS for more than 300,000 TPS recipients, which jeopardizes not only their safety, but also that of their American-citizen children, who number in the hundreds of thousands.

This Administration created this threat to more than one million Dreamers and TPS beneficiaries, and then attempted to use these vulnerable individuals as bargaining chips to advance the Administration's anti-immigrant agenda. When he announced the repeal of DACA, President Trump called on Congress to "legalize DACA." But since then, he has rejected numerous bipartisan deals to protect Dreamers.

Last year, I crafted a bipartisan agreement that included the Dream Act and a path to citizenship for TPS recipients. However, President Trump rejected my legislation in a tense meeting in the Oval Office.

Instead, the President tried to put his entire hardline immigration agenda on the backs of the Dreamers. He said he would only support legalization for Dreamers if Congress passed his plan, which would, among other things, slash legal immigration by more than 40 percent, the largest cut in immigration in almost a century. However, the Senate rejected this plan by a bipartisan supermajority.

Conclusion

It would be an American tragedy to deport Dreamers and TPS recipients who have so much to contribute to our country.

President Trump created these crises. But instead of working towards a solution, he has sabotaged every effort to save the Dreamers and TPS recipients.

Congress must disregard the Administration's views and come together on a bipartisan basis to offer a path to citizenship to Dreamers and TPS recipients. I look forward to working with my colleagues in the House and Senate to make this legislation the law of the land.

Statement of the New York Immigration Coalition

Submitted to the House Judiciary Committee Hearing on “Protecting Dreamers and TPS Recipients”

March 6, 2019

Contact:

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The New York Immigration Coalition (NYIC) is an umbrella policy and advocacy organization for more than 200 groups in New York State. We envision a New York state that is stronger because all people are welcome, treated fairly, and given the chance to pursue their dreams. We represent the collective interests of New York's diverse immigrant communities and organizations and devise solutions to advance them; advocate for laws, policies, and programs that lead to justice and opportunity for all immigrant groups; and build the power of immigrants and the organizations that serve them to ensure their sustainability, to improve people's lives, and to strengthen our state.

Over the past two years, the Trump administration has terminated the Deferred Action for Childhood Arrivals (DACA) program, which has provided protection from deportation and work authorization to more than 820,000 participants, and triggered the expiration of Temporary Protected Status (TPS) and Deferred Enforced Departure (DED) for more than 300,000 people--99 percent of current recipients. New York is home to at least 53,000 TPS and DED recipients and 40,000 DACA recipients, representing dozens of home countries and in every Congressional district.¹

TPS, DED and DACA programs have allowed people to work legally in the United States, contribute to the American economy and society, and be protected from deportation. They must regularly check in with the government, go through extensive background checks and pay a fee. TPS, DED and DACA holders work hard to support themselves and their families and don't qualify for public benefits. These individuals have become our neighbors, our friends, our employees, our co-workers, and our fellow parishioners.

These individuals have had families, bought homes, entered the workforce or school and become ingrained members of New York's rich and diverse community. According to the Center for American Progress, and only taking into account TPS recipients from El Salvador, Honduras and Haiti, New York stands to lose at least \$1.5 billion from the state GDP annually, and over 20,000 U.S. citizen New York children will lose at least one parent if TPS and DED

¹ Jill H. Wilson, Temporary Protected Status: Overview and Current Issues, Congressional Research Service (Oct 10, 2018), <https://fas.org/sgp/crs/homesecc/RS20844.pdf>.

recipients are not protected.² This does not include the tens of thousands of Nepali, Liberian, Yemeni and other TPS and DED holders who live in New York. Additionally, there are at least 115,000 DREAM Act-eligible individuals in the workforce in New York, who would add a projected \$1.75 billion to the state GDP annually over ten years.³

NYIC urges Congress to act immediately to put TPS, DED, DACA recipients, and immigrants who were brought here as youth on a road to permanent residence.

² CAP Immigration Team, TPS Holders in New York, Center for American Progress (Oct 17, 2017),

https://cdn.americanprogress.org/content/uploads/2017/10/01084955/101717_TPSFactsheet-NY1.pdf.

³ Ryan D. Edwards, Francesc Ortega, and Philip E. Wolgin, The State-by-State Economic Benefits of Passing the Dream Act (Oct 26, 2017),

<https://www.americanprogress.org/issues/immigration/news/2017/10/26/441298/the-state-by-state-economic-benefits-of-passing-the-dream-act/>.

Chairman NADLER. We will now proceed under the 5-minute rule with questions. I will begin by recognizing myself for 5 minutes.

Bishop Dorsonville, the most often repeated commandment in the Bible, repeated 35 or 40 times, is some variation of the statement: "Thou shalt not oppress the stranger, for you know the heart of the stranger, for you were strangers in the land of Egypt."

Now, aside from the question of whether people who were brought to this country at 1 or 2 years old, or 4 years old and are now adults are still strangers, for those people in politics or out who take their moral guidance from the Bible, what guidance on this question does this give us?

Bishop DORSONVILLE. Mr. Chairman, I really think that everyone might be facing that kind of being a stranger when they have to leave for some different reasons their home. When they come here, and it is my own experience, it is so wonderful to find the American people ready to recognize you as a human person with possibilities to relate to others and to bring your own culture, but also to accept other cultures. It is an encounter to make us reveal the sense of human identity and recognizing that before God's eyes, there are no strangers. If we really are going to try to find out for all these people who are in the most difficult sense of poverty that a human person has, which is to be invisible and voiceless, I really think that we are just moving to a point to bring light to a very dark situation.

That is what Catholic Charities, the Spanish Catholic Center, and many of our agencies do. We embrace the people. We find the people to find their story, their pain, their suffering. Even though we are not going to change the problems, we are saying let us accompany you, let us get to know you, and let us find a way not to call you a stranger but to call you my brother and my sister, the one who might be able to allow us to share their journey.

I really think that this is an instance of humanity. Restoring humanity is one of the most important points of the law.

Chairman NADLER. Thank you.

Mr. Park, thank you again for your testimony today. I was struck by one line in your testimony in your efforts to get the Rhodes Trust to rethink what it means to belong to a country so that DACA recipients could qualify. In many ways, I think the last two or three years have been to one extent a conversation about who "belongs" here. And while we have seen a rise in hate groups and ugly rhetoric, we have also seen increasing recognition of the value of immigrants in our society.

Briefly, as a Dreamer and DACA recipient, how do you think about the concept of belonging?

Mr. PARK. Mr. Chairman, thank you for your question.

You know, when I think about why this country is my home, it does not have anything to do with what I have achieved or that I am a Rhodes Scholar. I think about the smells, the flavors, and the memories that I have in Flushing, my home. I think about waiting in one of my mom's beauty salons right after school until she gets home from work. I think about the fact that my bodega knows exactly how I like my bacon, egg, and cheese.

So these facts about my life are a product of the fact that I have deep, deep connections to this country and this is my home. I

think, independent of my education or independent of the things that I have achieved, those connections by virtue of the fact that I have been constituted in this place that I call home I think is what belonging means to me.

Chairman NADLER. Thank you.

Mr. Palma, after nearly two decades of building a life in Massachusetts, how do you talk to your U.S. citizen children about the situation you are in? How do you discuss with your children the possibility of losing legal status? How are other TPS holders dealing with this? Is this a shared feeling of anxiety among TPS holders? How do you tell your children about the situation?

Mr. PALMA. Thank you, Mr. Chair.

This is a very difficult moment that we are facing. At the beginning, when I learned that we were at risk of losing TPS, I said to my kids don't worry, let me deal with it, as parents will do. Focus on the school. Continue doing your sports. Continue participating in your classes, and continue doing what I hope you will do, preparing yourself for the future.

But the reality is that eventually, through the news or through the reality that we have to tell the kids, my son is 18 years old, so I cannot really hide from reality. So we have to have that conversation about what is going to happen. But I think also as a coordinator of the National TPS Alliance, I get motivated when I see other parents, as I said in my testimony, instead of giving up, getting organized and lifting our voices and sharing our stories. We believe in American values, and we feel that they will be supportive or look for opportunity to provide permanent residency to people with TPS.

So now we talk to our kids. They are actually helping in the way they can, through their knowledge that they have achieved in the schools or in different ways through the things that they have learned.

So this is a community issue, this is a family issue, and that is why I feel hopeful that working together we will find a solution and provide permanent residency to people with TPS. I still continue my son to achieve his dream of becoming a doctor, the same thing as every TPS recipient, continue motivating our kids to be and do what they hope to be in the future.

Chairman NADLER. Thank you very much.

I now recognize the ranking member, Mr. Collins.

Mr. COLLINS. Thank you, Mr. Chairman.

I appreciate the witnesses. I think this is something where we can find common ground.

One I disagree with, and it has been brought up a couple of times, is that you have to have a comprehensive fix. Myself included is not looking for a comprehensive fix. We know that is beyond us at this point. But frankly, the Dream Act is also beyond us, as well. So let's get honest with what we are dealing with here and find a solution that may be more narrowly tailored but finds the way that we can fix this. I think that is something to look at.

We talk about the unfairness, the perceived unfairness of this right now. It was also very unfair for the previous administration to put forward a plan that they knew would not work. That was probably, again, one of the most cruel aspects of this whole thing,

to say this is a process. It does not work. It does need to come back to Congress, and I think this is where we need to be a part of that.

Some of that cruelty was coming from my Democratic colleagues that I listened to last Congress when we had these similar hearings. Mr. Gutierrez was one in particular who was impassioned, because it just did not work. Why would you force people to come out and admit their status in a situation knowing there was not protection in the long term? That was a discussion we were having.

But I do believe, and I think now that I am sitting on the Immigration Subcommittee, there are ways that we can find on this. My hope is for myself, who knows my background, has had bipartisan success. We do find this. But there has to be both here. We cannot just simply say because the stories are very compelling—there is an old adage in law that bad facts make bad law, okay? Sometimes the facts are just bad and they need to be fixed. But we also have to fix them properly, otherwise they keep coming back.

Mr. YANEZ, you made a statement in your opening statement that I think is really interesting here. You are supportive of the Dream Act, and you are supportive of President Obama and giving a chance. I love that attitude. I think the interesting thing, though, is you made a statement—and I want you to elaborate on this, if you could—a vote that goes nowhere is not enough. Explain what you meant by that.

Mr. YANEZ. What I meant by that is that we are in a divided government, and we need both sides to come to the table. We understand that on the Republican side they want border security, on the left side they want Dream Act. I think we need to come together and fix that. We cannot have one or the other. Right now there is a perfect opportunity to compromise and work together. Unfortunately, a clean Dream Act will not get passed in the House, and for me, it is unfortunate but it is false hope. I think we need to work across both aisles to work with both parties to make sure that we get something and we can get a law and find a permanent solution but at the same time emphasize the importance of border security.

Mr. COLLINS. I appreciate that answer, because this is something everyone in here should understand. I am glad to see this. We have been working on this for a while, and I am one from my side of the aisle that wants to see this fixed and wants to find a fix. But we also have to understand, simply putting something forward that will die as soon as it is voted out of the House is not a fix. It is just not.

So we have to understand that and say what can we do to find that fix, and I think those are the things that we want to look forward to.

Mr. ARTHUR, would you agree that since legalizing the Dreamer DACA recipients would incur—I think you said this, encourage additional aliens to enter illegally in hopes that they will also benefit from such legislation. If so, what enforcement mechanism is needed in conjunction with a DACA legalization bill to ensure we are not back in the same position even probably less than a decade from now?

Mr. ARTHUR. Mr. Collins, I wholeheartedly believe, and history has shown, that every amnesty that we have in the United States

just leads to additional illegal entries into this country. In fact, for what it is worth, the DACA amnesty itself, if you want to call it that—it was an administrative amnesty—I believe was the primary driver behind tens of thousands of unaccompanied alien children who entered the United States subsequently, understanding that we would be having a hearing like this today where we would be discussing legalizing a group of individuals who had entered illegally.

There are three big things that the President has talked about, and that I have talked about. We need to amend the credible fear system. Right now, about 89 percent of all people who claim credible fear, and last month that was 60 percent of all people in expedited removal, are found to have credible fear.

Two, we need to amend the TVPRA. I understand that there is a lot of support for it. Unfortunately, it encourages people to have their children smuggled into the United States, and the Federal Government actually becomes the agent of the smuggler to complete the smuggling process.

Three, we need to end the Flores settlement agreement. Twenty days of release means that every family that comes with a kid gets released in 20 days. Mr. Graham's former paper reported yesterday about the effect that has had in Guatemala.

Mr. COLLINS. I appreciate that, and I think we have talked about this.


The Bishop, especially on a day like today, it is also good to remember the words of Apostle Paul, who actually said—and from my faith background as a pastor as well—“When did I become your enemy for telling you the truth?” When he was talking about faith, he was talking about those issues.

When we talk about this issue, we have to understand that being truthful about the situation is also not just compassion for compassion's sake but honestly fixing those issues.

Madam Chair, I do have a couple of unanimous consent requests. I ask that the following document, the DHS press release, which I did quote from in my original opening statement about 70 large groups of 100 or more illegals, and also the surge of 338 percent, included in the record.

Ms. LOFGREN [Presiding]. Without objection, so ordered.
[The information follows:]

RANKING MEMBER COLLINS FOR THE RECORD

 Official website of the Department of Homeland Security



U.S. Department of
Homeland Security

Humanitarian and Security Crisis at Southern Border Reaches 'Breaking Point'

Release Date: March 6, 2019

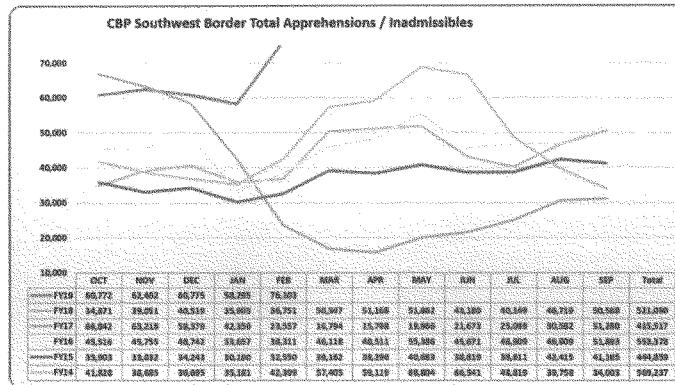
Illegal Immigration Hits 12-Year High; More than 76,000 Migrants Cross in February

The U.S. Border Patrol is currently encountering illegal immigration at the [highest rates since 2007](https://www.cbp.gov/newsroom/stats/sw-border-migration) (<https://www.cbp.gov/newsroom/stats/sw-border-migration>), according to new data. In fact, in February more than double the level of migrants crossed the border without authorization compared to the same period last year, approaching the largest numbers seen in any February in the last 12 years, [The New York Times](#) ([redirect?url=https%3A%2Fwww.nytimes.com%2F2019%2F03%2F05%2Fus%2Fborder-migrant-apprehensions.html](https://www.nytimes.com/2019/03/05/us/2Fborder-migrant-apprehensions.html)) reported.

“The truth is that the politics and policies of open borders have failed the American people. Our broken system endures, and the ongoing humanitarian and security crisis at our Southwest Border leaves many minors and families at extreme risk of being exploited by traffickers, human smugglers, gangs, and other nefarious actors seeking to profit at their expense,” said Secretary of Homeland Security Kirstjen M. Nielsen. “Activist courts, congressional inaction, and criminals intent on breaking our laws stand in the way of confronting illegal and uncontrolled migration threatening our safety and security. What was a crisis, is now a full-fledged emergency.”

“This cannot be a partisan issue,” Nielsen continued. “Every DHS Secretary since the Department’s inception has sounded the alarm about our unsecured border and its consequences. The American people and our law enforcement personnel rightfully demand effective border security: building the wall, strengthening our laws, and giving the men and women serving on the front lines the tools and resources they need to keep Americans safe. To

that end, this Department pledges our unwavering resolve to confronting present and ever-evolving future threats to our national security at our Southwest Border.”



Humanitarian and Security Crisis at a Breaking Point

New data reveals that more than 76,000 migrants illegally crossed into the U.S. and were apprehended or deemed inadmissible last month, a 12-Year High.

- New data shows (<https://www.cbp.gov/newsroom/stats/sw-border-migration>) that more than 76,000 aliens were apprehended or deemed inadmissible at a port of entry in February.
- More than 2,000 aliens are being apprehended every day at the Southern border.
 - Border Patrol has apprehended over 268,000 individuals since the beginning of the fiscal year, marking a 97% increase from the previous year.
- Our nation is experiencing an unprecedented surge of illegal alien families arriving our border, with more than 40,000 apprehended and deemed inadmissible in February.
 - In this fiscal year (FY) to date, there has been a more than 300% increase in the number of family units apprehended compared to the same time period last fiscal year.
- Apprehensions of family unit aliens and Unaccompanied Alien Children (UAC) have surged by 338% and 54% respectively this year.
- There has been a wave of large migrant groups flooding to the border.

- 70 large groups of 100 or more individuals have attempted to cross the border so far this fiscal year, compared with only 13 the previous year.
- Many of the migrants arriving at our border are requiring medical assistance, further straining resources and personnel on the ground.
 - Customs and Border Protection is executing a new directive to expand existing medical service contracts and deploy additional medical personnel to the border.

Illicit Materials, Transnational Gangs, Drugs, Human Trafficking, and Sex Crimes

Our nation is experiencing a dire immigration crisis that requires swift and decisive action to confront illegal and uncontrolled migration threatening our safety and security.

- In the last two years alone, ICE officers have arrested (<https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-calls-congress-secure-borders-protect-american-people/>), 266,000 aliens with criminal records including those convicted of nearly 100,000 assaults, 30,000 sex crimes, and 4,000 homicides.
- In Texas, 276,000 criminal aliens (https://www.dps.texas.gov/administration/crime_records/pages/bxcriminalalienstatistics.htm) were booked into local jails between June 1, 2011 and December 31, 2018, of which over 186,000 were classified as illegal aliens by DHS.
- Last year, ICE officers removed more than 10,000 known or suspected gang members (<https://www.ice.gov/features/gangs>), already in our country illegally.
- Each week, approximately 300 Americans have died from heroin overdoses (<https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-calls-congress-secure-borders-protect-american-people/>), of which nearly 90% comes across our southern border.
- Just last month, CBP made the largest seizure fentanyl ever recorded ([/redirect?url=https%3A%2Fwww.azcentral.com%2Fstory%2Fnews%2Fpolitics%2Fborder-issues%2F2019%2F01%2F25%2F4-pound-fentanyl-seizure-sets-record-nogales-arizona-border-crossing%2F2731969002%2F](https://www.azcentral.com/story/news/politics/border-issues/2019/01/25/4-pound-fentanyl-seizure-sets-record-nogales-arizona-border-crossing/2731969002/)), attempting to cross the southern border. It was enough to kill more than 115 million Americans.
 - Alarming, CBP has reported that fentanyl smuggling between ports of entry at the southern border has more than *doubled* over our last fiscal year. Fentanyl was responsible for more than 28,400 overdose deaths variety of Americans in

2017. Just a few weeks ago, CBP made its largest fentanyl bust in U.S. history, seizing 254 pounds hidden in a truck trailer compartment.

- One in three women are sexually assaulted (<https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-calls-congress-secure-borders-protect-american-people/>), on the journey to the border.
- In FY 2018, ICE made more than 1,500 human trafficking arrests (<https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-fighting-eradicate-human-trafficking/>), – 97% of them for sex-trafficking.
- 20,000 children were illegally smuggled (<https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-calls-congress-secure-borders-protect-american-people/>) into the United States during the month of December, alone.
 - In the first five months of fiscal year 2018, CBP saw a 315% increase in individuals using children to pose as family units to gain entry into the United States.
- CBP has recorded a 50% spike over the last fiscal year of the number of gang members apprehended at the southern border.

#

Topics: [Border Security](#) (/topics/border-security/), [Immigration and Customs Enforcement](#) (/topics/immigration-enforcement)

Keywords: [Border Security](#) (/keywords/border-security/), [immigration enforcement](#) (/keywords/immigration-enforcement)

Last Published Date: March 6, 2019

Mr. COLLINS. I ask that the Washington Post article from March 4th entitled "Record Number of Families Cull Reality at the Border," which in part stated this: "In Guatemala, the word has spread that those who travel with a child can expect to be released from U.S. custody. Smugglers were offering a two-for-one processing, knowing they just needed to deliver the clients to the border."

Ms. LOFGREN. Without objection.
[The information follows:]

RANKING MEMBER COLLINS FOR THE RECORD

Record number of families, cold reality at border

[washingtonpost.com/news/national/wp/2019/03/04/feature/after-cold-busy-month-at-border-illegal-crossings-expected-to-surge-again/](https://www.washingtonpost.com/news/national/wp/2019/03/04/feature/after-cold-busy-month-at-border-illegal-crossings-expected-to-surge-again/)
<https://www.facebook.com/nmiroff>

EL PASO

In a dusty lot along the U.S.-Mexico border fence, a single Border Patrol agent was stuck with few options and falling temperatures.

A group of 64 parents and children had waded through a shallow bend in the Rio Grande to turn themselves in to the agent on the U.S. side. He radioed for a van driver, but there were none available. By 2 a.m., the temperature was 44 degrees.

The agent handed out plastic space blankets. The group would have to wait.

Mothers and fathers swaddled their families in the silvery, crinkling sheets and clustered with them on the ground, shushing the children. They shivered in the cold wind, and the sound of crying carried on, like a broken alarm.

Groups like this arrived again and again in February, one of the coldest and busiest months along the southern border in years. U.S. authorities detained more than 70,000 migrants last month, according to preliminary figures, up from 58,000 in January. The majority were Central American parents with children who arrived, again, in unprecedented numbers.

During a month when the border debate was dominated by the fight over President Trump's push for a wall, unauthorized migration in fiscal 2019 is on pace to reach its highest level in a decade. Department of Homeland Security officials say they expect the influx to swell in March and April, months that historically see large increases in illegal crossings as U.S. seasonal labor demand rises.



Migrant families wait for a Border Patrol van to take them to a holding facility in El Paso on Feb. 22. It was cold and windy that night, so a border agent distributed plastic blankets to the group.

The number of migrants taken into custody last year jumped 39 percent from February to March, and a similar increase this month would push levels to 100,000 detentions or more.

It was a surge in the border numbers in March 2018 that infuriated President Trump and launched his administration's attempt to deter families by separating children from their parents. Trump stopped the separations six weeks later to quell public outrage. But the

controversy the policy generated — and its widely publicized reversal — is now viewed by U.S. agents as the moment that opened the floodgates of family migration even wider, worsening the problem it was meant to fix.

While arrests along the border fell in recent years to their lowest levels in half a century, they are now returning to levels not seen since the George W. Bush administration, driven by the record surge in the arrival of Central American families.

For U.S. border agents, the strain has grown more acute, as they struggle to care for children using an enforcement infrastructure made in an era when the vast majority of migrants were Mexican adults who could be quickly booked and deported. The Central American families — called “give-ups” because they surrender instead of trying to sneak in — have left frustrated U.S. agents viewing their own role as little more than the facilitators for the last stage of the migrants’ journey. They are rescuing families with small children from river currents, irrigation canals, medical emergencies and freezing winter temperatures.

“We’re so cold,” said Marlen Moya, who had left Guatemala with her sons six weeks earlier and crossed the Rio Grande with the group of 64.

Moya’s son Gael, 6, was sick with a fever and moaning, his face streaked with tears. “In Juarez, we were shoved and yelled at,” she said, looking back across the river to Ciudad Juarez, Mexico. “We slept on the street.”

Asked why she didn’t cross during the day, when temperatures were mild, Moya said she worried that Mexican police would stop them. “We’ve already come this far,” she said.

Marlen Moya, who had left Guatemala with her sons six weeks earlier, holds Gael, 6, as they wait along with Anderson, 8. Moya said she fled Guatemala City after being threatened and robbed at gunpoint at her beauty salon.

Much of the attention last fall was focused on caravan groups, mostly from Honduras, as they reached Tijuana, Mexico, not far from San Diego. Then concern shifted to Arizona and New Mexico, where groups of rural Guatemalan families began showing up at remote border outposts. Two Guatemalan children died in December after being taken into U.S. custody, as Homeland Security officials declared a humanitarian and national security crisis.

The [border deal](#) Trump and Democrats reached last month includes \$415 million to improve detention conditions for migrant families, including funds to potentially open a new processing center in El Paso. But in the meantime, families continue to arrive in groups large and small, in faraway rural areas and right in downtown El Paso.

“The numbers are staggering, and we’re incredibly worried that we will see another huge increase in March,” said a Homeland Security official who spoke on the condition of anonymity to discuss the unpublished figures.

The group by the river had landed on the no man's land between the Rio Grande and the tall, steel American fencing. They were on U.S. soil, a place that already has a border wall.

The lone U.S. agent with the group was the only one available along that span. Drug smugglers have been using the groups as a diversion, so the agent couldn't leave the riverbank.

No vans or buses arrived to pick up the families. Other agents were busy at the nearby processing center because so many groups had arrived in El Paso that night, and still others were at the hospital, where they were helping parents and children receive treatment for severe flu symptoms.

Homeland Security officials have been urging lawmakers to grant them broader powers to detain and quickly deport families in a search for deterrent measures. Their attempts to crack down using executive actions have been blocked repeatedly in federal court.

The migrants travel by van to a holding facility in El Paso. The Trump administration has begun sending some asylum-seeking Central Americans back to Mexico to wait while their claims are processed, but so far that experiment has been limited to California's San Ysidro port of entry.

About 150 migrants were sent back across the border in February, according to Mexican authorities, but that is a small fraction of the more than 2,000 unauthorized migrants coming into U.S. custody on an average day.

Homeland Security officials said Friday that the pilot program, which they call Migrant Protection Protocols, will expand to El Paso and potentially other locations in coming weeks, predicting that the number of Central Americans sent back would grow "exponentially." Some of the cities where they will wait are among the most dangerous in Mexico.

Mexican officials are cooperating by providing general assistance and job placement for those sent back to wait, but privately they have warned the Americans that their capacity to take parents with children is extremely limited, especially families that need welfare assistance and enrollment in already-crowded public schools.

Migrants at the border hold tight to the blankets and move about the area to stay warm while they wait for the van.

Arrivals and departures

U.S. court restrictions on the government's ability to keep children in immigration jails — and the sheer volume of people arriving — have left Homeland Security agencies defaulting increasingly to the overflow model Trump deplores as "catch-and-release."

Volunteer workers from religious charities were visible at the El Paso airport last month, guiding newly arrived Central American families through the terminal, directing them like a tour group.

The adults wore GPS monitors on their ankles and carried manila envelopes with instructions telling them when to appear in court for their asylum claims. Some were traveling in premium seats, the only last-minute tickets available when their families arranged the flights.

It was the first time many of the migrants had been on an airplane. For Dionel Martinez, it was the second.

The 48-year-old Guatemalan came to the United States three decades earlier, working as a landscaper until he was deported — his only other time on a plane.

“We’re going to Pennsylvania,” he said. A friend had arranged a job at a pizzeria there.

With the savings from his first stint in the United States as a young man, Martinez was able to buy some land in his home country and start a family. But a drought this year had left them hungry.

“There was no harvest,” he said. “Not one grain of corn.”

His son Darwin, 13, came with him to the United States this time. The boy fainted during the journey, his father said, when they had to stand for hours in the back of a cattle truck.

Martinez said he paid 30,000 Guatemalan quetzals, about \$2,500, to a “coyote” smuggling guide. It was a cheap rate, but it meant that he and his son traveled through Mexico in trucks, like cargo.

Across rural Guatemala, Martinez said, word has spread that those who travel with a child can expect to be released from U.S. custody. Smugglers were offering two-for-one pricing, knowing they just needed to deliver clients to the border — not across it — for an easy surrender to U.S. agents.

The group of 64 migrants came across the Rio Grande and presented themselves to U.S. authorities.

Migrant families keep walking to stay warm as they wait for the van in El Paso.

The group of 64 includes parents and children hoping to remain in the United States.

Migrant families keep walking to stay warm as they wait for the van in El Paso. The group of 64 migrants came across the Rio Grande and presented themselves to U.S. authorities.

“If this continues, I don’t think there will be anyone left in Guatemala,” Martinez joked.

The men from his village near the town of Chiquimulá were all leaving, he said, bringing a child with them.

Martinez said he used the family home as collateral. He had four months to pay off the \$2,500. "I need a way to feed my family, and this is it," he said.

Not all Central American families are economic migrants. Others, especially from Honduras, arrive with stories of gang threats and violent attacks. After crossing the border, a U.S. asylum officer performs a preliminary screening to determine whether their fears of persecution are credible enough to deserve a hearing with an immigration judge.

The problem, Homeland Security officials say, is that a growing portion of those who pass the initial screening never appear in court. They know asylum standards are tightening. Or, like Martinez, they have a prior deportation from the United States that all but disqualifies them from getting asylum.

Once released into the U.S. interior, some shed their monitoring bracelets and slip into the shadows to remain in the United States, a country where wages are 10 times higher than in Central America.

The saturation at the border means that it matters little whether a parent's story of persecution is sufficiently credible; the United States has just three detention facilities appropriate for families, with about 3,000 beds, and those are full. The pipeline backs up into Border Patrol stations that were never designed for long-term detention, let alone children, many of whom arrive sick after days in cramped quarters.

A Border Patrol agent in Antelope Wells, N.M., uses his truck as a perch to spot smugglers and groups of migrants approaching the border.

A crossing gone quiet

The tiny, remote Antelope Wells, N.M., border crossing, where 8-year-old Jakelin Caal arrived in December before falling fatally ill, is now staffed with a team of medically trained Border Patrol agents. But that crossing has gone quiet in recent weeks, as more large groups turn up on El Paso's riverbanks.

For families too poor to hire a smuggler, it was the only place to cross, converging with others who sought safety in numbers. Carlos Guevara, 35, said he and his son had wandered the streets of Juarez with nowhere to sleep, then spotted the crowd heading for the river.

"I want to give my son a better life," he said. Guevara said he earned about \$6 a day for farm labor in Honduras, and left a month earlier with, Carlitos, 7, en route to Michigan. "I can't stand being poor anymore."

Swathed in plastic, his son approached the headlights of an agent's Border Patrol truck, its idling engine offering some warmth. Other children in the group were still crying and calling out.

Ramiro Cordero, a Border Patrol official assigned to accompany reporters, called on the radio, and said he would go back to the nearest station and get a van himself.

Border Patrol official Ramiro Cordero puts bracelets on Mairon Argueta and his daughter Elsi Argueta, 4, who arrived in El Paso from Honduras. The bracelets identify the group of migrants and how many people crossed.

"This is what's happening on a daily basis," Cordero said. "You've got to understand that we have to take care of everyone that comes across. And this requires transportation and a lot of logistical support."

"Hopefully the vans can get here to transport them to one of the processing facilities," he said. "But for right now, this is where we stay."

He lined up the parents and children to issue bracelets to each one with a number corresponding to their arrival group. "They will be provided with basic needs, whether it's water, juices, warm meals," Cordero said. They would also get a medical screening.

Two blue-uniformed customs officers, summoned to help the Border Patrol agents, arrived with a van after 3 a.m.

The agents loaded the families into the vehicle, needing three trips to transport the entire group. The crying had stopped. On the radio, a dispatcher said there were already 607 migrants in custody at the processing center where they were headed, more than twice its capacity.

Cordero stands at the border barrier in Antelope Wells, N.M., on Feb 20.

Mr. COLLINS. And one last one is today's New York Times, which says: "Border at Breaking Point as More Than 76,000 Migrants Cross in a Month." I think that is a sign of an emergency.

And with that, I yield.

Ms. LOFGREN. Without objection, those items will be added to the record.

[The information follows:]

RANKING MEMBER COLLINS FOR THE RECORD

The New York Times

Border at 'Breaking Point' as More Than 76,000 Unauthorized Migrants Cross in a Month

By **Caitlin Dickerson**

March 5, 2019

The number of migrant families crossing the southwest border has once again broken records, with unauthorized entries nearly double what they were a year ago, suggesting that the Trump administration's aggressive policies have not discouraged new migration to the United States.

More than 76,000 migrants crossed the border without authorization in February, an 11-year high and a strong sign that stepped-up prosecutions, new controls on asylum and harsher detention policies have not reversed what remains a powerful lure for thousands of families fleeing violence and poverty.

"The system is well beyond capacity, and remains at the breaking point," Kevin K. McAleenan, commissioner of Customs and Border Protection, told reporters in announcing the new data on Tuesday.

The nation's top border enforcement officer painted a picture of processing centers filled to capacity, border agents struggling to meet medical needs and thousands of exhausted members of migrant families crammed into a detention system that was not built to house them — all while newcomers continue to arrive, sometimes by the busload, at the rate of 2,200 a day.

"This is clearly both a border security and a humanitarian crisis," Mr. McAleenan said.

[Read the latest edition of Crossing the Border, a limited-run newsletter about life

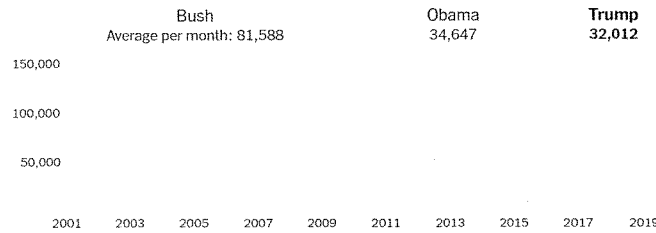
where the United States and Mexico meet. Sign up here to receive the next issue in your inbox.]

President Trump has used the escalating numbers to justify his plan to build an expanded wall along the 1,900-mile border with Mexico. But a wall would do little to slow migration, most immigration analysts say. While the exact numbers are not known, many of those apprehended along the southern border, including the thousands who present themselves at legal ports of entry, surrender voluntarily to Border Patrol agents and eventually submit legal asylum claims.

Illegal Border Crossings Have Spiked in Recent Months

Over the past two decades, there were large declines in apprehensions along the southwestern border with Mexico. Despite the overall trend, illegal border crossings have surged in the current fiscal year, which began in October.

Apprehensions at the southwestern border, by month



People traveling with family have crossed in far greater numbers in the last six months. These migrants are now the majority of those caught trying to illegally cross the border.

Apprehensions at the southwestern border, by month



Source: U.S. Customs and Border Protection • By The New York Times

The main problem is not one of uncontrolled masses scaling the fences, but a humanitarian challenge created as thousands of migrant families surge into remote areas where the administration has so far failed to devote sufficient resources to care for them, as is required under the law.

The latest numbers stung an administration that has over the past two years introduced a rash of aggressive policies intended to deter migrants from journeying to the United States, including separating families, limiting entries at official ports and requiring some asylum seekers to wait in Mexico through the duration of their immigration cases.

More than 50,000 adults are currently in Immigration and Customs Enforcement custody, the highest number ever.

Despite targeted successes in certain areas — about 2,000 migrants who traveled in a caravan from Central America last year appeared to have given up their cause as of last month after being discouraged by long delays in Tijuana — migrants seem only to have adjusted their routes rather than turn back. Indeed, they are traveling in even larger numbers than before.

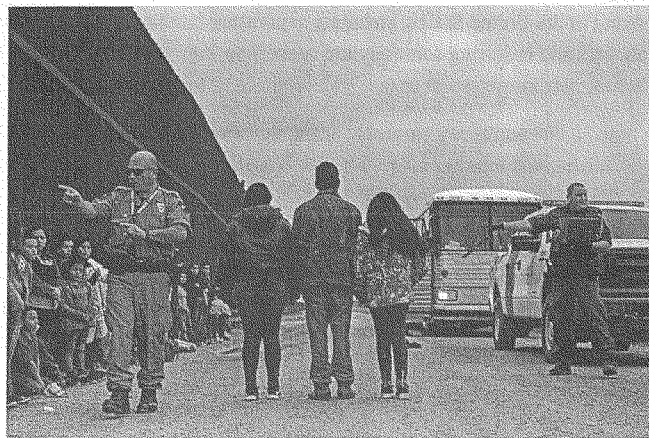
[Read more about why more migrants are crossing the border.]

Arrests along the southern border have increased 97 percent since last year, the Border Patrol said, with a 434 percent increase in the El Paso sector, which

covers the state of New Mexico and the two westernmost counties of Texas. Families, mainly from Central America, continue to arrive in ever-larger groups in remote parts of the southwest.

At least 70 such groups of 100 or more people have turned themselves in at Border Patrol stations that typically are staffed by only a handful of agents, often hours away from civilization. By comparison, only 13 such groups arrived in the last fiscal year, and two in the year before.

Understanding what is happening on the border is difficult because, while the numbers are currently higher than they have been in several years, they are nowhere near the historic levels of migration seen across the southwest border. Arrests for illegally crossing the border reached up to 1.64 million in 2000, under President Clinton. In the 2018 fiscal year, they reached 396,579. For the first five months of the current fiscal year, 268,044 have been apprehended.



Migrants from Central America turned themselves in to Border Patrol agents in Penitas, Tex., last month. Tamir Kalifa for The New York Times

The difference is that the nature of immigration has changed, and the demographics of those arriving now are proving more taxing for border officials to accommodate. Most of those entering the country in earlier years were single men, most of them from Mexico, coming to look for work. If they were arrested, they could quickly be deported.

Now, the majority of border crossers are not single men but families — fathers from Honduras with adolescent boys they are pulling away from gang violence, mothers with toddlers from Guatemala whose farms have been lost to drought. While they may not have a good case to remain in the United States permanently, it is not so easy to speedily deport them if they arrive with children and claim protection under the asylum laws.

Families with children can be held in detention for no longer than 20 days, under a much-debated court ruling, and since there are a limited number of detention centers certified to hold families, the practical effect is that most families are released into the country to await their hearings in immigration court. The courts are so backlogged that it could take months or years for cases to be decided. Some people never show up for court at all.

Finally, detaining families even for the first few days after their arrival in the United States, while they are undergoing initial processing, is also a challenging job.

Often arriving exhausted, dehydrated, and some of them requiring urgent medical care, the families need food, diapers, infant formula and space to play. They can often spend days inside cramped concrete cells that were built to house the previous generation of border crossers — young, single men who would likely be there only a few hours.

As part of the announcements on Tuesday, Mr. McAleenan also said the agency is making sweeping changes to procedures for guaranteeing adequate medical care for migrants — an overhaul brought on by the deaths of two migrant

children in the agency's custody in December. The measures, which include comprehensive health screenings for all migrant children and a new processing center in El Paso that would help provide better shelter and medical care for migrant families, are an attempt to fix years of health care inadequacies that have left many at risk.

The agency will also expand medical contracts to place health care practitioners — largely registered nurses and nurse practitioners — in “high-risk” and high-traffic locations along the border. It will also dedicate more money for translation services to meet increasing demand from Central Americans, many of whom speak indigenous languages and dialects and may not be able to communicate their needs in English or Spanish.

A migrant child from Honduras at a shelter in El Paso, Tex. As of March 3, 237,327 migrants had been apprehended along the southwest border since the fiscal year began in October, a 97 percent increase from the previous year.
Sara Naomi Lewkowitz for The New York Times

[Read: Border Patrol Facilities Put Detainees With Medical Conditions at Risk]

“These solutions are temporary and this situation is not sustainable,” Mr. McAleenan said.

Mr. McAleenan said the authorities believe that the large numbers of families are coming because smugglers have effectively communicated across Central America that adults who travel with children will be allowed to enter and stay in the United States.

Brian Hastings, the agency’s chief of law enforcement operations, said that since April 2018, border agents had detected nearly 2,400 “false families,” including cases in which migrants had falsely claimed to be related when they were not, or untruthfully claimed to be younger than 18.

The throngs of new families are also affecting communities on the American side of the border. In El Paso, a volunteer network that temporarily houses the migrants after they are released from custody has had to expand to 20 facilities, compared with only three during the same period last year. Migrants are now being housed in churches, a converted nursing home and about 125 hotel rooms that are being paid for with donations.

“We had never seen these kinds of numbers,” said Ruben Garcia, the director of the organization, called Annunciation House. He said that during one week in February, immigration authorities had released more than 3,600 migrants to his organization, the highest number in any single week since the group’s founding in 1978.

For the most part, Mr. Garcia said that his staff and volunteer workers had been able to keep up with the surge, often making frantic calls to churches to request access to more space for housing families on short notice. But sometimes their best efforts were upended, he said, including on one day last week, when the authorities dropped off 150 more migrants than planned.

"We just didn't have the space," Mr. Garcia said.

Reporting was contributed by Miriam Jordan in Los Angeles, Sheri Fink in New York and Zolan Kanno-Youngs from Washington.

A version of this article appears in print on March 6, 2019, on Page A1 of the New York edition with the headline: Record Numbers Crossing to U.S., Deluging Agents

[READ 2022 COMMENTS](#)

Ms. LOFGREN. I recognize myself. But before doing so, I will ask unanimous consent to put into the record statements from the following organizations: African Communities Together; United We Dream; UNIDOS U.S.; The Dream.us; Pennsylvania Immigration and Citizenship Coalition; National Immigration Law Center; Mainers for Accountable Leadership; Latin America Working Group; the Fair Immigration Reform Movement; Center for Law and Social Policy; Coalition for Humane Immigrant Rights; Center for American Progress article on “TPS Workers Rebuilding States Devastated by National Disasters”; Amnesty International; and the American Immigration Lawyers Association.

Hearing no objection, those will be placed in the record as well.
[The information follows.]

REP. ZOE LOFGREN FOR THE RECORD



127 West 127th Street, Suite 324
New York, NY 10027
www.africans.us

Statement for the Record
U.S. House Committee on the Judiciary
Hearing on Protecting Dreamers and TPS Recipients
March 6, 2019

African Communities Together (ACT) is an organization of African immigrants fighting for civil rights, opportunity, and a better life for our families here in the U.S. and worldwide. ACT empowers African immigrants to integrate socially, get ahead economically, and engage civically by connecting African immigrants to critical services, helping Africans develop as leaders, and organizing our communities on the issues that matter.

ACT is grateful to Chairman Nadler and members of the Committee for convening this very important hearing on protecting Dreamers and TPS recipients. We join the many organizations advocating on behalf of the more than 800,000 Dreamers and 300,000 TPS and DED holders whose lives hang in the balance. In particular, ACT seeks to highlight the urgent need for permanent legislative protection for Liberian DED holders.

Six of the 13 countries with TPS or DED in recent years have been African countries. TPS and DED have provided thousands of Africans, including most recently, those from Guinea, Liberia, Sierra Leone, Somalia, South Sudan, and Sudan, with refuge in the United States during times of war or other extraordinary conditions at home. TPS and DED not only provide humanitarian protection, but also give holders the ability to earn a living, provide for their families, pay taxes, and contribute to their communities, while the conditions in their home countries prevent their safe return.

Unfortunately, the Trump Administration has begun the process of prematurely terminating TPS and DED protections. The Administration's actions have created an urgent need for permanent legislative protection. This urgency is even more acute among Liberian DED holders who will lose protection and become deportable after March 31, 2019.

Many Liberian DED holders have been protected by TPS and DED for the past 28 years. In March 1991, Liberians were first granted TPS protection in response to the 1989 outbreak of civil war. As the war raged on, TPS designation was extended several times until 1999. In 1999, upon expiration of their TPS designation, President Clinton provided Liberians with DED status, which President George W. Bush subsequently extended. The 2014 Ebola outbreak in West Africa led to a new TPS designation for Liberia. President Obama terminated TPS designation for Liberia in 2016, but provided DED protection. In March 2018, President Trump announced that DED for Liberians would not be extended and that Liberians would be required to leave the U.S. after a one-year wind-down period.

Despite these 28 years of constant limbo, current DED holders have managed to thrive and fully integrate into American society. They have gotten married, started families, built careers, bought homes, and grown businesses. It is simply unconscionable to uproot the productive lives of our friends and neighbors, separate some from their U.S.-born children, and force them to return to a country that is ill-prepared to handle their return. This is why Congress must pass legislation that addresses this urgent need for relief.

ACT again thanks the Committee for its attention to this issue and urges all members to support legislation that would provide permanent legal protections and a path to citizenship for TPS and DED holders as well as Dreamers.



Statement for the Record of

Cristina Jiménez Moreta
Executive Director
United We Dream

For a Hearing of the House Committee on the Judiciary

Protecting Dreamers and TPS Recipients

Wednesday, March 6, 2019

2141 Rayburn House Office Building

I. INTRODUCTION

United We Dream is the largest immigrant youth-led network in the United States. We create welcoming spaces for young people—regardless of immigration status—to support, engage, and empower them to make their voice heard and win. We have an online reach of five million and are made of a powerful membership of 500,000 members and 112 local groups across 28 states. Over 60 percent of our members are women and 20 percent identify as LGBTQ.

United We Dream’s vision is of a multi-racial democracy where immigrants and communities of color live safe, with dignity, while thriving. We pursue this vision by building a multi-racial, multi-ethnic movement of young people who organize and advocate for the dignity and justice of immigrants and communities of color at the local and national levels. Led by and accountable to youth leadership, United We Dream uses diverse and innovative strategies to effectively change and improve the material conditions for all immigrants and communities of color in the United States. Combining grassroots and digital organizing, advocacy, transformative leadership development, story-telling, and culture change, we build momentum together with allies for long lasting change. As part of this work, United We Dream advocates for the continued and expanded protection of individuals with Deferred Action for Childhood Arrivals (DACA) and Temporary Protected Status (TPS), representing a combined one million individuals.

This statement speaks to the need to enact legislation establishing a roadmap to citizenship for undocumented youth, DACA recipients, and TPS holders—a roadmap that is not compromised through corresponding enforcement increases or the penalization of collateral immigrant groups. Congress has a mandate and an opportunity to enact bold and progressive legislation that provides a clean roadmap to citizenship for undocumented young people and TPS holders in the 116th Congress; and concurrently to establish a pro-immigrant benchmark for future immigration legislation.

II. BACKGROUND

Under the Trump administration, immigrants, especially those who are undocumented, have been subject to an unprecedented climate of terror through the cancerous growth of immigration enforcement. President Trump has provided free reign to U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) to terrorize communities, break apart families, and detain immigrants at unprecedented rates, including those with deportation protections.

Through the Executive’s authority to implement and exercise our nation’s immigration laws, the Trump administration engaged in radical campaigns targeting immigrants, both documented and those without status. At the border, the administration has separated thousands of children from their families and utilized cages to incarcerate children.¹ Through members and their

¹ OFFICE OF INSPECTOR GENERAL, U.S. DEPARTMENT OF HOMELAND SECURITY, Separated Children Placed in Office of Refugee Resettlement Care (Jan. 2019), available at <https://oig.hhs.gov/oei/reports/oei-BL-18-00511.pdf>; Separation at the border: children wait in cages at south Texas warehouse, THE GUARDIAN, June 17, 2018, <https://www.theguardian.com/us-news/2018/jun/17/separation-border-children-cages-south-texas-warehouse-holding-facility>.

families, United We Dream has been at the forefront of fighting back and protecting immigrant families. United We Dream provides a comprehensive overview of the expansive increase in enforcement under this administration, including leveraging data collected through United We Dream's MigraWatch and community organizing, in its report *The Truth About ICE and CBP: A Comprehensive Analysis of the Devastating Human Impact of the Deportation Force by the Immigrant Youth & Families Who Know It Best*.² United We Dream has also regularly conducted surveys of thousands of DACA recipients, collecting and analyzing data points on economic gains, attitudes, and other metrics.³ We submit both reports for the record as part of this hearing. Below, we provide a brief overview of the growth of enforcement and the immigration protections rescinded by this administration.

A. U.S. Immigration and Customs Enforcement

To effectuate its mission of deporting as many immigrants as possible, the Trump administration supercharged an already formidable deportation machinery. Shortly after his inauguration, President Trump signed two Executive Orders that directed the federal government to radically ramp up its deportation machinery.⁴ These orders, combined with subsequent political appointments at all levels of government, regulations, and policy guidance, enabled the federal government to unleash a reign of terror and immigration enforcement unseen in generations.

ICE now targets long-time community members and immigrants with no criminal history,⁵ with arrests by ICE rising more than 30 percent, from FY 2016 (110,104) to FY 2017 (143,470);⁶ and another 10 percent from FY 2017 to FY 2018 (158,581).⁷ ICE's arrests of immigrants without criminal convictions more than doubled—increasing 146 percent from FY 2016 (15,353) to FY 2017 (37,734);⁸ and increased 42 percent from FY 2017 to FY 2018 (53,441).⁹ To incarcerate the

² Greisa Martinez Rosas and Sanaa Abrar, *The Truth About ICE and CBP: A Comprehensive Analysis of the Devastating Human Impact of the Deportation Force By The Immigrant Youth & Families Who Know It Best*, United We Dream, Feb. 2019, available at <https://unitedwedream.org/the-truth-about-ice-and-cbp/>.

³ Tom K. Wong et al., *Amid Legal and Political Uncertainty, DACA Remains More Important Than Ever*, Center for American Progress, Aug. 15, 2018, <https://www.americanprogress.org/issues/immigration/news/2018/08/15/454731/amid-legal-political-uncertainty-daca-remains-important-ever/>.

⁴ Border Security and Immigration Enforcement Improvements, Exec. Order No. 13,767, 82 Fed. Reg. 8793 (Jan. 25, 2017), available at <https://www.federalregister.gov/documents/2017/01/30/2017-02095/border-security-and-immigration-enforcement-improvements>.

⁵ *Id.*

⁶ Kate Voigt, *Cogs in the Deportation Machine: How Policy Changes by the Trump Administration Have Touched Every Major Area of Enforcement* 7, April 24, 2018, available at <http://www.aila.org/infonet/aila-report-cogs-in-the-deportation-machine>.

⁷ U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. DEPARTMENT OF HOMELAND SECURITY, Fiscal Year 2018 ICE Enforcement and Removal Operations Report 2 (Dec. 14, 2018), <https://www.ice.gov/doclib/about/offices/ero/pdf/eroFY2018Report.pdf>.

⁸ *Id.*; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. DEPARTMENT OF HOMELAND SECURITY, Fiscal Year 2017 ICE Enforcement and Removal Operations Report (Dec. 13, 2017), <https://www.ice.gov/removal-statistics/2017>.

⁹ U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. DEPARTMENT OF HOMELAND SECURITY, Fiscal Year 2018 ICE Enforcement and Removal Operations Report 3 (Dec. 14, 2018), <https://www.ice.gov/doclib/about/offices/ero/pdf/eroFY2018Report.pdf>.

growing number of arrested immigrants, ICE dramatically expanded its detention capacity, currently holding an average daily population of 45,000 in detention camps.¹⁰ Functionally, this means that ICE incarcerates approximately 400,000 immigrants every year.¹¹

B. Deferred Action for Childhood Arrivals

DACA is a form of prosecutorial discretion that provides a two-year, renewable grant of employment authorization (commonly known as a “work permit”) and protection from deportation for immigrant youth who entered the United States before the age of 16 and meet a variety of stringent educational and background criteria.¹² Originally implemented by the Obama administration in 2012, the federal government granted deferred action under DACA to over 800,000 individuals, many of whom represent key members and leaders within the immigrant youth movement.¹³ In September 2017, the Trump administration announced it would terminate DACA.¹⁴ This announcement was followed by multiple lawsuits and federal court injunctions directing the administration to—for now—continue to accept renewals.¹⁵ The continued existence of DACA remains in question and, for now, DACA exists, although in limited form.¹⁶ The resumption of DACA would allow upwards of 1.9 million individuals to apply for and eventually receive deferred action.¹⁷

¹⁰ Letter from National Organizations to Mitch McConnell, Leader, U.S. Senate, et al. (Sept. 5, 2018), *available at* https://www.immigrantjustice.org/sites/default/files/uploaded-files/no-content-type/2018-09/FY19-CR-detention-funding-NGO-letter_Sept2018_Final.pdf.

¹¹ Aria Bendix, *ICE Shuts Down Program for Asylum-Seekers*, THE ATLANTIC, June 9, 2017 (“These large-scale detention rates continue today, with around 400,000 immigrants being held in detention facilities each year—around 80 times the amount held in 1994.”).

¹² See Memorandum from Janet Napolitano, Secretary, U.S. Department of Homeland Security to David V. Aguilar, Acting Commissioner, U.S. Customs and Border Protection, et al. on Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children (June 15, 2012), *available at* <http://www.dhs.gov/xlibrary/assets/s1-exercising-prosecutorial-discretion-individuals-who-came-to-us-as-children.pdf>.

¹³ U.S. CITIZENSHIP AND IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY, Number of Form I-821D, Consideration of Deferred Action for Childhood Arrivals, by Fiscal Year, Quarter, Intake and Case Status Fiscal Year 2012-2018 (Sept. 30, 2018) (Nov. 14, 2018), <https://www.uscis.gov/tools/reports-studies/immigration-forms-data> (filter by “Deferred Action for Childhood Arrivals (DACA)” category).

¹⁴ Memorandum from Elaine C. Duke, Acting Secretary, U.S. Department of Homeland Security to James W. McCament, Acting Director, U.S. Citizenship and Immigration Services, et al. on Memorandum on Rescission of Deferred Action For Childhood Arrivals (DACA) (Sept. 5, 2017), *available at* <https://www.dhs.gov/news/2017/09/05/memorandum-rescission-daca>.

¹⁵ *Status of Current DACA Litigation*, National Immigration Law Center (Nov. 9, 2018), *available at* <https://www.nilc.org/issues/daca/status-current-daca-litigation/>.

¹⁶ Michael D. Shear, *Federal Judge in Texas Delivers Unexpected Victory for DACA Program*, THE N.Y. TIMES, Aug. 31, 2018, <https://www.nytimes.com/2018/08/31/us/politics/texas-judge-daca.html>; Obed Manuel, *Judge denies injunction to halt DACA, but indicates he may kill the program*, DALLAS NEWS, Aug. 31, 2018, <https://www.dallasnews.com/news/immigration/2018/08/31/judge-denies-injunction-halt-daca-indicates-may-kill-program>.

¹⁷ Faye Hipsman, Barbara Gomez-Aguiñaga, and Randy Capps, *DACA at Four: Participation in the Deferred Action Program and Impacts on Recipients*, Migration Policy Institute, Aug. 2016, *available at* <https://www.migrationpolicy.org/research/daca-four-participation-deferred-action-program-and-impacts-recipients>.

While DACA represents the segment of immigrant youth most commonly known to the American public, it does not represent the entirety of the immigrant youth population that needs relief. This broader population includes individuals who entered after DACA's cut-off date, who do not meet DACA's age requirements, or who would qualify for relief under various legislation providing relief to immigrant youth. Future legislation must provide relief to *all* immigrant youth—not just DACA recipients.

C. Temporary Protected Status

TPS is an immigration status established by Congress in 1990 that allows the U.S. Department of Homeland Security (DHS) to provide six to 18-months of employment authorization and to suspend the deportation of immigrants who cannot be safely returned to their home countries due to dangerous conditions, such as armed conflict, natural disasters, or other extraordinary circumstances.¹⁸ USCIS has granted TPS to an estimated 437,000 individuals, with designations regularly extended under both Democratic and Republican administrations.¹⁹ The Trump administration, however, terminated TPS and Deferred Enforcement Departure for virtually all countries, affecting 98 percent of all TPS holders, including immigrants who have resided in the United States for decades and whose deportation is still impractical or dangerous.²⁰

Over the next two years, almost all TPS holders will lose their status, particularly if various court injunctions are lifted or stayed.²¹ TPS holders have 275,000 U.S. citizen children, representing youth at risk of being separated from their families or being moved to a country that is foreign to them.²² While TPS holders are generally older than immigrant youth, their longstanding ties to our nation demonstrate the need to provide permanent relief for this population, jointly, alongside immigrant youth.

¹⁸ 8 U.S.C. § 1254a (West 2018); Madeline Messick and Claire Bergeron, *Temporary Protected Status in the United States: A Grant of Humanitarian Relief that Is Less than Permanent*, Migration Policy Institute, July 2, 2014, available at <https://www.migrationpolicy.org/article/temporary-protected-status-united-states-grant-humanitarian-relief-less-permanent>.

¹⁹ Robert Warren and Donald Kerwin, *A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti*, Center for Migration Studies, 2017, available at <http://cmsny.org/publications/imhs-tps-elsalvador-honduras-haiti/>; Jill H. Wilson, CONG. RESEARCH SERV., RS20844, *Temporary Protected Status: Overview and Current Issues* (2018), available at <https://fas.org/sgp/crs/homsec/RS20844.pdf>. The TPS population estimates from CRS include all individuals granted TPS and does not discount deceased individuals or those that have adjusted to another status, hence why it is a larger estimate than that provided by MPI. See *id.* at 5.

²⁰ *Temporary Protected Status (TPS) and Deferred Enforcement Departure (DED)*, Catholic Legal Immigration Network, Inc. (last accessed Nov. 19, 2018), <https://cliniclegal.org/tps>.

²¹ *Id.*

²² Nicole Prchal Svajlenka, Angie Bautista-Chavez, and Laura Muñoz Lopez, *TPS Holders Are Integral Members of the U.S. Economy and Society*, Center for American Progress, Oct. 20, 2017, <https://www.americanprogress.org/issues/immigration/news/2017/10/20/440400/tps-holders-are-integral-members-of-the-u-s-economy-and-society/>.

II. PRINCIPLES FOR LEGISLATIVE RELIEF

With the potential end of both DACA and TPS in the coming years, it is incumbent on Congress to enact legislation to protect these populations by establishing a fair and humane roadmap to citizenship. Below, United We Dream describes the principles that any legislation providing relief to immigrant youth and TPS holders must contain. With the administration rescinding a variety of immigration protections and top enforcement officials promising to target *all* immigrants, no individual, with or without status, is safe.²³ Importantly, such a roadmap *cannot* come at the cost of increased enforcement, either in the interior or at the border, or by reducing collateral or future immigration flows. Legislation must never punish Black and brown communities, parents, and future immigrants in exchange for protection of immigrant youth and TPS holders.

A. The False Dichotomy of Trading Enforcement for Protection

Future legislation must not contain onerous interior or border enforcement provisions; further criminalize immigrants; expand the nation's deportation apparatus; continue or expand the funding of immigration enforcement; or close off our immigration system to future immigrants, especially Black and brown immigrants. Specifically, in terms of enforcement, legislation providing permanent protection for immigrant youth must not: (a) fund additional ICE or CBP agents; (b) foster the expansion or continuation of our nation's sprawling and inhumane network of detention camps; (c) further criminalize immigrants by expanding the grounds of inadmissibility or deportability; or (d) continue the ongoing militarization of the border. In terms of benefits, legislation must not: (a) eliminate legal paths to immigration, including the diversity visa, sibling visa category, or other family-based immigration paths; (b) gut our nation's humanitarian forms of relief, including asylum; or (c) prohibit immigrant youth who receive relief from sponsoring their parents or other relatives in the future.

B. Rethinking Eligibility and Benefits

The American electorate spoke boldly in the 2018 midterm elections, rejecting the principles of hate and division, and electing a diverse and progressive cohort of members to the U.S. House of Representatives. With this mandate, Congress must move forward with legislation providing relief to immigrant youth and TPS holders that is bold, expansive, and resets the conversation on the possible scope of relief. Thus, Congress must expand relief in two key areas: (a) background eligibility criteria; and (b) benefits and relief.

1. Inclusive Relief for Immigrants and Communities of Color

We urge Congress to abandon the failed experiment of disqualifying immigrants from relief based on previous interactions with the criminal justice system. Our immigration system is shamefully tied with our criminal justice system, from increased criminal prosecutions for immigration-related offenses by the federal government; racial profiling, arrest, killings, and prosecution of Black and brown people by state and local enforcement (and collateral

²³ Elise Foley, *ICE Director To All Undocumented Immigrants: 'You Need To Be Worried'*, HUFFINGTON POST, June 13, 2017, https://www.huffingtonpost.com/entry/ice-arrests-undocumented_us_594027c0e4b0e84514eebfbe ("If you're in this country illegally and you committed a crime by entering this country, you should be uncomfortable," Acting Director Thomas Homan told the House Appropriations Committee's Homeland Security Subcommittee. "You should look over your shoulder, and you need to be worried.").

immigration consequences); to the double-standard for immigrants in terms of rehabilitation and post-conviction relief. The criminal justice system works in tandem with our civil immigration system to disqualify individuals from relief and future immigration relief cannot exacerbate this poisonous dynamic.

We recommend that future legislation adopt the American Hope Act’s framework regarding criminal background eligibility. The American Hope Act does not disqualify applicants based on felony or misdemeanor convictions (e.g. the so-called “criminal bars”) alone, but instead predicates eligibility on whether an individual is inadmissible under a comprehensive list of grounds.²⁴ Thus, criminal bars are not needed as the above framework incorporates ineligibility grounds (many based in criminal conduct) that were previously established by Congress.

Felony and misdemeanor bars (which, again, exist in addition to grounds of inadmissibility) feed into the administration’s narrative that immigrants are criminals; and the broken messaging framework that there are “good” immigrants and “bad” immigrants. Moreover, the felony and misdemeanor bars fail to acknowledge the disparities in our criminal justice system, where people of color are more likely to be arrested and convicted. Our country continues to move away from penalizing individuals for previous criminal conduct—including movements like “Ban the Box” and criminal justice reform—recognizing the value of rehabilitation. We must continue this movement in the immigration sphere as well.

This legislation will likely be used as a basis for future comprehensive immigration reform. Future negotiations regarding comprehensive immigration reform will likely lead to enforcement concessions, especially in the area of criminal background eligibility. Thus, it is imperative to frame the criminal eligibility conversation in a manner as progressive as possible, as immigration legislation, especially in the bipartisan context, inevitably becomes more—not less—stringent.

2. Progressive Eligibility Criteria and Relief

Beyond criminal background requirements, Congress must rethink other eligibility criteria and the scope of immigration relief. Below we outline the key principles that Congress must include in any legislation providing relief to immigrant youth and TPS holders.

Adopt a Reasonable Age of Entry Requirement. Congress should revisit the historical requirement requiring applicants for relief to have entered the United States before the age of 18. Individuals who entered the country before the age of 21, an age where some individuals are still recognized by the Immigration and National Act as “children,”²⁵ form just as deep of a connection with this country and their communities as those who entered before the age of 18.

Two-Year Period of Presence. Congress should revisit the minimum period of residence required to be eligible for relief. The American Hope Act required six months, while the Dream Act of 2017 required four years. A fair compromise that reflects the need to not exclude recent

²⁴ American Hope Act of 2017, H.R. 3591, 116th Cong. (2017).

²⁵ 8 U.S.C. § 1101 (West 2019) (“The term ‘child’ means an unmarried person under twenty-one years of age . . .”).

arrivals would be a two-year period of residence, which would provide relief to recent entrants who have begun to form connections with this country and their communities.

Relief for Deported Youth. Nor have the administration's immigration enforcement policies been without consequences, with immigrant youth regularly being arrested, detained, or deported. For an overview of current and former DACA recipients who have been arrested, detained, or deported by this administration, see United We Dream's report.²⁶ For these individuals, especially those that previously held or qualified for DACA, immigration relief must provide a mechanism for them to apply for relief from abroad. President Trump should not narrow the population of immigrant youth that would qualify for relief under future immigration relief by engaging in the wholesale purge of immigrant communities.

Flexible Employment Track. Legislation providing relief to immigrant youth traditionally predicates that relief on the employment track, in addition to educational and unformed services tracks, to remove conditions from conditional permanent resident status. Legislation must be cognizant of the unique obstacles faced by communities of color under our capitalist system, where communities of color and women are more susceptible to layoffs and employment discrimination. Any employment track must be sufficiently flexible and only require individuals be employed at least 50 percent during the requisite employment period.

Higher Education Access. Immigration legislation must go beyond the repeal of Section 505, which enacts barriers to states seeking to provide in-state tuition to undocumented students.²⁷ Accordingly, legislation must explore the feasibility of linking federal funding to states and higher education institutions with a commitment to not discriminate against students in the context of admissions, enrollment, and in-state tuition. Legislation could also adopt a framework where grants are offered to states who actively take steps to expand higher education access, including scholarships and in-state tuition, to undocumented students.

Due Process. Providing relief for upwards of three million immigrant youth and TPS holders will be an undertaking not seen since the Immigration Reform and Control Act of 1986. Congress must recognize the magnitude of this undertaking and establish a grant program for non-profit organizations offering legal assistance to applicants for relief or who seek to re-grant funds to help applicants pay the application fee. Moreover, immigration legislation must establish an administrative review process for denials and terminations of status, providing sorely needed accountability for administrations that would employ regulatory tools to delay and deny applications for relief.

Addressing Cost Concerns. Historically, one of the biggest barriers to relief for immigrant youth, particularly in the case of DACA, has been cost. The filing fees for relief often represent a significant portion of an applicant's disposable income, particularly if applicants are from families where there are multiple individuals seeking relief. Legislation must not contain

²⁶ Greisa Martinez Rosas and Sanaa Abrar, *The Truth About ICE and CBP: A Comprehensive Analysis of the Devastating Human Impact of the Deportation Force By The Immigrant Youth & Families Who Know It Best* 23, United We Dream, Feb. 2019, available at <https://unitedwedream.org/the-truth-about-ice-and-cbp/>.

²⁷ 8 U.S.C. § 1623 (West 2019).

unnecessary and costly medical examinations as a prerequisite for relief, which can often cost upwards of \$500. Additionally, Congress must institute a cost ceiling for any fees to prevent current or future administrations from setting filing fees exorbitantly high in an effort to discourage individuals from seeking relief. Congress must explore strategies to expand existing fee exemptions and expand access to the filing fee waiver employed by applicants seeking relief in collateral contexts.²⁸

III. CONCLUSION

Congress has a moral imperative and a mandate to begin the first steps in a long process to heal our nation's immigrant community. To do so, it must enact fair, humane, and expansive immigration relief for immigrant youth and TPS recipients in accordance with the principles outlined in this statement. This legislation would represent a down payment to Congress' obligation to enact future legislation that would establish a roadmap to citizenship for the broader undocumented immigrant community. This broader undocumented community includes parents of immigrant youth and U.S. citizens who have deep roots to this country and are equally deserving of the ability to fully integrate into the country they consider home.

For the last two years, immigrant youth, their families, and communities of color have experienced the firsthand impact of animus-filled immigration enforcement and criminal justice systems. Inherently institutionally racist in nature, the Trump administration mercilessly expanded these systems and unleashed their full force as a single, unified deportation apparatus acting upon vulnerable communities. Rescinding protections, targeting long-time residents, and shirking any semblance of accountability or transparency, this administration has declared a war on immigrants and communities of color.

Yet, in spite of this relentless assault on immigrant freedoms, immigrant youth and their families have consistently and courageously fought back. Organizing in the streets and all levels of government, immigrant youth and their families have delivered a stinging rebuke to this administration—that no matter how fervent its commitment to xenophobia, racism, and criminalization, immigrants are #HereToStay.

²⁸ U.S. CITIZENSHIP AND IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY, Fee Waiver Guidance (Sept. 4, 2015), <https://www.uscis.gov/node/44213>.



IMMIGRATION

Amid Legal and Political Uncertainty, DACA Remains More Important Than Ever

By Tom K. Wong, Sanaa Abrar, Tom Jawetz, Ignacia Rodriguez Kmec, Patrick O'Shea, Greisa Martinez Rosas, and Philip E. Wolgin | Posted on August 15, 2018, 5:30 am



Getty/Joe Raedle

Lorena Jofre, a DACA recipient, walks her daughter to school before driving to work in Miami, Florida, February 2018.

Note: The survey results can be found here. For more information on the survey, please contact Tom K. Wong.

Since it was first announced on June 15, 2012, the Deferred Action for Childhood Arrivals (DACA) policy has provided work authorization as well as temporary relief from deportation to approximately 822,000 undocumented young people across the United States.

From July 16 to August 7, 2018, Tom K. Wong of the University of California, San Diego; United We Dream; the National Immigration Law Center; and the Center for American Progress fielded a national survey to further analyze the experiences of DACA recipients. The study includes 1,050 DACA recipients in 41 states as well as the District of Columbia.

This research, as with previous surveys, shows that DACA recipients are making significant contributions to the economy and their communities. In all, 96 percent of respondents are currently employed or enrolled in school.

However, the data also show how the uncertainty that the Trump administration's September decision to rescind DACA created is taking a significant toll on many DACA recipients' well-being. A majority of respondents reported that they think about being deported at least once a day. Among parents, 76 percent reported that they think about "being separated from [their] children because of deportation" at least once a day, and 74 percent think about "not being able to see [their] children grow up because of deportation" at least once a day.

DACA's impact on employment

Work authorization has been critical in helping DACA recipients participate more fully in the U.S. labor force. The data show that 89 percent of respondents are currently employed. Among respondents aged 25 and older, the employment rate jumps to 92 percent.

After receiving DACA:

- 54 percent of respondents moved to a job with better pay.
- 46 percent of respondents moved to a job with better working conditions.
- 45 percent of respondents moved to a job that "better fits [their] education and training."
- 45 percent of respondents moved to a job that "better fits [their] long-term career goals."
- 47 percent of respondents moved to a job with health insurance or other benefits.

The data also show that 6 percent of respondents started their own businesses after receiving DACA. Among respondents 25 years and older, this share increases to 8 percent. As the authors have noted in previous surveys, DACA recipients are outpacing the general population in terms of business creation.

DACA's impact on earnings

Several years of data, including this 2018 survey, make clear that DACA is having a positive and significant effect on wages. The average hourly wage of respondents increased by 78 percent since receiving DACA, from \$10.32 per hour to \$18.42 per hour. Among respondents 25 years and older, the average hourly wage increased by 97 percent since receiving DACA. These higher wages are not only important for recipients and their families but also for tax revenues and economic growth at the local, state, and federal levels.

The data also show that respondents' average annual earnings come out to \$35,485, and their median annual earnings total \$32,000. Among respondents 25 years and older, their average and median annual earnings are \$42,049 and \$38,490, respectively.

These higher wages have resulted in greater financial independence and security for DACA recipients. Seventy-seven percent of respondents reported that their increased earnings have "helped [them] become financially independent," and 75 percent reported that their increased earnings have "helped [their] family financially." Among respondents currently in school, 77 percent reported that their increased earnings have helped pay for tuition. Finally, among respondents with children, 48 percent reported that their increased earnings have helped pay for child care expenses.

DACA's impact on the economy

The purchasing power of DACA recipients continues to increase. For example, 62 percent of respondents reported purchasing their first car after receiving DACA. These large purchases matter in terms of state revenue, as most states collect a percentage of the purchase price in sales tax as well as registration and title fees. The added revenue for states comes in addition to the safety benefits of having more licensed and insured drivers on the roads.

The data also show that 14 percent of respondents purchased their first home after receiving DACA. Among respondents 25 years and older, this share increases to 20 percent. In the broader economy, home purchases lead to increased job creation and the infusion of new spending in local economies.

DACA's impact on education

Of the 40 percent of respondents who are currently enrolled in school, three-quarters are pursuing a bachelor's degree or higher. When it comes to educational attainment, 32 percent of respondents reported having a bachelor's degree or higher. Importantly, among those who are currently in school, a robust 93 percent said that, because of DACA, "[they] pursued educational opportunities that [they] previously could not."

The uncertainty and resolve of DACA recipients

The legal and political uncertainty surrounding DACA is weighing heavily on its recipients. For example, 45 percent of respondents reported that they think about being detained in an immigration detention facility at least once a day; 55 percent reported that they think about being deported at least once a day; and 64 percent reported that they think about a family member being deported at least once a day.

Among recipients with children, 76 percent reported that they think about "being separated from [their] children because of deportation" at least once a day, and 74 percent think about "not being able to see [their] children grow up because of deportation" at least once a day.

Despite many respondents' uncertainty, the data also show tremendous resolve and civic engagement among DACA recipients. For example, since receiving DACA, 49 percent of respondents reported that they have become more politically active, and 52 percent reported that they have become more involved in their communities. After their DACA applications were approved, 64 percent reported, "I am no longer afraid of my immigration status"; another 64 percent reported, "I feel more like I belong in the U.S."

Conclusion

These findings could not paint a clearer picture: DACA has been unreservedly good for recipients, the U.S. economy, and society at large. Ending DACA would not only be cruel and counterproductive, but it would also roll back the gains that DACA recipients have made, as many are hitting their stride in their lives and careers. At a time when DACA is facing its most serious threat ever, understanding the benefits of the program for recipients, their families, their communities, and the nation as a whole is all the more important.

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and narrative strategist at the National Immigration Law Center. Greisa Martinez Rosas is deputy executive director at United We Dream. Philip E. Wolgin is managing director for Immigration Policy at the Center for American Progress.

The authors would like to thank all those who took and shared the survey for their time and effort in helping to bring these stories to light.

Methodology

The survey was administered by Professor Tom K. Wong to an online panel of DACA recipients whom partner organizations recruited. Several steps were taken to account for the known sources of bias that result from such online panels. To prevent ballot stuffing—meaning one person submitting multiple responses—Professor Wong did not offer an incentive to respondents for taking the survey and used a state-of-the-art online survey platform that does not allow one IP address to submit multiple responses. To prevent spoiled ballots—meaning people responding who are not DACA recipients—Professor Wong used two validation tests for undocumented status. Multiple questions were asked about each respondent's migratory history and DACA application history. These questions were asked at different parts of the survey. When repeated, the questions were posed using different wording. If there was agreement in the answers such that there was consistency regarding the respondent's migratory history and DACA application history, the respondent was kept in the resulting pool of respondents. If not, the respondent was excluded.

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Ending DACA Would Have Wide-Ranging Effects but Immigrant Youth are Fired Up and Politically Engaged

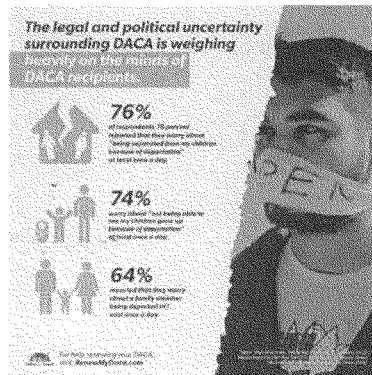
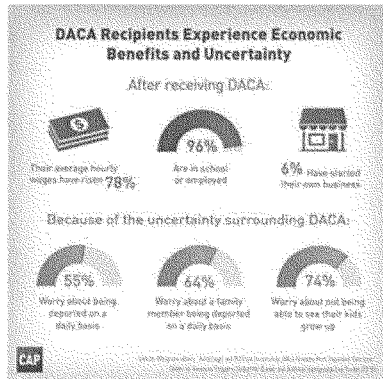
TOM K. WONG, SANAA ABRAR, TOM JAWETZ, IGNACIA RODRIGUEZ KMEC, PATRICK O'SHEA, GREISA MARTINEZ ROSAS, AND PHILIP E. WOLGIN

AUGUST 23, 2018

Since it was first announced on June 15, 2012, the Deferred Action for Childhood Arrivals (DACA) policy has provided work authorization and temporary relief from deportation to approximately 822,000 undocumented young people across the United States.

From July 16 to August 7, 2018, Tom K. Wong of the University of California, San Diego; United We Dream; the National Immigration Law Center, and the Center for American Progress fielded a national survey to further analyze the experiences of DACA recipients. The study includes 1,050 DACA recipients in 41 states as well as the District of Columbia.

The first findings from the 2018 survey showed how DACA is positively affecting the lives of recipients, their families, and society more generally, as well as how much the legal and political uncertainty surrounding DACA is weighing on the minds of DACA recipients.



This second report shows how the lives of DACA recipients would be affected if they no longer had DACA, as well as their resolve to engage politically to fight to protect themselves and their families.

How Life Would Change Without DACA

The 2018 survey included an experiment wherein respondents were randomly assigned to one of two conditions. In the control condition, respondents were asked how likely they are to do the following:

- Report a crime that they witnessed to the police
- Report a crime that they were a victim of to the police
- Use public services (e.g., go to City Hall) that required them to give their personal contact information
- Do business (e.g. open a bank account, get a loan) that required them to give their personal contact information
- Participate in public events where police may be present
- Place their children in an after-school or day-care program
- Report wage theft by their employer

In the treatment condition, respondents were asked the same questions, but were given the prompt: "IF YOU NO LONGER HAD DACA, how likely are you to do the following?"

The results are striking. For example, in the control condition, 76.7 percent of respondents are "likely" or "very likely" to report a crime that they witnessed to the police. In the treatment condition, this percentage drops to 40.7 percent. In other words, the data show that not having DACA would result in 35.9 percent of DACA recipients being less likely to report a crime that they witnessed to the police. This difference is highly statistically significant ($p < .001$). In addition, 29.0 percent would be less likely to report a crime that they were a victim of to the police if they no longer had DACA ($p < .001$). These findings are critical: Community safety relies on the trust and participation of the entire community and when one segment of the population does not feel comfortable coming forward this can diminish public safety for all.

Moreover, 32.0 percent of DACA recipients would be less likely to use public services (e.g. go to City Hall) that required them to give their personal contact information if they no longer had DACA ($p < .001$); 47.9 percent would be less likely to do business (e.g., open a bank account, get a loan) that required them to give their personal contact information if they no longer had DACA ($p < .001$); 36.3 percent would be less likely to participate in public events where police may be present if they no longer had DACA ($p < .001$); 20.2 percent of those with children would be less likely to place their children in an after-school or day-care program if they no longer had DACA ($p < .001$); and 37.9 percent would be less likely to report wage theft by their employer if they no longer had DACA.

Waning Trust That The Government Will Keep Its Promises

In our first report from the 2018 survey, we showed how concerned DACA recipients are about the legal and political uncertainty surrounding DACA. This uncertainty has also shaken their trust in the institutions of government. Even though DACA recipients were explicitly promised that their confidential information would not be shared with ICE,

only 6.6 percent of DACA recipients reported trusting the federal government “a great deal” or “a lot” when asked: “How much trust do you have that the information you provide to the federal government will not be shared with Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP) for immigration purposes?”

DACA Recipients Are Politically Engaged and Ready to Mobilize

63.9 percent of respondents reported participating in a campaign to defend DACA during the past 12 months. An additional 34.5 percent reported participating in a campaign to stop a deportation during the past 12 months and 28.9 percent reported participating in a campaign to protest the killings of unarmed Black men and women.

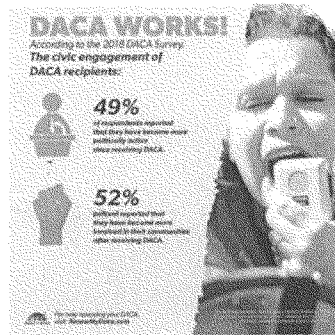
Moreover, during the past 12 months:

- 35.2 percent participated in a political rally or demonstration
- 6.9 percent engaged in civil disobedience
- 40.9 percent contacted or tried to contact a member of the U.S. Senate or U.S. House of Representatives
- 69.2 percent signed a petition on the Internet about a political or social issue
- 55.1 percent sent a message or posted an update on Facebook or Twitter about a political or social issue

DACA came about in the first place because of a grassroots campaign led by immigrant youth and their allies. These results show that respondents are more, not less active and civically engaged since the rescission of DACA.

DACA Recipients Believe Their Actions Can Bring About Change

The data also show that DACA recipients believe that they can affect what the government does, not by what they say, but by what they do. When asked, “How much do public officials care about what people like you think,” just 5.8 percent responded “a great deal” or “a lot.” However, when asked, “How much can people like you affect what the government does,” 50.1 percent responded “a great deal” or “a lot.”



Conclusion

The legal and political uncertainty surrounding DACA is weighing heavily on the minds of DACA recipients. As these data further show, not having DACA would significantly impact the extent to which immigrant youth engage with, as well as trust in, public institutions, and this would have wide-ranging effects not only on the lives of DACA recipients, but also their families and their communities. Indeed, the data make clear that immigrant youth have a great deal of anxiety at the thought of having to interact with state and local law enforcement officials, as well as interact with public institutions, should DACA be eliminated.

However, the data also make clear that immigrant youth are not retreating or pulling back because of this uncertainty. DACA recipients are engaged and are taking action to protect all immigrants and people of color. Indeed, in this moment of legal and political uncertainty, immigrant youth are as resolved as ever to defend DACA.

Methodology

The survey was administered by Professor Tom K. Wong to an online panel of DACA recipients whom partner organizations recruited. Several steps were taken to account for the known sources of bias that result from such online panels. To prevent ballot stuffing—meaning one person submitting multiple responses—Professor Wong did not offer an incentive to respondents for taking the survey and used a state-of-the-art online survey platform that does not allow one IP address to submit multiple responses. To prevent spoiled ballots—meaning people responding who are not DACA recipients—Professor Wong used two validation tests for undocumented status. Multiple questions were asked about each respondent's migratory history and DACA application history. These questions were asked at different parts of the survey. When repeated, the questions were posed using different wording. If there was agreement in the answers such that there was consistency regarding the respondent's migratory history and DACA application history, the respondent was kept in the resulting pool of respondents. If not, the respondent was excluded.

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The authors would like to thank all those who took and shared the survey for their time and effort in helping to bring these stories to light.

United We Dream documents

<https://docs.house.gov/meetings/JU/JU00/20190306/109000/HHRG-116-JU00-20190306-SD008.pdf>

<https://docs.house.gov/meetings/JU/JU00/20190306/109000/HHRG-116-JU00-20190306-SD012.pdf>

<https://docs.house.gov/meetings/JU/JU00/20190306/109000/HHRG-116-JU00-20190306-SD013.pdf>



Protecting Dreamers and TPS Recipients

Submitted to
U.S. House Committee on The Judiciary

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

March 6, 2019

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 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.

Throughout our history as an organization, UnidosUS has united communities and diverse groups seeking common ground through collaboration, and that share a desire to make our country stronger. Our approach around immigration policy is no different and has guided our advocacy efforts during every significant immigration conversation our country has had over the past few decades. UnidosUS has combined original research, policy analysis, and advocacy to support commonsense policy solutions to achieve an immigration system that is fair, just, and accountable to the rule of law—indeed, an immigration system that we can all be proud and in which we can all see ourselves.

This statement for the record focuses on the urgent need for Congress to pass legislation that protects some of the most vulnerable immigrant populations in the country: individuals with protections under the Deferred Action for Childhood Arrivals (DACA) policy and those who have long held Temporary Protected Status (TPS). Beginning in September 2017, the Trump administration has made a series of policies decisions that have upended the lives of more than one million *documented* individuals who, by the definition of the policies shielding them from removal, have in most instances been in the country for over a decade, are not threats to public safety or national security, and have willingly subjected themselves to background and other government checks. And, it is not just them who are impacted by these policies: nearly half a million U.S. citizen children have a parent that is a DACA or TPS recipient.

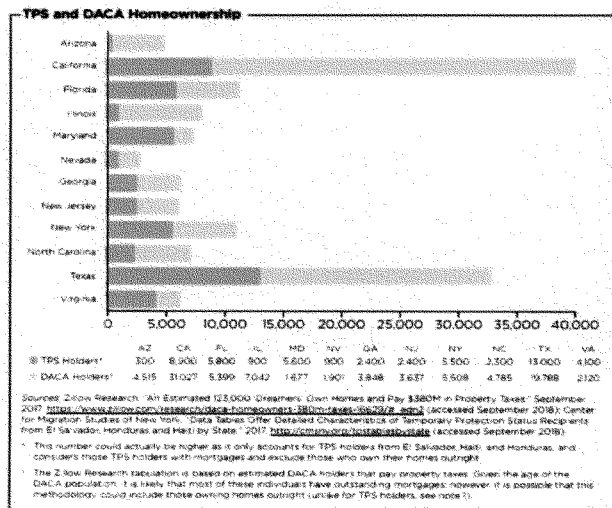
It is past time that Congress provide these individuals, their families, and their communities, with the peace of mind and certainty that comes with a permanent legislative relief.

A Moral Obligation to Protecting Dreamers and TPS Holders

For the first time in U.S. history, policymakers have made concerted efforts to effectively and sizably increase the number of the undocumented population. In the span of less than eight months, the Trump administration made a series of policy decisions to end legal protections for more than one million DACA and TPS holders, the overwhelming majority of whom have resided in the United States for well over a decade (nearly two decades in the case of the longest tenured TPS holders). On September 5, 2017, the Trump administration announced the end of the DACA policy,¹ and in doing so thrust nearly 800,000 predominantly Latino immigrant youths and their families into a state of legal limbo. Similarly, in September 2017, the Trump

administration began to rescind protections for nearly all individuals in the country registered under TPSⁱⁱ—a humanitarian program authorized under our laws that generally is designed to protect individuals from countries experiencing natural disaster, civil strife, or other extraordinary circumstances. It is estimated that more than 325,000 individuals have TPS today. While a handful of court decisions have temporarily halted the full implementation of these policy decisions in the case of DACA, the 115th U.S. Congress has failed to pass the legislative relief needed to bring stability to these affected populations.

What the current Administration may have regarded as casual and trivial policies choices when it ended DACA and TPS protections, in fact have resulted in serious and significant consequences that have disproportionately impacted hundreds of thousands of Latinos. It is unacceptable that these decisions are threatening to wipe away significant investments made by DACA and TPS holders (and their communities) in their own education, pursuit of higher-skilled employment opportunities, and in deepening roots in their communities through homeownership, among others. Work authorization, and the stability that provides, has enabled DACA and TPS recipients to obtain higher paying jobs, higher rates of home ownership, and greater access to lines of credit, such as credit cards, personal loans and auto loans.



This is borne out by the data. Consider that DACA recipients have seen their average hourly wages increase 45%,ⁱⁱⁱ while having TPS has been shown to lead to higher earnings for men and higher employment for women.^{iv} TPS-holder labor force participation ranges from 81% to 88%,^v while a recent survey of DACA recipients found that 91% of them are employed.^{vi} Moreover, an estimated that about 94% of all TPS recipients live in 206,000 households and that about 30% of

those are secured by mortgages,^{vii} while 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).^{viii}

The formal revocation of DACA and TPS protections would reverse all that. It would strip those immigrants—the most vetted in our system—of work authorization and the ability to participate in the formal economy and puts them at risk of deportation under one of the most hostile immigration enforcement regimes in recent years. But, it also sends the unacceptable message that, merit and accomplishments aside, America thinks their lives are disposable even after DACA and TPS holders, in particular, put significant trust in the government’s promise of the contrary. That is not who we are as a country.

American Children at Risk

In the Spring of 2018, America witnessed the implementation of what many observers denounced as an immoral and inhumane *de facto* family separation policy. The policy resulted in nearly 3,000 children being forcibly separated from parents on the southern border,^{ix} with revelations that significant numbers of parents were deported without their child after being misled by immigration authorities.^x The Trump administration’s so-called “zero-tolerance” policy rightfully caused national outrage and mobilized hundreds of thousands of Americans to protest across the nation.

Few people realize, however, that the border family separation crisis is only the tip of an immense iceberg. Millions of U.S.-citizen children are at risk of being separated from their parents every day because of the policies being marshalled out by the current administration. Many of them are Latino youth. By some estimates, between 4.1 million^{xi} and 5.7 million U.S.-citizen children^{xii} live with an undocumented resident. Moreover, TPS holders from El Salvador, Honduras and Haiti – comprising about 94% of all TPS holders^{xiii} – had an estimated 273,000 U.S.-citizen children,^{xiv} approximately 26% of DACA recipients were a parent of a U.S. citizen^{xv} equating to at least 200,000 U.S.-citizen children.^{xvi} 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.^{xvii}

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.ice.dhs.gov/publication/907204209383343/ice-deportations-reports> | accessed October 2018.

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,^{xx} and by 2050, they are projected to make up nearly one-third of the child population.^{xx} 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.

The current administration’s immigration policies, along with the suite of tools it has deployed to operationalize them, generate numerous challenges to these American children as they too face the prospect of being separated from a family member. The rescission of DACA and TPS protections is one of the many policies that, today, are imposing significant and overlapping hardship on nearly 500,000 U.S. citizen children. Congress must act to protect these American children as well, and remedies for DACA and TPS holders is an important first step.

Conclusion

Today, the Committee will hear testimony from several individuals who have been impacted by the Trump administration’s decision to end DACA and TPS. UnidosUS stands in solidarity with those voices calling for legislative solutions, and lifts up the voices of thousands of similarly situated individuals that are a part of or are serviced by the UnidosUS network of community-based organizations throughout the country. We also join the chorus of leaders from all walks for civil society, as well as the American public at large, who view this as an urgent issue in need of immediate resolution.

When it comes to the immigration policies of the past two years, our nation is at a critical moment of self-reckoning. Americans of conscience watched in abhorrence last spring as reports started to emerge about our government’s de facto family separation policies which resulted in nearly 3,000 children being forcibly separated from parents. They watched appalled when one policy decision after another was announced placing more than one million *documented* Dreamers and TPS holders at risk of deportation. And, they are beginning to understand that a suite of enforcement and other administrative policies are placing millions of U.S.-citizen children at risk of separation from a parent or loved one.

The nation is long overdue for immigration reforms that adhere to critical American principles like justice, basic fairness, and family unity. Congressional action to provide certainty and relief for DREAMers and TPS holders is a critical first step. Please feel free to contact Carlos Guevara (cguevara@unidosus.org) for any questions raised by this statement.

- ⁱ “Attorney General Sessions Delivers Remarks On DACA”. 2018. *Justice.Gov*. <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-daca> (accessed October 2018).
- ⁱⁱ “Temporary Protected Status Designated Country: Sudan”. 2018. *USCIS*. <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-sudan> (accessed October 2018).
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- ^{iv} Menjívar PhD, Cecilia. “Temporary Protected Status in the United States: The Experiences of Honduras and Salvadoran Immigrants.” Center for Migration Research, The University of Kansas, May 2017. http://ipsr.ku.edu/migration/pdf/TPS_Report.pdf (accessed October 2018).
- ^v Warren, Robert, and Donald Kerwin. 2018. “Mass Deportations Would Impoverish US Families and Create Immense Social Costs.” The Center for Migration Studies Of New York (CMS). <http://cmsny.org/publications/mass-deportations-impoverish-us-families-create-immense-costs> (accessed October 2018).
- ^{vi} Wong, Tom. 2018. “2017 National DACA Study”. https://cdn.americanprogress.org/content/uploads/2017/11/02125251/2017_DACA_study_economic_report_updated.pdf (accessed October 2018).
- ^{vii} Kerwin, Donald, and Robert Warren. 2018. “Data Tables Offer Detailed Characteristics of Temporary Protection Status Recipients from El Salvador, Honduras and Haiti by State”. *The Center for Migration Studies of New York (CMS)*. <http://cmsny.org/publications/jmhs-tps-elsalvador-honduras-haiti> (accessed October 2018).
- ^{viii} Wong, Tom. 2018. “2017 National DACA Study”. https://cdn.americanprogress.org/content/uploads/2017/11/02125251/2017_DACA_study_economic_report_updated.pdf (accessed October 2018).
- ^{ix} Dickerson, Caitlin, Miriam Jordan, and Ron Nixon. “I Want Her Back’: Some Migrant Families Reunite, but Other Parents Grow Desperate.” *The New York Times*, July 13, 2018, sec. U.S. <https://www.nytimes.com/2018/07/12/us/trump-migrants-children-border.html> (accessed October 2018)
- ^x “Migrant Parents Were Misled into Waiving Rights to Family Reunification, ACLU Tells Court.” *Washington Post*. <https://www.washingtonpost.com/news/morning-mix/wp/2018/07/26/migrant-parents-were-mislead-into-waiving-rights-to-family-reunification-aclu-tells-court/> (accessed October 2018).
- ^{xi} Zong, Jie, and Randy Capps. 2018. “A Profile of U.S. Children with Unauthorized Immigrant Parents”. *Migrationpolicy.Org*. <https://www.migrationpolicy.org/research/profile-us-children-unauthorized-immigrant-parents> (accessed October 2018).
- ^{xii} Warren, Robert, and Donald Kerwin. 2018. “Mass Deportations Would Impoverish US Families and Create Immense Social Costs”. The Center for Migration Studies Of New York (CMS). <http://cmsny.org/publications/mass-deportations-impoverish-us-families-create-immense-costs> (accessed October 2018).
- ^{xiii} “What Is Temporary Protected Status.” *UnidosUS* (blog), August 10, 2018. <https://blog.unidosus.org/2017/08/10/tpseano-series-temporary-protected-status> (accessed October 2018).
- ^{xiv} Kerwin, Donald, and Robert Warren. 2018. “Data Tables Offer Detailed Characteristics of Temporary Protection Status Recipients from El Salvador, Honduras and Haiti by State”. The Center for Migration Studies Of New York (CMS). <http://cmsny.org/publications/jmhs-tps-elsalvador-honduras-haiti> (accessed October 2018).
- ^{xv} Wong, Tom. 2018. “2017 National DACA Study,” https://cdn.americanprogress.org/content/uploads/2017/11/02125251/2017_DACA_study_economic_report_updated.pdf. (accessed October 2018)
- ^{xvi} Woodruff, Betsy. 2018. “200K Kids Could Lose Their Parents If Dreamers Are Deported”. *The Daily Beast*. <https://www.thedailybeast.com/200k-kids-could-lose-their-parents-if-dreamers-are-deported> (accessed October 2018).
- ^{xvii} The 6 million U.S.-citizen child estimate is arrived at by adding the 5.7 million U.S.-citizen children from the 2014 CMS estimate, and the 473,000 U.S.-citizen children living with a DACA or TPS recipient parent. There is undoubtedly some overlap between these populations, however, given the likelihood of growth in the number of U.S.-citizen children since the dates of these reports, it is reasonable to suggest that as many as 6 million U.S.-citizen children could be at risk of losing an incoming-earning or caregiving adult from their household.

^{xviii} The actual figures are likely higher, as they exclude similar 2014 government data (publicly unavailable), and do not include deportations of parents who for whatever reason (e.g., language barriers, fear) fail to tell immigration officers that they have U.S.- citizen children.

^{xix} "Child Population by Race". 2018. *Kids Count Data Center*. <https://datacenter.kidscount.org/data/tables/103-child-population-by-race#detailed/1/any/false/871,870,573,869,36,868,867,133,38,35/68,69,67,12,70,66,71,72/423,424> (accessed October 2018).

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TheDream.US documents

<https://docs.house.gov/meetings/JU/JU00/20190306/109000/HHRG-116-JU00-20190306-SD015.pdf>

<https://docs.house.gov/meetings/JU/JU00/20190306/109000/HHRG-116-JU00-20190306-SD016.pdf>

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Pennsylvania Immigration and Citizenship Coalition

2100 Arch Street, 4th Floor, Philadelphia, PA 19103
 Phone: (215) 832-0636 Fax: (215) 832-0527 Email: admin@paimmigrant.org

March 3rd, 2019

Dear Representatives of the Commonwealth of Pennsylvania and Members of Congress

The recent announcement on the introduction of the Dream and Promise Act, HR 6 is welcome news to the state of Pennsylvania, especially people impacted by Temporary Protected Status (TPS), Deferred Action for Childhood Arrivals (DACA), and Deferred Enforced Departure (DED), and their extended family, friends, and community members who are deeply concerned. Pennsylvania's demographics are constantly changing and growing, and the immigrant and refugee community is woven deeply and intricately into every aspect of the state. According to the latest census data, over 800,000 Pennsylvanians were born outside of the United States and close to 1 million have at least one first generation immigrant parent. Pennsylvania's immigrant and second generation immigrant communities have relied on the promise of a welcoming America, building strong communities in our state. HR6 is going in the right direction for the future of Pennsylvania by providing a pathway to permanent legal status for the thousands of DACA, TPS, and DED recipients, and the promise of stability to their families and communities.,

Immigrants and refugees are one of the driving forces behind Pennsylvania's growing population in both urban and rural areas. From Hazleton to Philadelphia, immigrants have helped revitalize local economies by opening businesses, buying homes, and bringing new vibrancy to areas in decline. Immigrants and refugees are also the backbone of Pennsylvania's agricultural sector, which relies heavily on immigrant labor. More and more first generation Pennsylvanians are naturalizing to become citizens, registering to vote and voting - New American voters make up approximately 5% of voters in the state.

By fully welcoming our immigrant and refugee neighbors, we can only become stronger as a state, ready to take on the challenges of today and tomorrow. Our immigrant neighbors, including undocumented community members, holders of DACA, TPS, and DED, and refugee community members are Pennsylvanians and Americans in every definition, except on paper. By providing a clear pathway to permanent legal status for these members of our community, you can help transform the whole state to reach the potential of a bright future for all. We urge you to support HR 6.

To hear directly from impacted community members themselves, or to learn more of their stories, please reach out to our office at your earliest convenience. Thank you for hearing the voices of Pennsylvania constituents and their concerns.

Sundrop Carter
 Executive Director

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Statement of the National Immigration Law Center

House Judiciary Committee

FULL COMMITTEE HEARING:

"Protecting Dreamers and TPS Recipients"

March 6, 2019 at 10:00AM

Dear Members of the House Judiciary Committee,

The National Immigration Law Center (NILC) writes to express our deep gratitude to the Chair of the House Judiciary Committee for bringing these important issues before the committee. Established in 1979, NILC is an organization long dedicated to protecting and advancing the rights and opportunities of low-income immigrants and their families. We believe that all people should have the opportunity to achieve their full human potential – regardless of their race, gender, immigration, and/or economic status. Over the past forty years, NILC has won landmark legal decisions protecting fundamental human and civil rights and advocated for policies that reinforce our nation's values of equality and justice for all. One such case is *Batalla Vidal, et al. v. Nielsen, et al.*, where we challenged the termination of the Deferred Action for Childhood Arrivals (DACA) program. As such, we write to formally and strongly support the passage of permanent protections for immigrant youth known as "Dreamers", DACA recipients, Temporary Protected Status (TPS) holders and those protected under Deferred Enforced Departure (DED).

While NILC supports far broader reforms to address our dysfunctional and increasingly cruel immigration system and militarized interior and border enforcement, we firmly believe that Congress has an immediate and overdue responsibility to act now in passing permanent protections for specific immigrant populations who have been stripped of their protections by the current administration. Since the termination of the DACA program and the determinations to terminate TPS and DED designations for several countries, the Trump administration has put over a million lives into limbo and uncertainty of their future. DACA, TPS, and DED recipients are longstanding, integral members of our communities across the nation. Immigrant youth under the DACA program, as well as the millions of Dreamers who never qualified for DACA, have been in the United States for decades. Most have been here for the majority of their lives and know no other place as home. TPS and DED holders are similarly deeply rooted

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members of their communities and, like many Dreamers, often have U.S. citizen spouses, children, or other close relatives here in the U.S. – including DACA recipients themselves who are in the same households as TPS holders. They are our family members, our friends, and our neighbors and, as a result of the Trump administration’s actions, these immigrant communities now live in fear of losing their jobs and being separated from their loved ones if their protections end. The United States is their home, and legislation with a pathway to citizenship should be passed immediately.

The need to provide permanent protections and a pathway to citizenship for Dreamers, DACA recipients, and TPS and DED holders predates this administration but has only become more urgent.

As we look forward to the introduction of a bill that provides these protections, we urge the members of this committee and Congress to see this as a crucial and overdue first step to advance legislation that upholds the following principles:

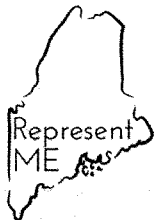
- Provides permanent protections with a clear and attainable pathway to citizenship.
- Provides protections for as many people as possible.
- Provides standalone protections that are not in exchange for harmful border militarization or interior immigration enforcement that would harm other immigrant communities.
- Does not impose a “public charge” or any other wealth tests for the protections or pathway to citizenship.
- Does not limit or end any other immigrant visa programs or make permanent changes to family immigration sponsorship.

While we are grateful for the opportunity to uplift the need and urgency for permanent protections for Dreamers, DACA recipients, and TPS and DED holders, we strongly urge the members of this committee and every member of Congress to work together to swiftly pass permanent protections for these populations. We urge the committee and all of Congress to provide relief to the over one million immigrants whose lives are full of uncertainty and fear, as well as the many immigrant youth who have never been provided an opportunity for protections in the country they call home.

We thank you for your time on this important matter.

Sincerely,

The National Immigration Law Center



Mainers for Accountable Leadership

PO Box 1602
Scarborough, ME 04070

Dear House Judiciary Committee,

Over the past year we have worked with three Maine DACA recipients. Three aspiring citizens with bright futures, a love for our country and a passion to participate in our democratic process. All three met with Senator Collins in her DC office in January 2018 and two met with Senator King via phone. Representative Pingree has long supported Dreamers and signed on to co-sponsor past versions of the Dream Act and met with Christian Castenada of Portland, ME. We offer these statements as testimony and urge the committee to quickly pass legislation that establishes a permanent path to citizenship for these three DACA recipients.

"I grew up in Portland, and I love the smell and feel of the ocean. I feel lucky to live among neighbors who look out for each other. Someday, I dream of joining the U.S. military and serving this country. But I worry I'm about to lose this place, my friends and family and all my dreams.

I'm in the Deferred Action for Childhood Arrivals program, which gives young undocumented immigrants who came here as children temporary permission to work and live in the United States.

President Trump ended DACA a few months ago. If Congress doesn't create a path to citizenship for "dreamers," I could be deported. So I'm asking Sen. Susan Collins to act now to keep me – and other young people with DACA across Maine – here in our home. Please do everything in your power to make sure Congress passes the bipartisan Dream Act.

I was born in San Salvador, El Salvador. My father was a farmworker whose hard labor bought us a nice house. But gangs were taking over the city and our neighbors were killed. When gang members started to threaten us for money, my parents decided to run.

I was 3 years old when we arrived in Portland, where my mom had U.S. citizen relatives. My memories start here. I remember the first time I touched snow, and how I loved recess in kindergarten.

When you come to a new country so young, you don't need to think about it much, you just start talking the language. By first grade, I was speaking English, and at home I'd forget Spanish words.

As I grew up, I forgot that I hadn't been born here. My parents never talked about El Salvador – the terror they had felt there was traumatizing and they didn't want it to affect me. The most important thing to them was for me to feel safe.

Every morning I stood, put my right hand on my heart and pledged allegiance to the flag. At Deering High School, I ran track and played varsity lacrosse and soccer. I loved being part of a team and feeling like we were all in something together.

I had no idea I was undocumented until I applied for a job at Wendy's when I was 15. The manager asked if I had the right documents, and I said, "I think so." When I asked my mother, she said that I had none of those documents, and it went far beyond Wendy's — I wouldn't be able to drive and might not be able to go to college.

I was shocked and devastated. I lost my sense of purpose. For the first time, I felt isolated because I didn't want to tell anyone.

That was the winter of 2012. By June, DACA was created, and I applied. I felt so incredibly relieved to have this little card that kept me safe from deportation and able to work. I got that job at Wendy's and stayed for three years, and I started trying in school.

I had always wanted to serve this country that gave me so much. But when the military recruiter set up outside my high school cafeteria, he told me I didn't qualify to join. He did allow me to do physical training with the Marine recruits. For a while, I went regularly to the park by the South Portland recruiting station. There I carried ammo cans, ran for miles, did pushups and jumping jacks and hoped that somehow something would change.

Finally, I told the staff sergeant I couldn't keep coming because it hurt too much to be excluded. Eventually, I was accepted to college at Maine Maritime Academy, but I couldn't afford to attend because I wasn't eligible for financial aid.

I now work as a tax preparer, but I haven't forgotten my dreams. I want so badly to serve in the Marines and I'm still hoping for that opportunity. Someday I hope to go to college.

I would like to tell Sen. Collins: Please find a real solution for people like me. Maine is small, but there are 100 of us in the DACA program here, working hard and contributing to our communities. This legislation would impact almost 1 million dreamers across America. We want nothing more than to stay in our home. You can make that happen. You hold our fate in your hands." - Christian Castenada of Portland, ME

Please view Christian sharing his story with Senator Collins in January 2018:
<https://www.facebook.com/mainersforaccountableleadership/videos/1594322107270655/>

Erick, 22 of Portland said, "I am a dreamer. I have affected people around me positively. I have given my family hope for a better life. I have obeyed the laws. I have worked unbelievably hard to get where I am at. [...]

I am not only speaking for myself. What I went through to be where I am is what most DREAMERS go through. Us DREAMERS have accomplished and exceed so much in academics, athletics, co-curriculares. The United States of America has given us the opportunities to exceed. Opportunities we would NEVER be able to get in our home countries. So please America, give us a chance." Erick's last name is withheld from the record due to concerns of safety. He is a junior in College(a scholarship provided by a generous Maine donor) and lives in Portland, ME.

"Everything that I'm doing is what makes a good American citizen, but yet I can't be considered that because of a place that I was born," S declared in a statement to the press. "It's horrible that I've lived here for 15 years and my status, my identity, is an alien number on a piece of paper. No human is illegal. No. We are all Americans. We are all together here." - Sorel is 28 and lives outside of Portland, ME. Her last name is withheld from record due to the advice of Maine's Immigration Legal Advocacy Project.

I ask that you please put the lives of these Americans first, over party and politics. They are not bargaining chips and are an incredible addition to our country.

Thank you for your consideration,

Marie Follayttar

Executive Director

Mainers for Accountable Leadership

207-838-0162



**Negative Consequences of Ending Temporary Protected Status (TPS)
for U.S. Investment in El Salvador and Honduras**
March 2019

The United States has allocated over \$2.6 billion to the U.S. Strategy for Engagement in Central America since FY 2016.¹ The strategy describes three lines of work—security, prosperity, and governance—aimed at addressing the root causes of migration. Failing to pass a permanent solution now that the administration has terminated TPS for Hondurans and Salvadorans would have profound negative impacts on these goals, undermining U.S. investments in improved security, prosperity, and governance in the region.

Undermining public safety and security

- **Deported TPS holders would return to an extremely unstable security situation.** Their vulnerability may be higher than most deported migrants who have only been in the United States for a short time, as they may have limited familial and social networks and knowledge of their home country due to their long time away.
- Returned migrants would be at **high risk for extortion and being targeted for gang recruitment**, thus potentially strengthening organized criminal networks in the region.
 - Extortion is incredibly common in El Salvador and Honduras: 92 percent of Salvadoran and 80 percent of Honduran small businesses have reported extortion.ⁱⁱ
 - Deportation of TPS holders could provide a boom to the extortion industry due to the perception that they have financial resources from living in the United States.
- **Security challenges in Honduras and El Salvador:**
 - **Homicide rates** in the two principal cities of Honduras and El Salvador, to which many TPS recipients would likely return if deported, remain above each country's already high average.
 - In Honduras, Tegucigalpa had 41.25 homicides per 100,000 inhabitants and San Pedro Sula had 45.51 homicides per 100,000 inhabitants in 2018.ⁱⁱⁱ In the first two weeks of 2019, 23 people were killed in six massacres across Honduras, representing a 100 percent increase when compared to the same period of the previous year.^{iv}
 - In El Salvador, where the homicide rate was ranked the second highest in Latin America in 2018, there were 51 homicides per 100,000 inhabitants.^v
 - **Sexual and gender-based violence** is especially concerning and impunity is likely. According to the United Nations Economic Commission for Latin America, countries of the Northern Triangle of Central America are the most dangerous for women in the region.^{vi}
 - Femicides (gender-motivated killings of women) remain high, with 380 women murdered in Honduras^{vii} and 365 murdered in El Salvador in 2018.^{viii} Of the estimated 6,200 femicides between 2002 and January of 2019 in Honduras, 90 percent of cases remain in impunity for lack of investigation.^{ix}
 - In addition, 25 LGBTI individuals were murdered in Honduras in 2018, with 303 LGBTI persons murdered since 2009.^x Over 95 percent of the cases since 2009 remain in total impunity.^x In El Salvador in 2018, 19 transgender individuals were murdered.^{xii}
 - **Internal displacement** is substantial and ongoing in both countries.
 - According to the Internal Displacement Monitoring Centre (IDMC), a total of 190,000 Hondurans have been internally displaced as of December 31, 2017.^{xiii}
 - In El Salvador, the IDMC estimates 296,000 new internally displaced persons in 2017, equating to 5.1 percent of homes in El Salvador with at least one displaced person.^{xiv}



- The state security strategy by Honduras and El Salvador rely on hardline, “*mano dura*” strategies that have led to **serious human rights abuses by security forces**. In Honduras, the Military Police play a major role in repression of social protest and restricting freedom of speech and assembly, especially following contested presidential elections at the end of 2017. In El Salvador, the Ombudsman’s office reports 69 cases involving 114 victims of alleged extrajudicial executions between 2014 and 2016, the majority by police.^{xv}

Threatening prosperity in El Salvador and Honduras

- **Deporting TPS holders would devastatingly hit Salvadoran and Honduran economies due to the loss of stability provided by remittances.**
 - Two studies by the Inter-American Development Bank described the role of remittances as a social safety net in El Salvador and Honduras. According to that research, one in every five people in El Salvador and one in six in Honduras receives remittances.^{xvi}
 - Remittances totaled 22 percent of El Salvador’s total GDP in 2018^{xvii} with an estimated 20 percent of coming from TPS holders.^{xviii} Remittances totaled 20 percent of Honduras’ total GDP in 2018^{xix} with an estimated 12 to 15 percent coming from TPS holders.^{xx}
- **Deporting TPS holders would end a critical source of contributions to the countries’ tax base.**
 - There is ample evidence that TPS holders are a significant source of Value Added Tax (VAT) revenues. The sum contributed to VAT from remittances exceeded the total amount that El Salvador spent on anti-poverty programs that year by more than 600%.^{xxi}

Undermining governance and security objectives due to lack of capacity for return/reintegration^{xxii}

- **Lack of capacity for return/reintegration of deported migrants**
 - El Salvador and Honduras have weak and insufficient programs to receive deportees. They cannot support the flow and are often limited to reception services near airports.
 - There are no comprehensive programs to support migrants’ reintegration into society and to ensure that they do not fall prey to dangerous situations once again. A large group of deportees, such as TPS holders, would overwhelm the already overburdened system.
 - Services for repatriated migrants by government entities and nonprofits are limited by location, age, and other qualifying criteria, which means that the vast majority of deported migrants have no support upon return to their home country. The local nonprofits building repatriation and reintegration models that can, alongside policy changes, make a lasting impact would be unable to provide services and operate successfully if TPS holders were deported.
- **Lack of access to justice & fragile governance systems**
 - The overwhelming perception of vulnerable populations in Honduras and El Salvador is that the state is unwilling or incapable of protecting victims of violence.
 - Public opinion survey results from El Salvador show that, of the 13.2 percent that had been a direct victim of crime, only 38.9 percent reported the crime. Of those that reported the crime, 70.8 percent said that the authorities did nothing about it.^{xxiii}
 - Public opinion survey results from Honduras also show large distrust of government justice and security forces. Of those surveyed, 58 percent distrust both the National Police and the municipal authorities and 56 percent have no trust in the Public Ministry nor the Supreme Court of Justice.^{xxiv}

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Fair Immigration Reform Movement "FIRM"
Submitted to the House Judiciary Committee
Committee Hearing: Protecting Dreamers and TPS Recipients
Hearing Date: Wednesday, March 6, 2019
10:00am

The Fair Immigration Reform Movement (FIRM) writes in support of immigrant youth and TPS recipients and commends the House Judiciary Committee for holding the hearing, **Protecting Dreamers and TPS Recipients**.

FIRM, a project of Community Change is the largest national immigrant grassroots coalition, led by 44 member organizations across 32 states. The organizations in the FIRM network have been leaders in the fights for comprehensive immigration reform over the course of several Congressional sessions. Similarly, organizations in FIRM have been directly impacted by the anti-immigrant actions of this administration, including the termination of Temporary Protected Status (TPS) and Deferred Enforced Departure (DED) protections and the Deferred Action for Childhood Arrivals (DACA) Program. We applaud this committee's prioritization of these important protections and commitment to highlighting the need for permanent policy solutions. We look forward to a continued push for these provisions as we fight to protect families throughout our communities

In 2017, early in his presidency, President Trump took actions to terminate the DACA program. Trump's actions significantly crippled the program and put individuals in danger of deportation as their protections and work authorization expired without a clear path forward. However, the courts ruled against these actions, determining that the President did not have the authority to leave 800,000 young undocumented people without protection.

The administration continued its attack on protections by cancelling TPS protections for more than 300,000 people who fled their native countries due to earthquakes, hurricanes, civil war and other disasters. In some cases, impacted individuals had been living and working in the country for decades under the protections and were suddenly faced with the impossible choice of returning to unknown conditions in their home country or living a life in their new home country, but without the guarantee of family unity and security.

Although court injunctions have made it possible for many DACA and TPS holders to renew their temporary status, the court decisions are limited and do not cover the entire population of individuals

who need protection and could benefit from these specific benefits. Living life from one court decision to the next is not sustainable. Our communities and families need and deserve permanent protections.

We support this committees' commitment to bring attention to those affected by this administration's termination of TPS, DED and DACA. This hearing is a step forward in creating the America we all want. FIRM stands committed to fighting for relief for DREAMers and TPS and DED recipients as part of our long-term commitment to winning policy solutions for the entire undocumented population in our country. We believe this hearing, and the focus on DREAM, DED and TPS is the first step in the work to acknowledge the harm done to immigrant communities and publicly call for permanent legislative solutions.

We hope to see a continued focus on moving away from attacking immigrant families to conversations that focus on creating just, accessible and needed permanent policy solutions that will strengthen families and our communities as a whole. FIRM will continue to push for permanent policy solutions for all families. These solutions are necessary and a first step to providing families with the reassurance that they can be together and free in this country.

CLASP

Policy solutions that work for low-income people

Testimony for the Record

U.S. House Committee on the Judiciary

Full Committee Hearing: *"Protecting Dreamers and TPS Recipients"*

Wednesday, March 6, 2019

2141 Rayburn House Office Building, Washington, DC 20515

Chairman Nadler, Ranking Member Collins, and Members of the House Committee on the Judiciary, we thank you for the opportunity to submit this written testimony for the March 6 hearing: *"Protecting Dreamers and TPS Recipients."*

The Center for Law and Social Policy (CLASP) is a national, nonpartisan, anti-poverty organization advancing federal, state, and local policy solutions that work for low-income people. We are extremely concerned with the devastating impact the Administration's decision to end the Deferred Action for Childhood Arrivals Program (DACA) program and Temporary Protected Status (TPS) would have on hundreds of thousands of Dreamers and TPS holders from six designated countries. As an anti-poverty organization committed to ensuring all people have the resources and services needed to achieve their full potential and support their families, we urge Congress to act quickly to pass clean bipartisan legislation that will help provide DACA, TPS recipients, and other undocumented youth with a clear attainable path to citizenship.

The Administration's decision to end DACA in September 2017 after months of mixed messages created immediate harm for DACA recipients and their communities across the country. Since then, the termination of DACA has created anxiety and uncertainty for DACA recipients and their families, despite nationwide federal court injunctions blocking the Trump Administration's decision to rescind the program.

Since 2012, DACA protections have allowed more than 820,000 immigrant youth to remain in the United States, access employment and driver's licenses, and pursue postsecondary education without fear of deportation.¹ While three federal nationwide injunctions² have blocked the Trump Administration from stripping protections from current DACA beneficiaries, the program is no longer accepting first-time applicants. This September 5 DACA decision means that more than 200,000 young Dreamers who were waiting to turn 15 to meet the program's age requirements have been precluded from DACA's protections, dashing their hopes for a better future.³ DACA recipients and undocumented immigrant youth need a permanent legislative fix to achieve long-term economic security, attain overall stability, and continue contributing to their communities.

Enacted in 1990, TPS provides humanitarian relief for immigrants seeking refuge due to ongoing armed conflict, natural disasters, and untenable conditions in their countries of origin. TPS is a temporary legal status that allows TPS holders from designated countries to work and remain in the U.S. Since September 2017, the Trump Administration has rescinded TPS for six countries⁴—El Salvador, Nicaragua, Haiti, Sudan, Nepal, and Honduras—and ended Deferred Enforced Departure (DED) for Liberia. However, a federal court ruling has blocked the Administration from terminating TPS for 300,000 immigrants from El Salvador, Nicaragua, Haiti, and Sudan.⁵ While the court ruling is a significant victory, the Supreme Court has yet to act on the pending DACA and TPS litigation.

Unfortunately, President Trump's demand for a costly, unnecessary wall has distracted Congress from focusing on passing a permanent legislative fix for Dreamers and TPS recipients. DACA beneficiaries and TPS holders continue to be caught in a state of uncertainty about their futures. Every day that Congress and the Administration fail to act, they further endanger the economic security and wellbeing of these individuals and their families.

Without legislation and immediate relief for DACA and TPS recipients, hundreds of thousands of immigrant families will remain in limbo. If Congress does not act soon, these beneficiaries will lose their ability to work and feed their families when their legal protections expire. DACA beneficiaries and TPS holders stand to lose their homes, businesses, and opportunities to access higher education and driver's licenses.

The newly elected Congress can make history by acting now. They'll have the support of advocates⁶; state and local elected officials; employers; and faith, labor, educational, and community leaders who recognize the invaluable contributions of Dreamers and TPS holders. According to a recent poll, most Americans strongly support letting Dreamers adjust their legal status.⁷

Impact on Family Members of DACA and TPS recipients

Many DACA and TPS recipients live in mixed-status families and are financially supporting their family members. Stripping away temporary protections would be devastating for their economic security and hinder their upward mobility. An estimated 34 percent of immediately eligible DACA recipients live in families with annual incomes below the federal poverty line.⁸ In fact, DACA recipients are often their families' primary breadwinners. Research shows that DACA has significantly improved economic outcomes for recipients. Through DACA, recipients have increased their incomes by 69 percent, enabling them to purchase cars and homes as well as climb out of poverty.⁹

Furthermore, more than quarter of DACA recipients have a child who is a U.S. citizen.¹⁰ An estimated 273,000 TPS holders from El Salvador, Honduras, and Haiti are also parents to U.S.-citizen children.¹¹ Research shows that children benefit when their parents are mentally and physically healthy and have access to higher education and better-quality jobs. Indeed, one study found that mothers' DACA status promoted improved mental health for their children.¹² Ending DACA and TPS will have the opposite effect, severely undermining children's development and wellbeing. Families will be forced to live in fear of being separated due to deportation as well as experience stress over financial hardships—all of which put children's healthy development at risk.

Contributions of DACA and TPS Recipients to the Economy and Our Communities

DACA beneficiaries and TPS holders, as well as their families, are long-term residents with deep roots in their communities. All DACA beneficiaries and some TPS recipients arrived in the U.S. as children.¹³ Among these immigrants, 50 percent of Salvadorans and Hondurans and 16 percent of Haitians have resided in the U.S. for 20 years or more.¹⁴

DACA and TPS recipients are integral members of our nation's community and economy. DACA recipients immigrated to the U.S. before turning 16 (on average, when they were just six years old).¹⁵ Today, they are 25 years old on average.¹⁶ These young people have been students and contributing members of our society for at least a decade. A large share of DACA and TPS recipients are students or parents of children and youth enrolled in our nation's secondary and postsecondary institutions. In fact, 97 percent of DACA beneficiaries are either in school or working according to a national survey, catalyzing a strong response from business leaders and

institutions of higher education across the country calling for the Trump Administration and Congress to protect Dreamers.¹⁷

Similarly, labor force participation for TPS holders from El Salvador, Honduras, and Haiti ranges from 81 to 88 percent.¹⁸ DACA beneficiaries and TPS holders are educators, innovators, lawyers, public servants, health care professionals, and business owners. They're also employed in the construction, hospitality, and service sectors. Without work authorization and protected status, DACA and TPS recipients will lose their ability to support themselves and risk being separated from their loved ones. Removing students, teachers, doctors, business owners, and other young immigrants will ravage their communities and the national economy. Ending DACA will reduce the U.S. Gross Domestic Product by an estimated \$460 billion over the next decade.¹⁹

CLASP Urges Swift Passage of Legislation for Dreamers and TPS Holders

Since the Supreme Court's position on DACA and TPS cases and timing on a court ruling is unknown, it's imperative that Congress act quickly to pass legislation incorporating the provisions included in the Dream Act of 2017 and the American Promise Act—both introduced in the 115th Congress. Together, these bills would provide a clear pathway to citizenship for a wide range of DACA and TPS recipients as well as other undocumented youth and DED recipients.

As an organization committed to ensuring that policy solutions work for low-income people, CLASP strongly recommends that a legislative solution must enable youth and adults who reflect the full diversity and talents of the undocumented youth population—including those who have not pursued a traditional college education or military service—to be eligible for a path to permanent residency and citizenship. For example, we strongly support the provision included in the Dream Act of 2017 that would create a pathway to citizenship through employment. In addition, it's also critical to provide a hardship exception for Dreamers who may not be able to work, attend school, or join the military due to certain circumstances, such as raising children. In our *Expanding the Dream* report, we highlight the importance of a legislative solution that is as inclusive as possible: not only by ensuring broad eligibility that reflects the realities of the undocumented population but also by avoiding unrealistic requirements and restrictions that put potential beneficiaries at greater risk of falling out of status, such as denying beneficiaries access to tax credits and higher education assistance critical for working families and low-income students.²⁰

Finally, we urge Congress to pass legislation that is free from harmful enforcement provisions that could undermine the safety and wellbeing of immigrant youth and families. CLASP has conducted field research in six states to better understand how new immigration policies are harming young children in immigrant families. Our interviews with child care and early education providers and focus groups with parents revealed that increased enforcement actions and anti-immigrant rhetoric have resulted in heightened stress among parents, children, and service providers.²¹ In addition to increased parental anxiety, which is transferred to children, immigrant parents are also more reluctant to enroll their children in critical health and nutrition programs for fear of perceived immigration-related repercussions, despite their being eligible. Clearly, any legislative fix for undocumented youth and TPS recipients that is coupled with enforcement provisions will create additional harm for these immigrant youth and adults and their families.

People forced to return to their home countries, or who may be subject to deportation, would face challenges to reintegration. For many DACA beneficiaries, the U.S. is the only home they've ever known. And the children and families they might leave behind would face economic hardship.

For these reasons, CLASP urges Congress to act swiftly and provide immediate relief and economic security to immigrant families. Members must pass an inclusive bill that offers legal permanent residency and citizenship to DACA, TPS, and DED recipients as well as undocumented immigrant youth.

We thank you again for the opportunity to submit this written testimony, and we look forward to working with you to pass a clean legislative solution that will fairly address the urgent situation facing hundreds of thousands of Dreamers and TPS recipients across the country. Should you have any questions regarding this testimony, please do not hesitate to reach Wendy Cervantes, Director of Immigration and Immigrant Families at wcervantes@clasp.org or 202-906-8059.

Endnotes

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March 6, 2019

The Honorable Jerrold Nadler
Chairman, House Judiciary Committee

The Honorable Mary Gay Scanlon
Vice Chair, House Judiciary Committee

CC: California Congressional Delegation

Dear Chairman Nadler, and Vice Chair Scanlon,

On behalf of the Coalition for Humane Immigrant Rights (CHIRLA), the largest statewide immigrant rights organization in California, I write express our support for immigrant youth and Temporary Protected Status (TPS) beneficiaries, and to commend the House Judiciary Committee for bringing forth the ***Protecting Dreamers and TPS Recipients hearing.***

Founded in 1986, CHIRLA avidly advocates for just and humane policies that positively affect our immigrant community. We serve as a California leading organization with national impact, and to this end, we have been engaged in previous fights related to comprehensive immigration reform, and DREAM Act fights. Our state is composed of diverse immigrant families, and through education, organizing and advocacy, our members act as agents of social change and hope to achieve a just society fully inclusive of immigrants, and a true participatory democracy. Additionally, CHIRLA hosts two youth branches, the California DREAM Network (CDN) and WISE UP! Both youth arms aim to organize immigrant youth and youth allies at high school and college levels to advocate for undocumented immigrant youth, TPS beneficiaries, and undocumented immigrants.

Since his candidacy, President Trump has targeted, criminalized, and vilified our immigrant communities, both documented and undocumented. In 2017, President Trump decided to terminate the Deferred Action for Childhood Arrivals (DACA) program. This termination then jeopardized the future of 790,000 Dreamers. Though various lawsuits emerged, some resulting in small wins for dreamers, the program that now remains intact is impaired and does not allow new applicants to apply. Currently, DACA can potentially head on to the Supreme Court for a hearing and the program's future is unknown, thereby leaving our immigrant youth at a standstill without a clear pathway forward fearing a possible deportation and the inability to work in our country.

If this were not enough, President Trump then decided to attack the TPS community of an estimated 300,000 individuals by cancelling protections for TPS beneficiaries. It should be noted that many TPS beneficiaries fled their native countries because of ongoing conflicts or natural disasters, which was irrelevant to President Trump. His decision to cancel TPS seems to stem from racism, and has no regard for the communities that he would be placing in danger if deported back to their native country.

Our state of California is home to an estimated 223,000 DACA recipients, which is more than one-fourth of the national level.¹ In Sacramento County, there are an estimated 17,000 DACA recipients², while in the Los Angeles County, there is an estimated 1.3 million DACA eligible recipients.³ Our state is also home to 55,000 TPS beneficiaries⁴, many of which are from El Salvador. All this to show that our state has immensely benefitted from their exceptional contributions to our state, our economy and our country. On the flip side, if our immigrant youth and TPS community loses protections, our state will suffer excessively. Immigrant youth and TPS beneficiaries are our neighbors, our friends, our family members, coworkers, students, and community leaders. We know that there is widespread support in California and in the nation to protect our immigrant communities.

Instead of proposing viable solutions, the administration has stopped at nothing to ensure that it can detain and deport our communities in an expeditious manner. This administration has hijacked our current legal immigration systems, separated children from their parents and caged children. It is clear that President Trump will continue to seek ways to undermine our community.

We commend and support the efforts led forth by the House Judiciary Committee to raise awareness of those directly impacted by this administration's termination of DACA, TPS, and DED. We urge the Committee and our Representatives to continue to focus on productive conversations, and on humane and viable policy solutions that aim to provide all of our undocumented immigrant communities with relief so that we all can live free, without fear of deportation.

Sincerely,



Angelica Salas
Executive Director

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Center for American Progress



IMMIGRATION

TPS Workers Are Rebuilding States Devastated by Natural Disasters

By Nicole Prchal Svajlenka | Posted on March 5, 2019, 9:00 am



Getty/Saul Loeb

A broken crane caused by winds from Hurricane Irma sits on top of a building under construction in Miami, Florida, September 2017.

Over the past two years, the Trump administration has taken steps to terminate Temporary Protected Status (TPS) for

[Download the PDF here.](#)

nearly all of the 318,000 immigrants that the program protects. These immigrants' futures—as well as those of their families—are in limbo as legal challenges to the termination make their way through the courts.¹



The vast majority—94 percent—of these immigrants are from El Salvador, Honduras, and Haiti.² Under TPS, they hold a legal status that protects them from deportation and authorizes them to work. TPS holders have lived in the United States for an average of 22 years, in households with a total of 620,000 family members, and are crucial contributors to the U.S. economy.³

One outsized way in which TPS holders contribute to the economy is their role in the construction industry. With 45,900 workers, construction is the second-largest occupation group for immigrants with TPS who are from El Salvador, Honduras, and Haiti.⁴ One-quarter of these workers are laborers, but workers with TPS can also have more-specialized occupations as carpenters, at 7,900; brick masons, at 2,400; plumbers or pipe layers, at 1,800; and electricians, at 1,500. They are also in more senior roles, with 2,700 employed as first-line supervisors and 1,600 employed as managers. Among their many roles, construction workers are key to rebuilding efforts after the occurrence of natural disasters.

TPS holders in construction jobs help rebuild their states after extreme weather events

Over the past two years, seven weather and climate disasters caused more than \$5 billion in damages each across the United States and took hundreds of lives: Hurricane Harvey, Hurricane Maria, and Hurricane Irma in 2017; Hurricane Michael and Hurricane Florence in 2018; and the western wildfires of both 2017 and 2018.

Hurricane Harvey damaged or destroyed more than 200,000 homes and businesses in Texas and Louisiana, causing an estimated \$127.5 billion in damages.⁵ Hurricane Irma damaged or destroyed 90 percent of homes and businesses in the Florida Keys, as well as 13,000 other buildings throughout the rest of the state and Georgia; it was responsible for an estimated \$51 billion in damages.⁶ Hurricane Michael damaged 50,000 homes and businesses along the eastern seaboard from Florida to Virginia, causing an estimated \$25 billion in damages,⁷ while Hurricane Florence damaged or destroyed 86,000 homes and businesses in South Carolina, North Carolina, and Virginia, causing an estimated \$24 billion in damages.⁸ The western wildfires and California firestorm of 2018 also caused an estimated \$24 billion in damages, destroying more than 33,500 homes and

buildings,⁹ while the western wildfires and California firestorm of 2017 damaged or destroyed 15,000 homes and businesses, causing an estimated \$18.4 billion in damages.¹⁰

With the exception of Hurricane Maria, which caused an estimated \$91.8 billion in damages mostly in Puerto Rico,¹¹ the states hit hardest by these disasters are also home to large communities of TPS holders. The large numbers of TPS holders who work in construction occupations in the following states demonstrate how inextricably TPS is linked to the efforts to rebuild:¹²

- **California**, which is recovering from two extreme wildfire seasons and ranks first for TPS recipients, is home to 5,100 TPS holders in construction-related occupations.
- **Texas**, which is recovering from Hurricane Harvey and ranks second for TPS recipients, is home to 6,800 TPS holders in construction-related occupations.
- **Florida**, which is recovering from two hurricanes: Irma and Michael and ranks third for TPS recipients, has 4,200 TPS holders who are in construction-related occupations.
- **Virginia**, which is also recovering from two hurricanes, Florence and Michael and ranks fifth for TPS recipients, has 8,400 TPS holders who are in construction-related occupations.
- **North Carolina**, which is recovering from Hurricanes Florence and Michael as well and ranks eighth for TPS recipients, is home to 1,800 TPS holders in construction-related occupations.
- **Georgia**, which is recovering from Hurricanes Irma and Michael and ranks ninth for TPS recipients, is home to 1,000 TPS holders in construction-related occupations.

Although TPS holders are a small share of the total U.S. population—between 0.1 percent and 0.3 percent for each of the states listed above—they are overrepresented in construction occupations, making up between 0.4 percent and 4.7 percent of all construction workers in the above states.¹³ While these shares may seem minor, they represent thousands of workers.

The end of TPS would make all of these immigrants ineligible to work, removing them from their roles in the U.S. workforce and potentially jeopardizing or setting back recovery efforts in each of these states. On top of this, all individuals from a given country would lose their protections and work authorization on the same day,¹⁴ potentially bringing some rebuilding efforts to a halt. It is long past time for Congress to protect immigrants with TPS and their families; doing so would ensure that progress on rebuilding efforts continue apace in disaster-affected communities.

Nicole Prchal Svajlenka is a senior policy analyst of Immigration Policy at the Center for American Progress.

Endnotes

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Center for American Progress





Statement of the American Immigration Lawyers Association

**Submitted to the House Judiciary Subcommittee on Immigration and Citizenship
Hearing on “Protecting Dreamers and TPS Recipients”**

March 6, 2019

Contact: Kate Voigt
Associate Director of Government Relations
kvoigt@aila.org, 202-507-7626

For more than two decades, Congress has been unable to pass critically needed reforms to the nation’s immigration system, leaving our country unable to fully capture the enormous benefits that immigrants and their families bring to their communities, businesses, the economy, and the country. With the announced rescission of the Deferred Action for Childhood Arrivals (DACA) program and the termination of Temporary Protected Status (TPS) for many designated countries, Dreamers and TPS recipients are at heightened risk of deportation and separation from their families.

As the national bar association of over 15,000 immigration lawyers and law professors, the American Immigration Lawyers Association (AILA) urges all members of Congress to support and request an immediate vote on legislation that would provide permanent legal status and an opportunity to apply for citizenship to Dreamers and TPS recipients. AILA has members nationwide who have represented thousands of Dreamers and TPS recipients, as well their families and the businesses that employ them in all sectors of the American economy. Providing them with permanent legal status and a path to citizenship would uphold our American values and contribute to our shared prosperity.

Congress Must Protect Dreamers

It is past time for Congress to pass legislation to protect Dreamers from deportation and secure their future as Americans. Overwhelmingly, the American public supports protecting Dreamers; 83 percent say Dreamers should be allowed to live and work in the United States.¹ Economic studies have shown that Dreamers are valued members of their communities and will contribute as much as \$1 trillion dollars in GDP over the next decade.² Deporting Dreamers would harm the economy to the order of hundreds of billions of dollars in revenue, including to Social Security and Medicare, as well as major losses in economic growth and jobs.³

Members of Congress from both sides of the aisle clearly understand and agree with the broad public support for Dreamers. Over the past few years, many bills that protect Dreamers have been introduced in Congress, most of them bipartisan.⁴ These bills recognize the need to provide protection from deportation and permanent legal status for applicants who pass the rigorous screening process and background checks and demonstrate that they meet defined eligibility requirements. Most past proposals also recognize the importance of providing an opportunity for those who qualify to apply for citizenship should they choose. This reflects the overwhelming support of the American public: A September 2017 Fox News poll

concluded that 4 out of 5 Americans support providing Dreamers with an opportunity to apply for citizenship.⁵

Congress Must Protect TPS Recipients

For two decades, Presidents have employed TPS to protect certain classes of undocumented individuals from deportation. If the Department of Homeland Security (DHS) determines a foreign country is experiencing armed conflict, natural disaster, or other extraordinary circumstances that would make the return of that country's nationals dangerous or impractical, the Secretary may designate that country for TPS.⁶ TPS provides employment authorization and protection from deportation for the nationals from these designated countries who reside in the United States.⁷ Since the creation of TPS, both Republican and Democratic administrations have designated and extended TPS for various countries, in some cases for several decades.⁸

TPS recipients, like Dreamers, are long-standing members of our communities. They have built lives, families, businesses, and careers in the United States. TPS recipients are also integral members of our economy – without them, industries such as construction, restaurants and other food services, and landscaping would experience disruptions that would have serious ripple effects on the economies of several states.⁹ According to the Immigrant Legal Resource Center, without Salvadoran, Honduran, and Haitian TPS workers, the United States economy would lose \$4.5 billion in gross domestic product per year and Social Security and Medicare would lose \$6.9 billion in contributions over ten years.¹⁰ Bipartisan bills to protect TPS recipients from deportation have also been introduced by members of Congress.¹¹ It is time for Congress to recognize the contributions of long-term TPS recipients by permanently protecting them from deportation and providing a path to citizenship.

Dreamers and TPS Recipients Are at Greater Risk of Deportation

In June of 2012, the Obama administration announced DACA, a prosecutorial discretion initiative that allowed Dreamers who met certain eligibility requirements to apply for protection from deportation and work authorization.¹² While the program was merely a stopgap measure until Congress passed legislation, it provided important temporary protections for Dreamers. Since taking office, President Trump has attempted to terminate the DACA program as well as end Temporary Protected Status (TPS) for the nationals of several countries.¹³ The end of these humanitarian initiatives would revoke employment authorization and legal protection for hundreds of thousands of people, nearly all of whom have lived in the country for years and have family members, jobs, and other substantial ties to their communities.

While courts have temporarily enjoined the rescission of DACA and termination of TPS for several countries, these orders are not permanent. Dreamers and TPS recipients are left in an untenable state of limbo, never sure when their work authorization and protection from deportation might be taken away in an instant by a higher court's ruling. Moreover, the court order enjoining some TPS terminations does not protect people from several TPS countries. TPS recipients from Honduras and Nepal will see their protections expire within the next year barring further developments.¹⁴ Similarly, the court orders enjoining the termination of DACA does not protect Dreamers who have never applied for DACA but are eligible, Dreamers whose DACA expired more than a year before the rescission of the program, or Dreamers who have since aged into the program. Alarming, AILA members have reported that some DACA recipients who are covered by the court orders are nonetheless being put into removal proceedings.

Without protection from deportation, immigrants are at grave risk of being separated from their families, detained, and deported.¹⁵ U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) are targeting people they can quickly identify and deport, including people who

have families, jobs and strong community ties and who pose no threat to public safety. Under current enforcement policies, ICE and CBP are pursuing people who are eligible for immigration relief but have not received a decision or have not yet applied, as well as people who have compelling equities that weigh in favor of the exercise of prosecutorial discretion.

American Needs Immigration Reform

While passing such legislation is a vital first step, AILA also calls upon Congress and the President to overcome partisan differences and enact laws that update our legal immigration system and bring it into the twenty first century. Reforms must legalize the unauthorized population who are contributing economically, socially, and culturally to their communities and to the nation. Immigration reform also must include changes to the legal immigration system to meet the needs of American families and businesses and reforms to ensure the fair and efficient operation of our laws consistent with due process. Border security and interior enforcement are necessary components of reform but must be done in a smart, effective, and humane manner.

Immigration benefits our nation and is essential to our well-being and future growth, particularly as the Baby Boomer generation continues to retire and the growth of the labor force slows. Our nation must keep its doors open to immigrants, their families, foreign travelers, international entrepreneurs and businesses to ensure our nation's continued prosperity.

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⁹ American Immigration Council, *Workers with Temporary Protected Status in Key Industries and States* (January 9, 2019), <https://www.americanimmigrationcouncil.org/research/workers-temporary-protected-status-key-industries-and-states>.

¹⁰ Immigrant Legal Resource Center, *Economic Contributions by Salvadoran, Honduran, and Haitian TPS Holders* (April 2017), https://www.ilrc.org/sites/default/files/resources/2017-04-18_economic_contributions_by_salvadoran_honduran_and_haitian_tps_holders.pdf.

¹¹ The Bipartisan Policy Center, *Temporary Protected Status (TPS): An Explainer* (December 21, 2018), <https://bipartisanpolicy.org/blog/temporary-protected-status-tps-an-explainer/>.

¹² See Memorandum from Janet Napolitano, Secretary, U.S. Department of Homeland Security on Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children to David V. Aguilar, Acting Commissioner, U.S. Customs and Border Protection, et al. (June 15, 2012), <http://www.dhs.gov/xlibrary/assets/s1-exercising-prosecutorial-discretion-individuals-who-came-to-us-as-children.pdf>.

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¹⁴ CLINIC, Temporary Protected Status (TPS) and Deferred Enforced Departure (DED) (last visited March 5, 2019), <https://cliniclegal.org/tps>.

¹⁵ American Immigration Lawyers Association, *Cogs in the Deportation Machine: How Policy Changes by the Trump Administration Have Touched Every Major Area of Enforcement* (April 24, 2018), www.aiala.org/deportationmachine.

Ms. LOFGREN. Thank you very much for your testimony. I think it is so important that we focus on these issues.

I just would like to note that I listened very carefully, Mr. Arthur, to your comments about incentives. But the Cato Institute did an analysis. As a matter of fact, David Beard, who is a former Republican Judiciary staffer who is at the Cato Institute, studied when did the increases happen compared to the DACA announcement, and they are unrelated. We will put that report in the record, without objection, as well.

[The information follows:]

REP. ZOE LOFGREN FOR THE RECORD



CATO AT LIBERTY

JANUARY 9, 2017 12:28PM

DACA Definitely Did Not Cause the Child Migrant Crisis

By DAVID BIER

Senators Dick Durbin and Lindsey Graham have introduced a bill to extend the Deferred Action for Childhood Arrivals (DACA) program, which since 2012 has provided work permits and lawful presence to 800,000 young immigrants brought illegally to the United States as children. One difficulty for the bill is that the GOP House passed a bill to end DACA in 2014, arguing that DACA caused a surge of young children to come to the border starting in 2012 and reaching its peak in 2014.

At the time, my colleague Alex Nowrasteh published an article arguing against this thesis. First, he noted that DACA specifically prohibited recent arrivals from applying for the benefits. DACA applicants had to be under the age of 31, have arrived in the United States before they were the age of 16, and have continuously resided in the United States since June 15, 2007. Second, Nowrasteh explained that the surge began well before DACA was unexpectedly announced on June 15, 2012. He wrote:

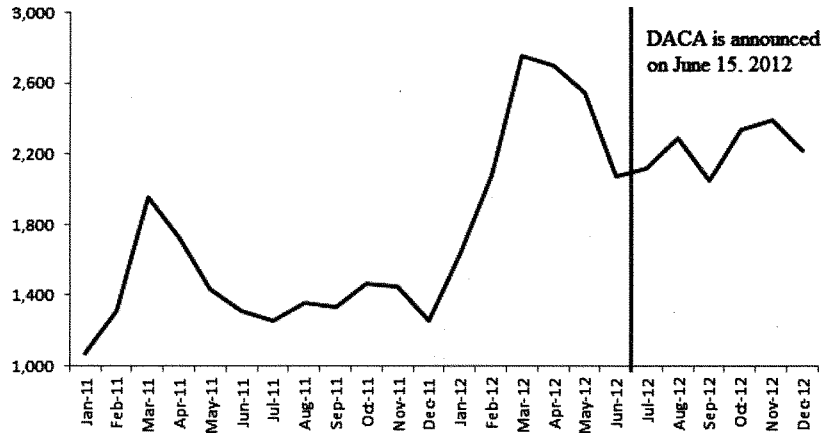
From October 2011 through March 2012, there was a 93 percent increase in UAC arrivals over the same period in Fiscal Year 2011. Texas Governor Rick Perry warned President Obama about the rapid increase in UAC at the border in early May 2012 – more than a full month before DACA was announced. In early June 2012, Mexico was detaining twice as many Central American children as in 2011. The surge in unaccompanied children (UAC) began before DACA was announced.

As the bill was being debated on the House floor, Rep. Zoe Lofgren, the ranking member of the House Subcommittee on Immigration and Border Security, proceeded to introduce Nowrasteh's article into the record as evidence against the underlying reason for the bill. Unfortunately, Border Patrol had not yet released their monthly UAC arrival figures for 2012, so Nowrasteh's report had to rely on comments from border agents and local officials about the increases in arrivals rather than the raw Border Patrol data. The anti-DACA bill passed on a party-line vote.

UAC crisis began before DACA was announced

Now, however, the Border Patrol has made available the monthly numbers for 2012. These figures vindicate the Cato argument from 2014, showing unequivocally that all of the increase in children coming to the border in 2012 began before the DACA announcement in mid-June. Figure 1 shows the trend in UAC arrivals for 2011 and 2012. From December 2011 to April 2012, the number of UACs more than doubled from 1,259 to 2,703. Thereafter, the numbers fell and did not recover their peak again until 2013.

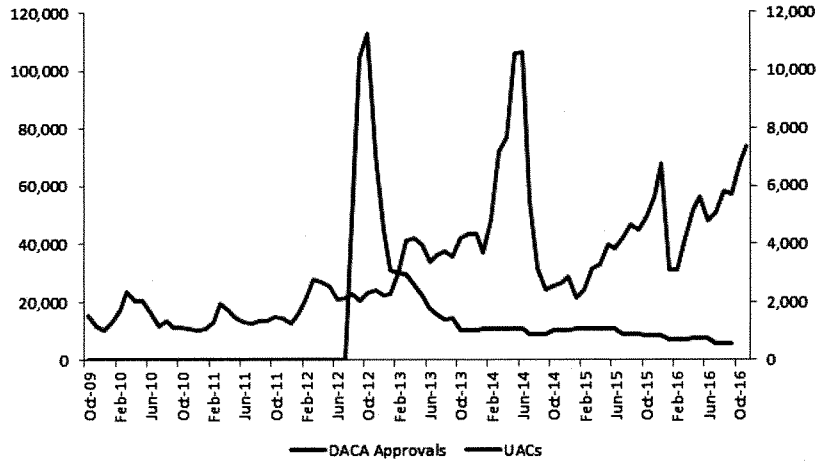
Figure 1: Unaccompanied Alien Children (UACs) Arriving in 2011 and 2012 by Month



Source: *Customs and Border Protection (CBP)*

It is true that more than six months after DACA in 2013, the monthly UAC numbers finally rose above the pre-DACA level. But when seen in the broader context, the largest growth occurred much later, shooting up in early 2014. Moreover, as Figure 2 shows, UAC arrivals have fluctuated month-to-month and year-to-year totally without regard to the number of new DACA applications. To the extent that there is a relationship, it is the other way—almost all DACA approvals occurred at a time of relatively low UAC arrivals.

Figure 2: Unaccompanied Alien Children (UACs) Arrivals and Deferred Action for Childhood Arrivals (DACA) Approvals



Sources: USCIS, CBP

Annual UAC figures confirm this impression. The percentage growth in UAC arrivals was the largest in 2009, and while it rose in 2012, the rate of growth remained similar in 2013 and 2014. In 2015, UAC arrivals plunged before rising again in 2016. The first two months of 2017 have seen a remarkable growth over the numbers in those same months in 2016.

Table: UAC Arrivals and UAC Growth Rates

	2008	2009	2010	2011	2012
UACs	8,041	19,668	18,634	16,056	24,481
UAC growth		145%	-5%	-14%	52%
	2013	2014	2015	2016	2017*
UACs	38,833	68,631	39,970	59,692	14,128*
UAC growth	59%	77%	-42%	49%	134%**

*Based on the first two months of the fiscal year, **Compared to the first two months of FY 2016

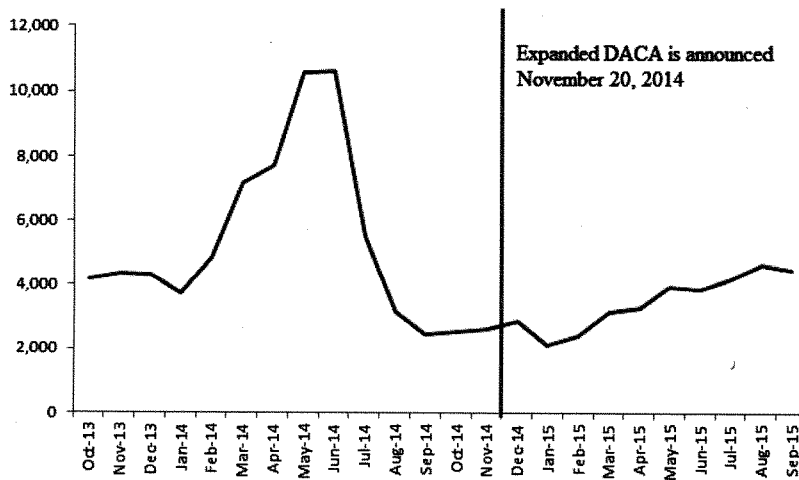
Source: CBP, CBP

DACA expansion announcement led to no increase in UACs

It would be nice to be able to conduct an experiment to see if announcements of deferring the deportations of minors result in more children coming to the border. While it is impossible to conduct an experiment of this kind perfectly, President Obama provided the next best option in 2014. In November 2014, he announced that he would expand DACA to include anyone of any age—not just those under 31—who arrived before 2010 and would grant three-year work authorizations to recipients.

Figure 3 provides the monthly UAC arrivals for fiscal years 2014 and 2015 and notes when the expanded DACA announcement occurred. It is true that the numbers rose slightly over the course of the year, but the peak month saw half as many arrivals as the peak in 2014. Just as DACA did not cause a crisis, the expanded DACA program announcement did not cause one either, and it provides more evidence against the theory that allowing DACA recipients to stay is a significant influence on the children coming to the border.

Figure 3: UAC Arrivals in Fiscal Years 2014 and 2015



Source: See table above

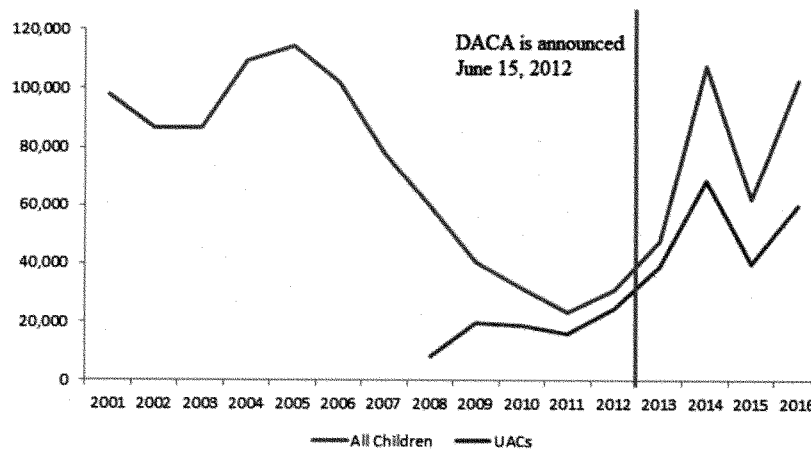
Expanded DACA's implementation was prevented due to a preliminary injunction issued by a federal judge on February 16, 2015. But three months had already passed since the announcement with no increase in UAC arrivals. More-

over, advocates were hopeful that the injunction would be quickly overturned, and the program implemented that year. In any case, the basis for the purported link between UAC and DACA is that the UACs mistakenly believe that they will be eligible for these programs, not that they actually will be, so it is not clear why the judge's order would have had any more of an impact on these confused children than President Obama's specific criteria making them ineligible.

Child migrants are not a recent phenomenon

Perhaps the most important argument against the idea that the child migrant crisis was caused by the actions of the Obama administration is that a similar crisis occurred during the Bush administration as well. Unfortunately, CBP has not made available its UAC numbers prior to 2008, but before the recession, its statistics show that huge numbers of children were coming to the border. The *New York Times* ran [an article](#) about the issue as far back as 2003, noting that Border Patrol was struggling to handle the flow of children. It appears that juvenile arrivals are simply returning to their pre-recession trend.

Figure 4: UAC Arrivals and all Juvenile Arrivals from Fiscal Year 2001 to 2016

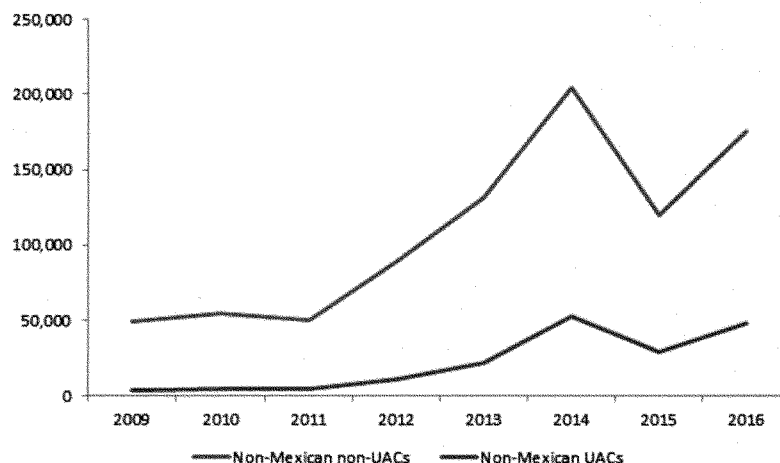


Source: [CBP](#), [DHS](#)

Another reason to believe that the UAC crisis is not related to confusion around

DACA is that the recent surge in children is concentrated among non-Mexican arrivals. All of the increase in UAC arrivals is from Central American children. But this surge in UACs has been paralleled by an even larger, in absolute terms, increase among non-UACs—the vast majority of whom are adults who would be ineligible for DACA. Since 2009, the number of overall Mexican apprehensions has steadily dropped year after year, falling over 50 percent over that time, and UAC apprehensions have dropped by a third. These facts point to causes of the surge that are specifically impacting Central America, not Mexico, and all Central Americans, not just children.

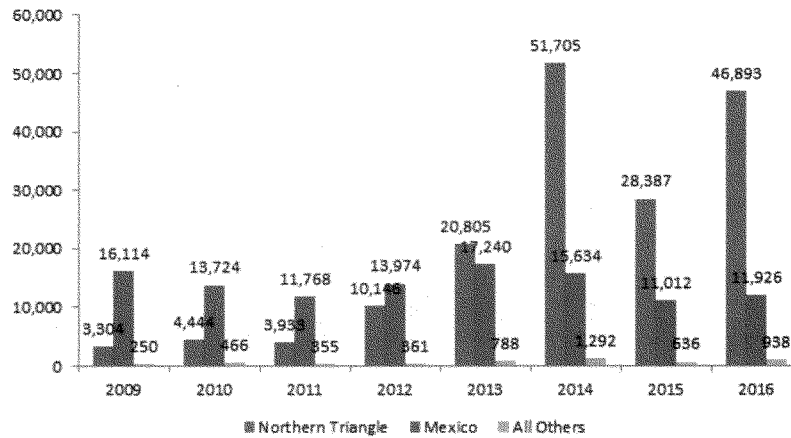
Figure 5: Apprehensions of Non-Mexicans by Border Patrol



Source: See Figure 4

Moreover, the surge was not simply driven by non-Mexican countries generally—which could lead to the conclusion that perhaps something unique is happening in Mexico—but rather was driven entirely from three countries—Guatemala, Honduras, and El Salvador, known collectively as the Northern Triangle. As Figure 6 shows, the rise in child migration is a phenomenon that solely impacted these three countries. This makes it extremely unlikely that the cause of the crisis is a general confusion about DACA among children outside of the country.

Figure 6: UAC Arrivals by Country of Origin



Source: See Figure 4, Figure 1

DACA was not a contributor to the child migrant crisis, so it should not be used as a justification to end the program. If DACA was an example of executive overreach, Congress should replace it with a permanent program that recognizes that America is home for the vast majority of these young immigrants.

Topics: [International Economics, Development & Immigration](#)

Tags: [Immigration](#); [DACA](#); [Dreamers](#)

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Ms. LOFGREN. I do think it is important, taking a look at the TPS issue, that the announcements that were made seemed to me to be pretty much unrelated to the facts on the ground. I went and took a look at what the State Department is saying about some of these countries. You go to the travel advisories and they are saying about El Salvador, reconsider going there, it is too dangerous to go. And yet we are saying it is not a problem to send people who have been here for dozens of years who are American at this point, for all intents and purposes, back there to further destabilize that region.

So I think there is ample reason to question not only the decision but the decision-making process on these TPS denials or removals.

I want to talk, Ms. Irazoqui Ruiz—I think I am mispronouncing your name. I apologize. The story you told was really a very powerful one from your youth about your mother. I think it is actually all of you talking about your parents and how proud you are of the fortitude that they have shown to raise you, and that they came here so that you would have a better life, just as my ancestors came here for a better life.

You are now in medical school. You want to provide obstetric care to women in a way that is culturally dignified and competent. Explain what that means and what your experiences will bring to that, and how that will matter to people here in America.

Ms. IRAZOQUI-RUIZ. Thank you for your question.

So, I live in New Mexico, which is a border state, and our bordering neighbor is Mexico. I am a native Spanish speaker, and I have worked really hard to be able to maintain my Spanish. Being on the wards, caring for women who are in labor and who are trying to access women's health care, I have been able to use my Spanish to provide that direct care.

But it goes beyond the language, because we have access to interpreters. It is limited, but it is there. Many of these women have cultural aspects that affect their health care, and I intimately understand these cultural aspects as someone who belongs to that culture. I cannot say that I am competent in the culture even if it is my own because it varies, but I do understand where they are coming from and their experience as immigrant women, as women who come from first-generation families.

Ms. LOFGREN. Thank you very much.

Ms. Kiazolu, you are here to speak of your experience as a TPS and DED recipient. It is clear you are also a Dreamer. You came to the U.S. at the age of 6. You lived here your entire life. You grew up in America, were educated in America. You are poised to do great things in America.

Why do you think it makes sense to simultaneously provide permanent protections to Dreamers and to TPS DED recipients?

Ms. KIAZOLU. So, as someone who has been a recipient of both TPS and DED and have many close friends who are also DACA recipients, I have seen so many similarities amongst our experiences. We pay biometric fees. We have lived our lives deadline to deadline, unable to make long-term plans. So our common experiences let us know that protecting all of our categories of immigration relief is important and necessary.

Ms. LOFGREN. My time is just about to expire, so let me just say how grateful I am for you to be here. It is hard to be a witness.

Mr. Park, I hope that it will be possible somehow for you to go and fulfill the Rhodes Scholar that you worked so hard to earn to represent our country in that way.

Thanks to all of you.

My time has expired.

I would now recognize the gentleman, Mr. Sensenbrenner.

Mr. SENSENBRENNER. Thank you very much, Madam Chair.

I would like to address my questions to Bishop Dorsonville.

I am a recent Catholic convert. I have been involved in immigration issues for a long time, as my colleagues on the committee and maybe some of you realize. I can tell you that I have been very disappointed in the U.S. CCV's approach to the entire immigration problem in that they have not been working toward the passage of a law, not just making a political statement but the passage of a law, which is one of the things that has frustrated all of us here because our immigration system is broken, and I think everybody in this room knows that.

I also agree with you that this is a moral issue. I notice in your prepared testimony you quote Matthew 25, which I think the Lord sets out some things that people who are Christian are going to have to follow.

But my question is, do you believe that the Lord intended to make a difference between the stranger who knocks on your door and the stranger who breaks into your house?

Bishop DORSONVILLE. Well, I guess the most important point that we might realize when we are speaking about the Gospel, the message that Jesus Christ is inviting us to realize is that he came to save and relieve humankind, humanity. He was a man who worked with human people. And basically, when he embraced the human presence, it was the fact that it was relieving a face for that—trying to centralize his eyes looking at the person.

When we see that there might be people on the streets where they need our help, our understanding, our love and our courage—

Mr. SENSENBRENNER. Let me ask two more questions before she shuts me up, and that is I think the fact that there has been a lot of illegal migration across the border—the Washington Times today has this headline that this illegal migration ends up turning a lot of the American public and their representatives in Congress against doing something that is humane and correct for people like DACA recipients, TPS recipients, and other types of people.

So there has to be a public recognition of the fact that the stranger who knocks on the door, and the people at this table who are recipients of these programs are getting dragged down by the people who are breaking into the house of the United States of America.

Now, in terms of putting together something that deals with DACA and TPS recipients on a humanitarian basis, I have been around here for a long time, Bishop, and I was here when the regional Blue Ribbon Commission that looked into the process of illegal immigration and legal migration into the United States that was headed by Father Hesburgh, the iconic late former president of Notre Dame University, and one of the things that I remember in the Hesburgh Report was that Father Hesburgh and his com-

mission said that we should never grant an amnesty of any kind because an amnesty will only encourage more illegal immigration.

Father Hesburgh was right on that. Ronald Reagan was wrong when he signed the Simpson-Mazzoli bill, and we have had an increased flood of illegal immigration into this country.

So I guess, since I have been called a bad Catholic because I have a little different viewpoint on this immigration than you do, Your Excellency, was Father Hesburgh a bad Catholic?

Bishop DORSONVILLE. Well, I am going to tell you something. As you might say and recall, Catholic means “universal.” When we begin to dance in the human spectrum of the whole world, I really think that when Jesus came, he did not come for just one people but for everyone. As a leader, always I count to all the religions to refer to something that is the point. Immigration is a human drama, and we are instruments of God’s love and God’s presence in the life and in the journey of those who are suffering, and I think that you are with me on this one, right?

Mr. SENSENBRENNER. I think Jesus came to save us all. We ought to talk about this a little more.

Ms. LOFGREN. The gentleman’s time is expired.

I will recognize Mr. Cohen for 5 minutes.

Mr. COHEN. Thank you, Madam Chair.

In my state of Tennessee, which has many wonderful things about it, and then a whole bunch of things that are pretty awful about it, we do not allow DACA students, immigrants to come without proper papers, to go to college and get in-state tuition. And we also do not allow them to get Hope lottery scholarships, which are given to the best and brightest students to encourage them to stay in the state to help subsidize their education. To me, that is a sin, and it shows that certain people who probably could not qualify for a Hope scholarship are now making the laws, because we take our smartest and our brightest and we refuse them the opportunity and the encouragement to stay in our state. We want to send them to Mississippi and New Jersey and wherever.

Did any of the students here before us—and you all are Harvard and UCLA and University of New Mexico and some other schools that are almost as good as Vanderbilt and the University of Memphis—did any of you all get refused scholarship money?

Ms. Ruiz, you are nodding. Were you refused scholarship money?

Ms. IRAZOQUI-RUIZ. I grew up in Phoenix, Arizona, and at the time—this was way back in 2008—there was standardized testing called AIMS, and if you excelled in all portions of the test, you were offered a special scholarship for in-state institutions.

Mr. COHEN. Right.

Ms. IRAZOQUI-RUIZ. I remember at my high school there were three students who excelled in all portions: myself, my twin sister, and another classmate. I remember talking to the counselor, and she was talking us through the process of how the scholarship was going to work. And then we get to the point of what is your Social Security number, and this was after already learning about our immigration status, and we said, well, we do not have one. And she said, well, then you cannot get this scholarship.

Mr. COHEN. And that affected you and anybody in your life setting?

Ms. IRAZOQUI-RUIZ. I'm sorry?

Mr. COHEN. That affected you and anybody in a similar setting, right?

Ms. IRAZOQUI-RUIZ. Correct.

Mr. COHEN. In New Mexico.

Ms. IRAZOQUI-RUIZ. Since then my family has left Arizona. My home is now Albuquerque, New Mexico. I do not know what the difference is in policy and access to education there, but in New Mexico I was able to do something that I would not have been able to do in Arizona. We have access to in-state tuition and in-state scholarships because the community has fought to give us access to that. So I was able to obtain my Bachelor of Science thanks to these scholarships, in addition to funding my education myself through hard work.

Mr. COHEN. And you are in medical school now.

Ms. IRAZOQUI-RUIZ. Correct. I am in medical school now, and there is no funding for professional and graduate school. So my first two years of medical school I worked full time to be able to pay for my tuition. So there are still gaps out there.

Mr. COHEN. Were any other students here refused scholarship money because of your status? You are lucky you did not live in Tennessee, because then you would have been discriminated against in a foolish policy.

I was able to visit Honduras, and in Honduras we were urged to allow people who were under Temporary Protected Status to remain in our country, and the President and his wife—they were very impressive—made clear that there were just not jobs available and opportunity available for people who were in the United States under that particular status to get jobs and feel protected if they returned to Honduras. Honduras has lots of crime, and that is the reason I think the people left.

For those students who are here, if you had to go back to your home nation—I think there is somebody here from Mexico and maybe somebody from Liberia. Help me with the other countries. El Salvador and Korea. Korea may be a little different story, but from the other countries, what would happen if you had to go back to your nation of origin?

Yes, sir, Mr. Palma?

Mr. PALMA. Thank you for the question. I think it is something that we all with TPS are struggling with at this specific moment. As you just mentioned, the country conditions are not there, and that is why TPS has been renewed for so many years. We have built a life here, and this is the place that our kids were born and call home. So it is a very difficult situation to think about it, and we really are focusing and trying to make sure we can continue living here in the United States because this is the place that we all know is our home, and that is why we hope that we will work and that we can achieve permanent residence, because struggling with that question is very hard and we really want to focus and work to achieve permanent residency and to continue motivating our kids to really focus on school at this moment.

Ms. LOFGREN. The gentleman's time has expired.

Mr. COHEN. I yield back the balance of my time.

Ms. LOFGREN. The gentleman, Mr. Biggs, from Arizona, is recognized for 5 minutes.

Mr. BIGGS. Thank you, Madam Chair.

My question is initially to you, Mr. Arthur. The timeline for DACA is that the registrants had to be here before 2012. Is that fair to say?

Mr. ARTHUR. That is correct.

Mr. BIGGS. You need folks that have come in under similar circumstances since, I think it was, September of 2012. They are excluded from DACA participation. Is that fair?

Mr. ARTHUR. That is correct.

Mr. BIGGS. And currently there are roughly 700,000 people who have registered and received the DACA protections.

Mr. ARTHUR. Just short of that. Yes, sir.

Mr. BIGGS. And the estimated number of people who might have otherwise been eligible that we do not know but we are estimating prior to that September 2012 deadline is roughly 1 to 1.2 million people. Is that right?

Mr. ARTHUR. That is about right, yes.

Mr. BIGGS. Which is why the bill last year provided for 1.8 million DACA conversions to an amnesty type of program for long-term legal status.

Mr. ARTHUR. That is correct.

Mr. BIGGS. Post-2012, we have seen an increase in the number of family units, particularly in the last six months, for instance, of people coming in. What is the estimate of post-2012 people who would otherwise be eligible to apply for DACA status?

Mr. ARTHUR. If we were to move the date forward from 2012, we would probably see tens of thousands of individuals each of those years, potentially hundreds of thousands of people in that period of time. I cannot give you an exact number, though.

Mr. BIGGS. Now, I have met with many DACA recipients, and I have never met with one who did not want implementation of the Dream Act. I think that is fair to say. Maybe I am wrong, but that is because they want familial ties—they want the parents who brought them here to remain here, et cetera.

Mr. YANEZ, would you agree with that?

Mr. YANEZ. Sorry. Can you repeat the question?

Mr. BIGGS. Yes. In the course of my meeting with DACA students and the DACA population, I have not met anyone who would like to not really participate in the Dream Act so they can have their parents stay, the parents who brought them here stay in the country legally and have a path to citizenship. Is that accurate? Would you agree with that statement?

Mr. YANEZ. Are you talking about the parents who want to be a part of—

Mr. BIGGS. Yes.

Mr. YANEZ. I think my main focus right now is on getting the solution for Dreamers and border security.

Mr. BIGGS. So how do you define Dreamers?

Mr. YANEZ. How do I define Dreamers?

Mr. BIGGS. Yes, how would you define a Dreamer?

Mr. YANEZ. Well, I think for me personally, it is someone who came at a young age, and I think that would be up to you guys to

define that. But I would say, though, we need to focus on a permanent solution for Dreamers and border security. I think that can be a starting point, and then we can talk about the rest of the population afterwards.

Mr. BIGGS. So you would—I assume your mother is still here. I do not really need to know that except for I do not believe you would want her to be at risk because of legal status, unless she has obtained some kind of permanent legal resident status.

Mr. YANEZ. I love my mom to death. Everything that I do for her—I do everything that I do because of her. I would never want her to be separated from me, but that is a further discussion that we can talk about. I think right now the focus is about—

Mr. BIGGS. So you are focusing on DACA as opposed to the Dream Act provisions. That would be the distinction I would make.

That leads me to two final points with the minute that I have left, incentives and moral imperatives. People, all of us respond to incentives or disincentives. We come and we stay, and one of the things that happens is when we move, as Mr. Arthur pointed out, every time an amnesty has been granted, we have incentivized people to come and stay here illegally. There is an incentive to come.

Similarly, I would ask each of us to say, look, if there is a moral imperative for these people who are true DACA recipients who have applied for and received DACA according to the 2012 deadline and provisions, is there not a moral imperative for everyone else who has come post-2012? Because no one is talking about that. If that is the case, how large is that ultimate population? And no one knows.

Mr. ARTHUR?

Mr. ARTHUR. Actually, Mr. Biggs, the answer—

Chairman NADLER. [Presiding] The gentleman's time has expired.

The witness may answer the question.

Mr. ARTHUR. Thank you. Just a back-of-the-envelope estimate, it would be greater than 300,000 people.

Chairman NADLER. Thank you.

Mr. JOHNSON.

Mr. JOHNSON of Georgia. Thank you, Mr. Chairman.

Mr. Arthur, this is not your first time testifying to Congress. Is that correct?

Mr. ARTHUR. It is not.

Mr. JOHNSON of Georgia. How many times in the past have you done so?

Mr. ARTHUR. I believe this is the sixth time, Mr. Johnson.

Mr. JOHNSON of Georgia. And each time it has been on behalf of the Center for Immigration Studies?

Mr. ARTHUR. That is correct.

Oh, no. Actually, I apologize. The first time I testified before this committee, I testified in my private capacity.

Mr. JOHNSON of Georgia. Okay. And each time you have testified, you have been called by the Republicans. Is that correct?

Mr. ARTHUR. That is correct.

Mr. JOHNSON of Georgia. Now, I heard you mention the term "chain migration" in your testimony.

Mr. ARTHUR. Correct.

Mr. JOHNSON of Georgia. Chain migration is where a legalized immigrant would bring family members over. Correct?

Mr. ARTHUR. That is correct.

Mr. JOHNSON of Georgia. And you take offense with that?

Mr. ARTHUR. With respect to the immigration of individuals to the United States, I go back to what Barbara Jordan said. Ms. Jordan said—

Mr. JOHNSON of Georgia. I want you to answer the question. You take issue with chain migration?

Mr. ARTHUR. I agree with Barbara Jordan when she said that immigration to the United States should be in the national interest, and absent compelling national interest, it should be based on skills.

Mr. JOHNSON of Georgia. All right. Well, now, Melania Trump brought her parents over chain migration. Is that correct?

Mr. ARTHUR. I guess that is correct. I do not actually know, but I—

Mr. JOHNSON of Georgia. You do not have a problem with that?

Mr. ARTHUR. We are a non-partisan, non-profit think tank, so I do not actually have an opinion with respect—

Mr. JOHNSON of Georgia. But you would take issue with Mr. Palma, one of your co-panelists, being able to legalize himself through one of his children who are already U.S. citizens. Correct? You want to see that go away.

Mr. ARTHUR. With respect to parents—

Mr. JOHNSON of Georgia. Is that true or is that false? You do not want to see Mr. Palma come in under what you call chain migration. Correct?

Mr. ARTHUR. With respect to Mr. Palma, again, ending the parental ability to—or the ability to immigrate one's parents to the United States would be one of those things that both I and Ms. Jordan would recommend doing away with. But I would also note that—

Mr. JOHNSON of Georgia. Hold on one second, hold on one second. You work for the Center for Immigration Studies. Correct?

Mr. ARTHUR. That is correct.

Mr. JOHNSON of Georgia. And the CIS was founded by Dr. John Tanton.

Mr. ARTHUR. If CIS had a founder—

Mr. JOHNSON of Georgia. Is that correct?

Mr. ARTHUR. Not to the best of my knowledge, Mr. JOHNSON.

Mr. JOHNSON of Georgia. Okay. So you do not know that Dr. Tanton started CIS? Are you going to sit here and deny that?

Mr. ARTHUR. The founder of—if there is a founder of CIS, it is Otis Graham, who was a professor at the University of—

Mr. JOHNSON of Georgia. Let us say, then, that Dr. Tanton was intimately associated with the founding of CIS. Is that correct?

Mr. ARTHUR. I do not know what role Mr. Tanton played.

Mr. JOHNSON of Georgia. Do you know that Dr. Tanton's stated goal is maintaining a white majority in the United States of America?

Mr. ARTHUR. I do not know that, but it is not my goal.

Mr. JOHNSON of Georgia. That is why he opposes immigration, both legal and illegal?

Mr. ARTHUR. I do not know anything about that.

Mr. JOHNSON of Georgia. You do not know Dr. Tanton?

Mr. ARTHUR. I have never met John Tanton. I have heard the name before, but I have never met him.

Mr. JOHNSON of Georgia. Now, you are familiar with the weekly newsletter that your firm puts out, CIS, correct?

Mr. ARTHUR. We do a clipping service of immigration articles.

Mr. JOHNSON of Georgia. You have clipped articles written by known racists and circulated those. Is that not correct?

Mr. ARTHUR. That I would not know, Mr. JOHNSON. We do clip things from the Washington Post and the New York Times.

Mr. JOHNSON of Georgia. You clip things from a racist website known as VDare.com. Is that correct?

Mr. ARTHUR. I believe that in the past our clipping service sent out something from VDare, but I do not know that anything like that has ever—

Mr. JOHNSON of Georgia. Have you ever read Peter Brimelow's book "The Alien Nation"?

Mr. ARTHUR. I have not.

Mr. JOHNSON of Georgia. You have not. You know who he is, though, right?

Mr. ARTHUR. I do not.

Mr. JOHNSON of Georgia. Okay. And your supervisor or your immediate boss at CIS is Mark Krikorian. Correct?

Mr. ARTHUR. That is correct. He is the executive director.

Mr. JOHNSON of Georgia. And he is your boss, correct?

Mr. ARTHUR. Yes, he is the man who pays me.

Mr. JOHNSON of Georgia. And he has stated that, "We have to have security against both the dishwasher and the terrorist because you can't distinguish between the two with regards to immigration control." Is that not a racist, homophobic—well, not homophobic, but xenophobic statement?

Mr. ARTHUR. I believe that Mr. Krikorian's statement actually reflects the immigration laws of the United States.

Mr. JOHNSON of Georgia. Let me ask you a question, sir. Are you a racist?

Mr. ARTHUR. Absolutely not. I named my son after the patron saint of immigrants, and when I was an immigration judge I would often take my every other Friday off to go down and swear in citizens in Baltimore, Maryland.

Mr. JOHNSON of Georgia. All right. Well, thank you.

I would caution my colleagues on the other side to do a little bit more vetting, more vetting than you have done of the firm that you work for and the people that you work for and the views that they hold, because these views do not represent the mainstream of America.

And with that I will yield back, Mr. Chairman.

Chairman NADLER. I thank the gentleman.

The gentleman from California, Mr. McClintock.

Mr. MCCLINTOCK. Thank you, Mr. Chairman.

Mr. Arthur, I have seen the tactic we just saw unfold many, many times before. They cannot credibly charge you to be a racist, so they simply make the implication. They try to associate you with people you do not know, have had no contact with, and then leave

that implication out there. Frankly, I find that an embarrassment to the committee and a despicable tactic. I do apologize to you that that would unfold here today.

Mr. ARTHUR. No apologies necessary, sir.

Mr. MCCLINTOCK. You know, the newspapers are reporting across the country that we are now facing the largest surge of illegal immigration crossing the southern border in over 10 years, the majority of them with children. In fact, as reported, this represents a 300 percent increase in border crossings with children over the last year, and we have to ask ourselves why. Why is that?

I think the answer should be obvious. It is because they think they can. I am afraid that one of the principle reasons they think they can is hearings like this which threaten to institutionalize this lawlessness by rewarding those who break the laws without securing our border. I do not think it should surprise us that the net effect is to encourage growing numbers of foreign nationals to expect to enter our country with impunity.

The tragedy of all of that is represented by the young people here before us today. They are brought to this country illegally as children and, in effect, stranded without a country. They have no legal status here, and yet they have little familiarity with their own country. I will tell you, there is broad support, broad support to address this issue to legalize their status, but also a clear understanding that at the same time we must fully secure our border and fully enforce our immigration laws, or else we simply encourage more children to be brought to this country illegally, stranding yet another generation of children who undoubtedly will come to us in 10 or 20 years, right before this very committee, with the same stories that we hear today, and they are tragic.

That is the problem with today's hearing, with the bill the Democrats would advance. If it were balanced with border security, I have no doubt it would sail through both houses of Congress with virtually no dissent and be gladly signed by President Trump.

So this is a bill that is carefully designed not to become law. It is carefully designed to self-destruct the moment it leaves the House of Representatives, and that is a tragedy as well, because it perpetuates what is going on with these young people who are brought here through no choice of their own, grow up here, and yet have no legal status here.

I have noticed this paradox of immigration. The unique qualities that develop within each country's borders obviously makes some countries more desirable places to live than other countries. These are the differences that actually drive immigration patterns. The more successful a nation is, the greater is the demand to immigrate to it. Now most of the world's 7.5 billion people live in violent and in poverish countries and it is no wonder they find the United States an attractive alternative.

The paradox is this, uncontrolled and indiscriminate immigration for them risks importing the problems to our country and destroying the qualities that encouraged the immigration in the first place. So Mr. Arthur, my question is to you: What do you see as the ultimate effect of open borders?

Mr. ARTHUR. Again, I would go back to Barbara Jordan who talked about the effect of a legal immigration on the most vulner-

able members of our society. Those who have received less than adequate education, those who do not have good work experience. Those are going the individuals who are most adversely effected by open borders in the United States because many of the people, if not most of the people, that come here, and we have researched, have shown this are people who have not received a good education in their countries and do not have a lot of work experience.

Mr. MCCLINTOCK. My understanding of traditional asylum is that it is reserved for those who have been specifically target by their government for persecution based on their race, religion, nationality, political opinion or social group. It seems to be a new definition to assert that anyone who lives in a violent and poversh country has a right to enter ours. What am I missing in that?

Mr. ARTHUR. Generalized conditions of violence are generally not a basis for asylum and poverty is definitely not. To be granted asylum you need to be able to show persecution on account of race, religion, nationality, membership in a particular social group or political opinion either by the government or a group the government cannot or will not control.

Chairman NADLER. The time of the gentleman has expired.

I would like to note the presence of our colleague, the gentle lady from New York, Ms. Ocasio-Cortez. And I would also like to clarify a previous exchange.

Representative Biggs asked if DACA recipients had to be here since 2012, and Mr. Arthur agreed. In fact, however, DACA recipients had to be here for five years before DACA. In other words, they had to be here by 2007. I just wanted to clarify that point.

Mr. ARTHUR. That is correct, Mr. Nadler. Thank you for correcting that.

Chairman NADLER. Thank you.

And I will now recognize the gentleman from Rhode Island, Mr. Cicilline.

Mr. CICILLINE. Thank you, Mr. Chairman. Thank you for convening this hearing. It has been magnificent to listen to the witnesses, who are just examples, extraordinary examples, of hundreds of thousands of dreamers, who have brought their dreams and their talents and their passions to our country and made it their own.

And I am really proud to be from a State and from a district that has many DACA recipients, TPS recipients, and DED recipients, particularly from El Salvador, Honduras, Haiti, and Liberia, individuals who have made extraordinary contributions to the State of Rhode Island and particularly to the City of Providence. During the early 1990s, many Liberians fled to the United States because their country was plagued by civil war and more recently by a major Ebola outbreak. Fifteen thousand Liberians called Rhode Island home. And it is a thriving and wonderful community, and Rhode Island is better because of it. And that example repeats itself all across our country.

And so I first want to say thank you to the witnesses for your personal stories, for your courage, for your resilience, for the magnificent contributions you are making. And I apologize that you are all living in this state of limbo, which is so undeserved, and hope that we can resolve this. You should not be used as bargaining

chips. You represent yourselves and other human beings. You are our neighbors, our friends, our family members, and members of our community. And you deserve better treatment than you have received.

You were brought to the United States by your parents for the same reason my great-grandparents came here, to build a better life, and worked hard to do that. And you love our country, your country. You share our values. You know, really, no other country but America. And you are American as much as anyone else but for maybe a piece of paper. And, frankly, if you were forced to return and others in the same situation, you might be required to go back to countries that you barely know and that continue to have armed conflict, disease, natural disasters, and other extraordinary challenges.

So, you know, we talk a lot at this hearing about the incentives as if this is a one-sided deal, as if the dreamers get everything and America gets nothing in return. You all have given great examples of the benefits that you bring to the communities that you are a part of. And so I hope we start understanding the central issue that immigrants who have come to this country add to the strength and vitality of America. And your individual contributions make that case more eloquently than anything I could say. So I want to say thank you.

I want to just now turn to Yatta Kiazolu if I pronounce that correctly because you I think so wonderfully represent a great community in my home State. Liberia, I have had the privilege of going to Liberia to see firsthand the status things in Liberia. Can you talk a little bit about what this uncertainty in your own status and what will happen at the end of the month means to you and to other Liberians who are DED holders and particularly how you start to think about the prospect of being forced to leave America, the only country you know, and what that would mean practically in your life?

Ms. KIAZOLU. So thank you for your question. DED for Liberia ends in 25 days. And this experience has been without a doubt the most terrifying thing I have ever been through, and I just find the whole situation to be ultimately dehumanizing. I know for myself and other Liberians who are on DED—I have met a mother whose child requires open heart surgery who is also on DED—we are in a state of panic. Our communities are in a state of panic, and our communities are in a state of crisis. And so for many people, including myself, I have had to pass up on job opportunities because I couldn't commit to working past March 31st. It means financial gaps. It means abandoning children and homes. And so we really appeal to Congress to pass something, to pass a permanent solution for DED, TPS, and DACA.

Mr. CICILLINE. Thank you.

Mr. Graham, you know, of the many causes which you could have taken up, you took up this cause, TheDream US. And you said it was founded in your written testimony by a prominent Democrat and a prominent Republican. I wonder if you would talk a little bit about what has changed in your view that this doesn't seem to be as bipartisan an issue as it should be and why you chose higher education as a particular focal point as it relates to dream-

ers and the impact that is long-term for these young people at the table and others that they represent.

Mr. GRAHAM. Congressman, I am from Washington, D.C. And that has made me an expert, among other things, on the difficulties of out-of-state tuition. I came to this House 20 years ago and met with Republicans, who were then in the majority. And they crafted along with Democrats the D.C. tuition assistance grant, which made it possible to more than double the number of D.C. public school students attending college and graduating from college. But in keeping our statistics, we noted one group where college attendance was zero, and that was the dreamers. And I was puzzled by this and unable to understand what the problem was. So I met a bunch of dreamers. And that is what started my journey to this.

I had been interested in issues of access to higher education. And the dreamers are the most unique problem going. They cannot get Pell Grants. They cannot get loans. They cannot get DCTAG. In most states, they cannot get state grants either or state loans. So, in effect, they can't go to college unless the college gives them a full scholarship. Colleges are magnificent in dealing with the dreamers. What each of our students talked about, the tension, the pressure brought into their lives by the temporary nature of DACA and TPS, is not, in the least, exaggerated.

Thank you for the question, Congressman. I don't find any diminishment in bipartisan sentiment. I was really heartened by Ranking Member Collins' statement that he would like to work toward a bipartisan solution for DACA and TPS in the course of this Congress, and I take it to heart. I have found this among members of both—

Chairman NADLER. The gentleman's time has expired.

Mr. CICILLINE. Mr. Chairman, I have a unanimous consent request.

Chairman NADLER. The gentleman will state his unanimous consent.

Mr. CICILLINE. I ask that a letter from a coalition of 30 labor groups, including the AFL-CIO, American Federation of Teachers, AFSME, United Auto Workers, and United Steelworkers, and a second letter from the Service Employees International Union be made a part of the record.

Chairman NADLER. Without objection.

[The information follows:]

REP. DAVID N. CICILLINE FOR THE RECORD

March 4, 2019

The Honorable Nancy Pelosi
Speaker
United States House of Representatives
235 Cannon House Office Building
Washington, D.C. 20515

The Honorable Kevin McCarthy
Republican Leader
United States House of Representatives
326 Cannon House Office Building
Washington, D.C. 20515

Dear Speaker Pelosi and Leader McCarthy:

As labor organizations representing millions of workers in the U.S., we urge you to renew Temporary Protected Status (TPS) designations and pass legislation in the U.S. House of Representatives as soon as possible. Congress should act no later than the first 100 days of the 116th Congress to provide permanent protection and a path to citizenship for Dreamers and individuals with TPS or Deferred Enforced Departure (DED).

As you know, there are large numbers of TPS holders and Dreamers in the United States. Many of these individuals are valued members of our unions and our labor community. They work in construction, restaurants and food service, meatpacking and food processing, childcare, grocery stores, schools, and many other industries in which we represent workers. They are homeowners, and parents to over hundreds of thousands of U.S. citizen children.

Deportation of TPS holders and Dreamers, who are experienced and have an expertise in their jobs, would be devastating to the U.S. economy, as well as harmful to our organizations. While courts have recently acted to protect TPS holders and Dreamers, those protections are only temporary. We must pass legislation to provide permanent protections to these valued workers.

When TPS holders and Dreamers are at risk, all workers are more vulnerable to employer abuses. However, when workers, including TPS holders and Dreamers, have legal status and rights, all workplaces benefit from higher wages, safer workplaces, and the right and ability to form and join a union.

Last year, bills to provide permanent protection and a path to citizenship for TPS holders and Dreamers had the support of a majority of the Members of the House of Representatives. On behalf of the undersigned unions, we call on the House of Representatives to act immediately to enact such legislation to save these valued members of our labor organizations and the general community.

Please contact Danielle LeClair at dleclair@liuna.org with any questions.

Sincerely,

AFL-CIO
American Federation of Musicians

The Honorable Nancy Pelosi and The Honorable Kevin McCarthy
March 4, 2019
Page Two

American Federation of State, County and Municipal Employees
American Federation of Teachers
Asia Pacific American Labor Alliance
A. Philip Randolph Institute
Bakery, Confectionery, Tobacco Workers and Grain Millers' International Union
Coalition of Black Trade Unionists
Communication Workers of America
Department for Professional Employees, AFL-CIO
Guild of Italian American Actors
International Alliance of Theatrical Stage Employees
International Association of Machinists
International Association of Sheet Metal, Air, Rail and Transportation Workers
International Brotherhood of Teamsters
International Federation of Professional and Technical Engineers
International Union of Bricklayers and Allied Crafts
International Union of Operating Engineers
International Union of Painters and Allied Trades
Ironworkers International Union
Labor Council for Latin American Advancement
Laborers International Union of North America
National Education Association
Office and Professional Employees International Union
Screen Actors Guild – American Federation of Television and Radio Artists
Service Employees International Union
Stage Directors and Choreographers Society
UNITE HERE
United Autoworkers
United Food and Commercial Workers
United Mine Workers of America
United Steelworkers
Writers Guild of America, East

cc: All Members, U.S. House of Representatives



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Written Testimony of
Mary Kay Henry
President of the Service Employees International Union (SEIU)
Submitted to the
U.S. House of Representatives Judiciary Committee
for a Hearing on
Protecting Dreamers and TPS Recipients
Wednesday, March 6, 2019

The Service Employees International Union (SEIU) values the opportunity to provide testimony to the House Judiciary Committee and urges Congress to swiftly enact legislation to provide permanent protection and a path to citizenship for Dreamers, Temporary Protected Status (TPS) holders, and persons with Deferred Enforced Departure (DED).

The Service Employees International Union (SEIU) represents 2 million members across the United States and Canada. Founded in 1921 by immigrant janitors in Chicago, SEIU is deeply committed to immigrant and racial justice. Our mission statement embedded in our Constitution states "We believe our strength comes from our unity, and that we must not be divided by forces of discrimination based on gender, race, ethnicity, religion, age, physical ability, sexual orientation, or immigration status." We represent diverse immigrant communities across North America and, consistent with our core mission statement and Constitution, work to enforce equality and non-discrimination in the workplace and in our country's institutions.

SEIU is the largest healthcare union in the United States and more than half of SEIU's members work in the healthcare industry as doctors, nurses, lab technicians, aides, home care and nursing home workers, and other medical service and professionals. Our members also include thousands of social workers, educators in early learning and family child care centers, and other public service workers employed by local and state governments. In addition, SEIU's members include, among others, janitors, airport workers, security officers, adjunct professors, graduate students, retail, distribution, laundry, and fast food workers. Our members have strong ties to diverse immigrant communities across North America and include foreign-born U.S. citizens, lawful permanent residents, and immigrants authorized to work in the United States, including as recipients of TPS, DED, and Deferred Action for Childhood Arrivals (DACA).

For nearly 30 years, the TPS statute¹ provided humanitarian relief and lawful immigration status to eligible immigrants whose home countries' experience natural disasters, armed conflict, or other extraordinary conditions that make return unsafe. Similarly, DED offered a safe haven to Liberians impacted by two brutal civil wars and living in the U.S. since 1991. Since 2012, the DACA program has permitted young immigrants to achieve their dreams and give back to the country in which they were raised. Absent legislation, the vast majority of those who have benefited from these programs – and who have given much to our country in return – face removal to lands they left long ago.

TPS, DED and DACA recipients have made invaluable contributions to the American labor force as homecare providers, community health workers, doctors, lawyers, janitors, childcare workers, and more. They are the working parents and siblings of hundreds of thousands of American citizens,² providing what is often their family's sole source of income. Our country chose to offer TPS, DED and DACA recipients stability, the opportunity to work, and a place to raise their families in safety. In response, TPS recipients worked hard, paid taxes, purchased homes, volunteered at their children's schools and churches, and contributed to their communities and our economy.

SEIU's members reflect the integral role TPS, DED and DACA recipients play in the economic and social fabric of American communities, and their countless contributions to our country.

- An SEIU member residing in Brooklyn, New York, is a recipient of TPS, who traveled to the United States before the devastating earthquake in Haiti to promote the culture and heritage of Haiti during the Haitian Independence Day celebrations in Miami. In Haiti, he was a teacher both of art and martial arts, and after arriving in the United States, he continued teaching art and culture to young Haitians. Through TPS he has been able to work as a security officer at LaGuardia Airport ensuring our country's safety while working part-time job as a martial arts instructor.
- An SEIU member living in San Jose, California with his U.S. citizen siblings, aged 18, 12 and 8, is a DACA recipient who came to the United States from El Salvador when he was 8-years-old. He attended school in California, graduating high school and later attending community college. DACA allowed him to become a homecare worker caring for an elderly man who is blind, diabetic, has kidney failure, a pacemaker, and is on dialysis. He picks up his siblings from school, helps them with their homework, and does chores around his house. He attends church regularly and is involved in a leadership development

¹ 8 U.S.C. § 1254a.

² Priscilla Alvarez, *Will DACA Parents Be Forced to Leave Their U.S.-Citizen Children Behind?*, The Atlantic, Oct. 21, 2017, <https://perma.cc/XD7H-282Q>; Robert Warren & Donald Kerwin, *A Statistical and Demographic Profile of the US Temporary Protected Status Population from El Salvador, Honduras, and Haiti*, 5 J. ON MIGRATION & HUM. SEC. 577, 578 (2017).

program with his millennial co-workers. As a child in El Salvador, he faced danger and uncertainty. DACA has allowed him to live in safety and security in the U.S. and contribute to our economy and his community.

- An SEIU member living in Atlanta, Georgia entered the United States from El Salvador nearly three decades ago, and as a TPS recipient she has been able to work in an industrial laundry for 26 years. She pays her taxes, volunteers in her community, her union, and her workplace, and is deeply connected to her U.S. citizen child and grandchildren, one of whom is a member of the military.

Legislation is desperately needed so that these SEIU members and thousands of others who have lived and worked in the United States legally for years and even decades can remain here without fear of deportation and thrive. The time in which they have lived in the United States has changed their relationship to our nation as they have formed families, close friendships, and developed valuable skills. No one benefits if they are now forcibly removed.

SEIU members support a permanent solution for Dreamers and people with TPS and DED because we know that working people and their loved ones – no matter where they were born – want and deserve the same things: economic stability and security for their families. Whether a TPS recipient janitor from El Salvador who cleans the Harvard University campus, a DACA recipient community health worker from Mexico who is the sole caretaker of her three American-citizen siblings in California, or a DED recipient from Liberia who cares for the elderly and disabled in Minnesota, immigrants across every sector touch all our lives, contribute to America, and deserve to be treated with dignity and respect.

As things stand, these hardworking individuals confront terrible uncertainty, and their families, friends, employers, and communities face needless loss. The loss is needless because Congress has the opportunity, and the duty, to prevent it. Legislation allowing them to stay and to adjust to permanent residence will preserve communities, grow our economy, and allow children, spouses and other U.S. citizen family members to remain with their loved ones.

SEIU has long strongly supported much broader reform that would put in place a fair immigration process that is consistent with our values, legalizes undocumented immigrants, ensures family unity, and levels the playing field for all workers. Sadly, that broader reform must wait. But permanent protection for Dreamers and TPS and DED holders is urgently needed to prevent the loss of status of nearly a million people, including SEIU members, and should be an immediate order of business for this Congress. SEIU urges Congress to enact such legislation to further our countries' economic strength and uphold our moral values.

Chairman NADLER. The gentleman from Pennsylvania, Mr. Reschenthaler.

Mr. RESCHENTHALER. Thank you, Mr. Chairman.

I just want to take an historical perspective on some of these issues. Looking back to '86, when the Immigration Reform and Control Act was passed, 1.1 million illegal immigrants were legalized under the so-called Special Agricultural Worker Program. According to some studies, up to two-thirds of the applicants for status under the Special Agricultural Work Program were fraudulent. This includes Mahmud Abouhalima's application. He received a legal status, despite the fact that he was a New York City taxi driver. Again, he received this status under the so-called Special Agricultural Work Program. This man also helped orchestrate the 1993 World Trade Center attacks. The only thing this terrorist ever planted was a bomb.

Mr. Arthur, if this committee considers legislation to provide legal status for certain groups of illegal immigrants, what should be done to ensure we don't see the same levels of fraud that we saw in '86?

Mr. Arthur. One of the proposals, sir, that was included in one of the—which I think is included in the DREAM Act from the last Congress; I don't know if it is from this one—is a confidentiality provision. And I was an INS trial attorney in San Francisco and Baltimore. And in the A files, the alien files, all of that information is contained under a red cover. You can't go under that red cover. None of that information is available. And, quite frankly, the respondent in court may make a statement that is completely different from that. Confidentiality provisions do nothing except for protect ineligible and removable aliens. They should not be included. And they are a statute of frauds.

Mr. RESCHENTHALER. Mr. Arthur, in your opinion, what could happen if we provide legal status to certain illegal immigrants, yet we don't address illegal immigration enforcement issues?

Mr. ARTHUR. We are going to be back here in a couple of years, maybe even with the same group of individuals. Every amnesty brings with it the same two issues. One, it encourages additional legal immigration. Two, there is a huge amount of additional legal immigration that comes from chain migration, as I mentioned before. The President's proposals of January of 2018 actually would have mitigated these things. It is not a tradeoff. It is not a quid pro quo. It actually mitigates the problems, beefs up border security, and addresses the issue of chain migration.

Mr. RESCHENTHALER. Thank you, Mr. Chairman. I yield back the remainder of my time.

Chairman NADLER. Thank you.

The gentleman from Maryland, Mr. Raskin.

Mr. RASKIN. Mr. Chairman, thank you very much.

Mr. McClintock began by apologizing for Mr. Johnson's statement. And I want to begin by apologizing for Mr. McClintock's statement because he said something that must have been very painful to the young people on the panel when he said that the dreamers are stranded without a country and they don't even know their own country.

And I want to say, with Mr. Cicilline, I was listening to you guys. I was filled with pride and admiration for what you have done. And I want to tell you that this is at least one member of Congress who knows that this is your country. This is where you belong. And it is the only country that you know. And we are going to fight for you to stay here and to adjust your legal status so you can be permanently and indefinitely a part of America.

James Madison said that America would be an asylum to the persecuted and oppressed of people of all religions and nations. Tom Paine said we would be an asylum for humanity, a haven of refuge for people fleeing oppressive circumstances from around the world.

So I look at you, and I see in you all of the hope of this great country. I see my children. One of you is going to be a doctor. I have a daughter who wants to be a doctor. One of you is an historian, on the way to being an historian. I have got a son who may want to be an historian, maybe a lawyer, too, maybe an historian and a lawyer. One of you is working in corporate America, and I have got a daughter working in corporate America. And I am so proud of her, and I am so proud of what all of you have said today.

Now, I would like to give each of you guys 15 seconds—but I am going to hold you to it because we are on strict time limits here—to tell us what America means to you. What does America mean to you, Mr. Park? Let's start with you.

Mr. PARK. Thank you, Congressman, for your question.

America to me, it is home. And I don't think that my achievements have nothing to do with the fact that I have grown up here. And I have made deep, deep, and profound connections to the people and to the institutions and to the practices here.

Mr. RASKIN. Thank you.

Ms. Kiazolu.

Ms. KIAZOLU. America to me has meant promise. As an historian, I think about many women whose histories of progress has created a much better society for all of us. And so I look forward to being able to make my own contributions in that way.

Mr. RASKIN. Thank you.

Ms. Irazoqui-Ruiz.

Ms. IRAZOQUI-RUIZ. The United States is my home. I have been here since I was three years old. And I don't know any other place other than this. I went to public school here. I went to UNM. I am at the medical school there. And I want to provide medical care in the State of New Mexico. I don't know anything other than this place.

Mr. RASKIN. Thank you.

And Mr. Yanez.

Mr. YANEZ. Yeah. To me, America means that, you know, a kid who is homeless, despite the obstacles you face, you know, he believed in the American dream. I believe in freedom, prosperity, working hard, just standing on your own two feet. And that is exactly what this country has provided for me.

Mr. RASKIN. All right. Well, I thank you all for those eloquent, heartfelt statements.

Mr. Palma, let me ask you. You are here I know under TPS. And I have tens of thousands of people in my district who are under

TPS. We have a lot of people from Salvador, from Honduras, from Guatemala who fled the civil wars and the authoritarianism and the death squads, and which, of course, America was implicated in in the 1980s, and who are here part of our country. Please, if you could also hold to 15 seconds?

Mr. PALMA. Yeah. Thank you for the question. I think America to me is a welcoming place where you can have an opportunity and set the future generation to even a better path than yourself. That is to me the America I believe.

Mr. RASKIN. Very good.

Mr. Graham, let me come to you about TheDream US. You have devoted yourself to people in their situation, to dreamers, to young people who are here. They are in high school here. They grew up. Many of them went all the way, K through 12, in America, some of them in the armed services. Some are working. But your group, as I understand it, is giving scholarships to people who otherwise wouldn't be able to get them because of their status. I think I saw you testified you have given away, what, tens of thousands of them. But how many kids do you have to turn away? Give us a sense of the numbers.

Mr. GRAHAM. Thank you, Congressman. We have about twice as many applicants. We have no advertising budget. So students have to find us. And we are a new program. But we turn away about an equal number to what we grant.

Mr. RASKIN. I think you are going to be getting a lot more applicants now that you have testified for the first time before Congress.

Mr. GRAHAM. Well, here is hoping so because so many dreamers and so many TPS students are wildly successful in college. They are told they can't get there. Once they get in, they perform magnificently.

Mr. RASKIN. Okay. And, finally—

Chairman NADLER. The time of the gentleman has expired.

Mr. RASKIN. Thank you, Mr. Chairman.

Chairman NADLER. The gentle lady from Arizona, Mrs. Lesko.

Mrs. LESKO. Thank you, Mr. Chairman.

And thank you, all of you, for coming today and all of you in the audience. I was over in Homeland Security Committee right before this. And we were talking with Secretary Nielsen, the secretary of Department of Homeland Security. And so today for me, it is all about these type of issues.

I do have a question for Mr. Arthur. And, you know, in Congress, last year, we proposed several bills on immigration reform. And one of them I supported would have combined legalization for DACA recipients along with funding for border security and also reforming some of our immigration laws that I believe are too loose right now, especially on asylum claims. And some of our laws right now are actually having cartels use these men and women and children and incentivize them to travels thousands of miles to get here. And, as we just heard testimony from Secretary Nielsen, like 30 percent of the women are sexually abused. Girls as young as 10 years old are given pregnancy tests because we are afraid that they are being sexually abused by these cartels.

And so I guess my question to you is, do you think that we should pass legislation similar to that that is a comprehensive ap-

proach to not only helping DACA recipients but also securing our border and changing our immigration laws so that we can solve this together or, you know, otherwise I am, quite frankly, afraid that if we just do one piece and don't combine it with the other, that we are just going to get one piece and the problem is going to continue? Do you agree with me? Do you think that we should have a more comprehensive approach?

Mr. ARTHUR. Thank you, Ms. Lesko. With respect to the direct question, yes, it needs to be comprehensive. We need to turn off those magnets that are encouraging people to undertake this risky journey. About two-thirds of the individuals who travel to the United States are the victims of some sort of violent assault. About one-third of women—I think it is actually 31 percent—are sexually assaulted on that journey to the border. Smuggling, according to the United Nations, it was about a \$3.7 to \$4.2 billion industry between 2014 and 2015. So we are talking about a big business. And when you are out in the middle of the desert, you are at the mercy of that individual, and that person can do anything that they want to you. And these smugglers do not advertise the dangers of the journey before people undertake it.

We need to turn off that magnet. We need to take away the incentives that encourage people to, one, undertake the risky journey themselves, as President Obama proposed; two, to not bring their children with them to the United States; and at the same time, to also, you know, end the chain migration, you know, that will increase, exacerbate the effects of the—

Ms. LESKO. Thank you. Thank you very much.

And with the little over one minute I have left, I have a question for Mr. Yanez. Sir, I understand you yourself are a DACA recipient. And thank you for coming today to talk about your experience. I appreciate that.

My question for you is, what do you think the Trump Administration is doing well to improve our Nation's immigration system?

Mr. YANEZ. First and foremost, if President Trump is hearing this, I first want to thank him for being compassionate and courageous because he has brought solutions to the table. He has proposed an opportunity to provide a pathway to citizenship. To me, like I said, it doesn't matter if you are Republican or Democrat. If you give me an opportunity, I am always going to be grateful for that.

At the same time, he has brought the issue and the importance of border security. Whether you agree with national declaration of emergency, that is up to you, but he has brought that to the forefront. And I think it is very important if you want to solve immigration reform that we need to talk about immigration control. We can't just have the dreamers. You know, unfortunately, it cannot just be all about the dreamers. We need to have border security personnel part of the discussion, angel families part of the discussion, a whole holistic view if we really want to solve this problem.

Ms. LESKO. Thank you, Mr. Chair. I yield back my time.

Chairman NADLER. I thank the gentle lady.

The gentleman from Arizona, Mr. Stanton.

Mr. STANTON. Thank you very much, Mr. Chair.

And I do want to thank the witnesses for being here today and sharing their powerful stories. You know, when we talk about dreamers, we often speak in big numbers. We talk about a lot of their achievements. We have heard some amazing achievements here today. And it is important to highlight those achievements. Fifty-seven percent of DACA recipients were able to get their first job. Fifty-eight percent opened a bank account. Sixty-two percent bought their first car. So, in addition to talking about these amazing achievements, we should learn the individuals' names and stories that help us understand emotionally what we already know intellectually.

Dreamers are our friends, our neighbors, our colleagues. And we are certainly better off because they are here. So I want to take a moment to highlight 5 of the estimated 26,100 DACA recipients from my State of Arizona. Salvador Macias graduated from Arizona State University and ASU law, a practicing attorney in Phoenix; Abril Gallardo, a leader with LUCHA, a grassroots organization that advocates for Arizona's working families. Abril was part of the movement that led to a minimum wage increase in Arizona which is benefitting hundreds of thousands of families in our State; Karina Ruiz, a biochemistry graduate of Arizona State University, president of the Arizona Dream Act Coalition; Reyna Montoya, an educator and founder and CEO of Aliento, a community organization that transforms trauma into hope and action. She is the first DACA recipient recognized by Forbes magazine as one of 30 under 30 social entrepreneurs here in the United States of America; and, last, Ellie Perez, whom I have gotten to know very well, born in Veracruz, Mexico, immigrated to the United States with her family when she was four. In 2013, she applied for and was granted DACA. She graduated from Arizona State University, became the first dreamer employed by the City of Phoenix while I served as mayor of that city. Ellie then worked on my campaign. And once elected, I wanted her to join me in the Nation's capital to work in my office, but because of her DACA status, she is unable to work in Congress, although she has the skills, the knowledge, and the drive to do so.

Because of dreamers like Ellie and others, who have the hopes and want to work in Congress one day, I was one of many original cosponsors of legislation introduced by my colleague from Arizona, Congressman Ann Kirkpatrick, the American Dream Employment Act, which would allow DACA recipients to work as staff members here in the halls of the United States Congress.

But let me be clear. It is not because of their accomplishments that they deserve to stay. It is not just because of their economic and cultural contributions that they should be officially welcomed into our Nation. Our humanity and our values are not dependent on their college degrees or taxes. They deserve to stay in the United States with peace of mind and a future to look forward to because Salvador, Abril, Karina, Ellie, Jin, Yazmin, Hilario, and the thousands of dreamers across our country are human beings who deserve to be treated with dignity. And I want that to be very clear.

The dreamers in my State of Arizona have made me extremely proud, not just because of their achievements, although there are

many, but because of their grit, their determination to fight for themselves and their communities. And let's make dreamers proud of us by finding the solutions that allow them to stay because they deserve to stay.

And of all the testimony we have heard here today, one person, in particular, breaks my heart: Dr. Ruiz. You used to live in Phoenix, Soon-to-be-Doctor, but you had to leave because we didn't offer instate tuition to dreamers. And now you are a student at University of New Mexico. We have a doctor shortage in the State of Arizona. I am going to try to recruit you back as soon as this hearing is over. But it is really heartbreaking that someone with your talent and skills chose to leave my State because of a self-defeating policy that forces young people like you to make college, in your case medical school, unaffordable.

So the question I have, really, is for you, Soon-to-be-Doctor. DACA recipients have been able to do many things. And those have been described here today. But why are DACA protections not enough? Why do you think this Congress should take that additional step and pass the DREAM Act into law, please?

Ms. IRAZOQUI-RUIZ. When you talk about recruiting me back to Arizona, I am finishing my third year of medical school and will be beginning my fourth year and soon be applying to residencies. In order to recruit me back to Arizona, I need to be able to apply to residencies and show them that, one, I will remain in this country, which is very tenuous right now in the situation that DACA is in. I applied for reapproval of my DACA permit and my two-year work permit. I have not received it yet. And so I am in the situation talking to administrators, talking to people that have dealt with DACA recipients of, what am I going to do? I will be able to finish school, obtain my M.D. And then can I even practice medicine?

Mr. STANTON. I thank you very much for that answer.

I don't know if anybody else had any additional. The question was, beyond DACA, why does Congress need to take that next step?

Chairman NADLER. The time of the gentleman has expired. Any witness may answer the question.

Mr. STANTON. Mr. Chair, I do have a unanimous consent request.

Chairman NADLER. We will take care of that in a minute.

Mr. Palma, did you want to say—please, sir.

Mr. PALMA. Yes. As a TPS recipient and I think everyone with DACA, I think that we have seen the potentials of everyone protected for these programs. I think that we should give the opportunity to make themselves comfortable in this country and give them the opportunity to live and start thinking in a permanent way, just see the potential in the things we have contributed. Just imagine what else can we do. Thank you.

Chairman NADLER. Thank you.

The time of the gentleman has expired. The gentleman has a unanimous consent request.

Mr. Stanton. Yes. I would like to submit for the record four statements from business organizations in support of what we are talking about here today, support for the dreamers and TPS and DED. Those letters are from the National Association of Manufacturers,

the Society for Human Resource Management, a business organization called TechNet, and the United States Chamber of Commerce. Thank you very much, Mr. Chairman.

Chairman NADLER. Without objection, the documents will be entered into the record.

[The information follows:]

REP. GREG STANTON FOR THE RECORD



Robyn Boerstling

*Vice President
Infrastructure, Innovation and Human Resources Policy*

March 5, 2019

The Honorable Jerrold Nadler
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

The Honorable Doug Collins
Ranking Member
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Nadler and Ranking Member Collins:

The National Association of Manufacturers believes legislation is the best way to assure a permanent solution that offers certainty for Dreamers and participants in the Temporary Protected Status program. This week's hearing is an important step welcomed by manufacturers to achieve a long-term solution for these populations facing ongoing uncertainty. The immigration system is broken, and elected leaders have an obligation to fix the system.

The National Association of Manufacturers represents small and large manufacturers in every industrial sector and in all 50 states. Manufacturing employs more than 12.8 million men and women, contributes over \$2.3 trillion to the U.S. economy annually, has the largest economic impact of any major sector and accounts for more than three-quarters of all private-sector research and development in the nation. The NAM is the powerful voice of the manufacturing community and the leading advocate for a policy agenda that helps manufacturers compete in the global economy and create jobs across the United States.

Manufacturers urge Congress to provide a path to citizenship for Dreamers and a path to permanent legal status for TPS recipients in the country, two populations facing continued uncertainty under our broken immigration system. Dreamers—individuals brought to the United States as children by their parents—continue to fear that they will lose the only home they have ever known. Individuals with TPS status participate in a long-standing humanitarian program designed to respond to global and regional challenges by allowing individuals to remain in the United States due to unsafe or unstable conditions in their home countries. In both cases, these individuals have often lived in the United States for decades and are integrated into communities and workplaces across the country. Absent congressional action, these individuals' futures in the United States are made uncertain by shifting administrative actions and unpredictable court decisions.

Congress needs to send a strong signal to this segment of the immigrant community that we welcome their talents, contributions of hard work, desire for education, and if serving, support their willingness to wear the uniform of the armed forces. Manufacturers call on Congress to assure Dreamers and TPS recipients that their future is safe. Manufacturers will stand by efforts that improve our immigration system and enhance border security.

The United States is a nation of immigrants, and the NAM believes that our communities and our economy are strengthened by the talents and skills that these two populations bring to America. Enacting bipartisan legislation to provide a permanent path forward for eligible

Leading Innovation. Creating Opportunity. Pursuing Progress.

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Dreamers and TPS recipients to remain in the United States is one aspect of the real reform necessary to improve our immigration system.

Beyond this week's hearing, manufacturers believe that now is the time for Congress to act to overhaul our broken immigration system. Congress should pursue solutions that bolster our national security, demonstrates compassion and establish an immigration system that reflects today's workforce economic realities. Because manufacturers are in the business of building solutions, the NAM recently unveiled "[A Way Forward](#)," a reasonable and practical proposal designed to address the challenges created by our current system and to fix those issues once and for all.

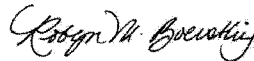
The NAM's "A Way Forward" proposal identifies seven core areas of action for Congress and the administration to take:

- Build walls, fences and barriers and employ other measures to strengthen border security;
- Prioritize America's workforce needs through reforms to the legal immigration system;
- Reform nonimmigrant visas and temporary worker programs to reflect employer needs, including a fund to support STEM programs so that we can reduce the need for these types of visas in the future;
- Provide a permanent and compassionate solution for populations facing uncertainty, including the Dreamers, who were brought here as children and know no other home;
- Reform asylum and refugee programs for a more orderly and humane system, including asylum standards consistent with our values;
- Fix the problem of the unauthorized population with a firm reset, requiring an orderly process of review, including financial penalties for those who seek to become legal and deportation for those who choose to stay in the shadows;
- Strengthen the rule of law so that it is respected and followed by all, with a focus on gang violence and also on requiring localities to cooperate to advance the enforcement of immigration priorities;

Congress must seize this opportunity and end the division that has come to define this issue. We know that not all aspects of this plan will appeal to all people, but we believe that a comprehensive solution requires compromise, and this proposal was designed with that in mind. A complete copy of the plan is included as an attachment.

We look forward to working with you and appreciate your consideration of this important issue.

Sincerely,



cc: The Honorable Zoe Lofgren, The Honorable Ken Buck

NAM Report

<https://docs.house.gov/meetings/JU/JU00/20190306/109000/HHRG-116-JU00-20190306-SD029.pdf>



Johnny C. Taylor, Jr., SHRM-SCP
President & Chief Executive Officer

March 6, 2019

The Honorable Jerrold Nadler
Chairman
U.S. House Judiciary Committee
2132 Rayburn House Office Building
Washington, DC 20515

The Honorable Doug Collins
Ranking Member
U.S. House Judiciary Committee
1504 Longworth House Office Building
Washington, DC 20515

Dear Chairman Nadler and Ranking Member Collins:

On behalf of 300,000+ human resource (HR) professionals of the Society for Human Resource Management (SHRM) and the more than 115 million employees they impact, I am writing to thank you and the committee for holding this hearing on Deferred Action for Childhood Arrivals (DACA) and for moving forward on this issue.

Given skills gaps, we must ensure that all workers educated and trained in the United States have the opportunity to contribute their talents to the economy. SHRM supports bipartisan solutions to modernize workplace immigration and create better workplaces for a better world.

By tackling the issue effectively now, Congress can build momentum that will lead to solutions for other important challenges like modernizing our workplace immigration system. SHRM stands ready to work with you and the executive branch on these important matters.

Sincerely,

A handwritten signature in black ink, appearing to read "J.C. Taylor".

Johnny C. Taylor, Jr., SHRM-SCP
President & CEO

CC: Members of the House Judiciary Committee



TECHNET
THE VOICE OF THE
INNOVATION ECONOMY

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March 6, 2019

The Honorable Jerrold Nadler
Chairman
House Judiciary Committee
2132 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Doug Collins
Republican Leader
House Judiciary Committee
1504 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Nadler and Republican Leader Collins,

We welcome this opportunity to submit comments for the official record of the March 6, 2019, hearing of the House Judiciary Committee titled, "Protecting Dreamers and TPS Recipients."

TechNet is the national, bipartisan network of innovation economy CEOs and senior executives. Our diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over three million employees and countless customers in the fields of information technology, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance.

On behalf of our 84 members — several of which count Dreamers among their employees — we thank you for holding this hearing and working in a bipartisan manner toward a permanent legislative solution for these young people.

Since the Trump Administration decided to end the Deferred Action for Childhood Arrivals (DACA) program in the fall of 2017, the Dreamers' legal status has been unclear. While legal challenges to the administration's action have enabled them to remain in the U.S. as the dispute is resolved in the court system, continued Congressional inaction is compounding the uncertainty that Dreamers face in their lives as well as the employers they work for, jeopardizing their future and our economy.

Dreamers are valued members of our communities and make important contributions to our economy every day. The nearly 800,000 Dreamers who were brought to our country at a young age are now participating in the workforce, pursuing higher education, and even bravely serving in our military. As 91 percent of them are employed, they contribute billions of dollars in economic activity to our GDP. If their legal status were to be revoked and their employers were required to



let them go, it is estimated that our economy would lose \$460.3 billion over the next decade.

For these reasons, TechNet is a member of a coalition of over 800 business leaders that advocates for Congress to pass a permanent legislative solution to the Dreamers' immigration status.

There is a broad, bipartisan consensus in this country that the Dreamers should be able to remain legally in the only country they have been able to call home. Many members of both parties have worked in good faith for over a decade in Congress to find compromise on this issue, but policy and political disagreements have led to gridlock at every attempt. This time, Congress must not let partisan divisions get in the way of doing what is right and provide Dreamers with the certainty they deserve.

Sincerely,

A handwritten signature in cursive script that reads "Linda Moore".

Linda Moore
President & CEO

<https://www.uschamber.com/press-release/us-chamber-statement-the-record-house-judiciary-committee-hearing-entitled-protecting>



U.S. Chamber of Commerce

U.S. Chamber Statement for the Record on House Judiciary Committee Hearing Entitled “Protecting Dreamers and TPS Recipients”

Wednesday, March 6, 2019 - 9:30am

Washington, D.C. — The U.S. Chamber of Commerce issued the following statement for the record in anticipation of today's hearing entitled "Protecting Dreamers and TPS Recipients" being held in the House Judiciary Committee:

"We commend Chairman Nadler for convening this hearing on two very important immigration matters. American businesses across a host of industries are very concerned about the uncertain future for their employees who are DACA recipients or TPS beneficiaries. If the DACA rescission and the cancellation of TPS designations are fully implemented, approximately 1 million people who can legally work in the U.S. today will lose their ability to do so. Many TPS beneficiaries have legally lived and worked in our country for nearly two decades, while DACA recipients and the broader population of Dreamers know no other home than the U.S. Deporting these people would not only contradict our nation's economic interests; such actions would be irreconcilable with the fundamental principles that have made our country great.

"We hope the members of this committee seize the opportunity before them to work together and craft legislation that provides Dreamers and long-term TPS recipients with the certainty they need to continue building their future in the U.S. The way to achieve legislative success and provide relief for these groups of people is through bipartisan compromise. Partisan legislative efforts to address these issues in recent memory have all failed, and it is long past time for Congress to solve these problems and many others, including the enactment of much needed improvements to our nation's border security efforts and our legal immigration system. We look forward to working with the Committee as it pursues bipartisan legislation that will provide permanent, legislative relief for Dreamers and long-term beneficiaries of the TPS Program."

© The U.S. Chamber of Commerce

Chairman NADLER. I now recognize the gentleman from North Dakota, Mr. Armstrong.

Mr. ARMSTRONG. Thank you.

We have a doctor shortage in North Dakota, too. So if you enjoy all four seasons, we would love to have you. [Laughter.]

Mr. ARMSTRONG. And, seriously, I think it is important because this is a political exercise. This is a policy exercise. This is a short-term issue. It is a long-term issue. There are so many different unintended consequences. But it is your lives. And we always have to recognize that. And it is something that has been—I agree with Ranking Member Collins that given the current makeup, we have to deal with some small issues particularly, but the problem with immigration is that almost never works. We get into a situation where a Temporary Protected Status may not be granted by future administrations solely because of how we end up here.

My wife is a legal immigrant. She has a green card. I think when we talk about what qualifications or what kind of offenses you have where you wouldn't qualify anymore, we have to recognize that almost all criminal issues are creatures of state statute, not Federal statute. So how we deal with a marijuana conviction in North Dakota compared to Colorado can directly affect your immigration status as a legal immigrant. And so when you carry it over to DACA or any of these issues, it happens the same thing. I personally don't think anybody, whether you are a dreamer, whether you are a DACA recipient, should be told to leave this country because you smoked a joint when you were 19 years old. I don't believe that. But how it is treated in different—in North Dakota, we had to change our probation law down from 365 days to 360 days. We never intended a misdemeanor to be qualified as a felony. What we found out is it was being qualified as a Federal felony.

So when we get into these small temporary or deals where we actually try to move forward, we have to understand that they do have long-term policy repercussions. And then when we get into the big long-term policy repercussions, we turn into complete absolute legislative inertia because now everything comes into play: how we deal with streamlined immigration, how we deal with legal immigration status, how we do that for people here because guys like me, as much as I want to do something, I don't think that we should treat anybody in a better situation than we do a current legal immigrant holding a green card. And so we get into these types of situations and we move forward. And I have about 10,000 questions, and I am not sure I am going to ask 1 because it is. It is complex, and it is nuanced.

I live in a border town. My first 20 public defense cases, the first 15 were illegal reentry of previously deported alien. And they are coming across. And if somebody is from Winnipeg, Canada and they want to come shopping in Grand Forks, North Dakota, if they have a prior shoplifting charge, they can't get into the country legally.

So I am hopeful we can find some kind of solution or at least some kind of meaningful temporary solution that we can work with all of these immigration issues, particularly like dealing with these issues, so when you do get status here and you go through the legalized citizen process and all of that, that we can do it in a man-

ner in which it is more efficient, it is more streamlined, it is a way to handle. But we have to be careful, and we always have to recognize that there are people here with that status that have done it the right way. And, regardless of who you are or how you got here, we have to make sure that we are fixing that process for them as well and not just for you all.

But there is an opportunity to do something here. We need to continue to do it. And I just want you to know that either side of this aisle, there are people here that really, really want to work with this. And I recognize that, like I said, this is not just a political exercise. This is not a policy exercise. You guys are living this every single day. And it is unfair to all of you that has happened, and we need to continue to work forward.

But, I mean, I will actually ask one question. And it is for anybody. So when we do this, like—and I am just going to use—we do this a lot in the Federal Government. We create a situation, and then we create a waiver process. And then we come back to it. And we just make it an automatic waiver. Once we institute it, we institute it with good intentions. And Temporary Protected Status is a perfect example. There are various reasons why it is granted. There are various reasons why it was granted in the past. There are various reasons why we need to continue granting it now and in the future. But how do we tighten that up so we make it so we don't grant these automatic waivers so it actually is a meaningful exercise? Because that is part of the reform that I think we actually could do here pretty quickly.

Mr. ARTHUR. If I could, sir?

Mr. ARMSTRONG. Yes.

Mr. ARTHUR. In my testimony, in my written testimony, I actually note the fact that it should be good for one year and it should be sent to Congress so the Congress can do an up-or-down vote on Temporary Protected Status to make sure that it is the temporary benefit that it was meant to be and because the danger is future administrations may not use it in an appropriate situation because of the ratchet effect it would have.

Mr. PALMA. I think that the TPS has been renewed by both political parties, Republicans and Democrats, because there has been always a reality in why to renew it. I think at this specific moment, we should be thinking about this population that has been living in the United States for more than 20 years who have roots in their communities. And we should be thinking about that community and how to support the country for this community to continue living in a safe place.

Mr. ARMSTRONG. Thank you. And I completely agree with you. I think when we start drawing these lines, what we end up having is 17,000 different lines. And that is where the problems become. And I don't think we should. I think we should figure out a way to deal with this temporarily and then really truly solve it in a permanent manner.

Chairman NADLER. The gentleman's time has expired.

The gentle lady from Florida, Ms. Mucarsel-Powell.

Ms. MUCARSEL-POWELL. Thank you, Mr. Chairman.

This is a very emotional issue for so many reasons. You know, I am an immigrant, like yourself. I came here at the age of 14. And

I know that we have a room full of dreamer DACA recipients, TPS. I just stepped out for a few minutes to meet so many of them from Florida, from my district. We have a large population of dreamer DACA recipients and TPS recipients, who right now, as we hear today, are living in limbo.

You have placed your roots here in this country. As far as I am concerned, you are as American as any of us. And it gives me great optimism to hear my colleague across the aisle being committed to finding a solution because one of the problems—and I do hear this coming from the other side—is that they talk a lot about the rule of law and coming here legally, well overstaying their visas. The problem is that this country doesn't provide a line, a path to citizenship. It doesn't provide a line for permanent residency.

We have so many members of our community who are right now just like all of you: studying to be doctors, providing healthcare services that are so greatly needed in my community. You are teachers. You are parents. You are business owners. The economic impact would be tremendously negative if you were to from one day to the next leave. We need each and every one of you in this country. And we will do everything in our power in the House—I can tell you that in this committee—to make sure that we provide a safe place for you because you are American.

I want to bring up a few examples of people that I actually just met with. And one of them is a student who just graduated from college. And she wants to be an attorney, and she doesn't have the funding to go to college because the State, Florida, doesn't provide scholarships for DACA recipients. So my first question is to Mr. Graham. I don't know if you have done a study on this, on what it would be economically speaking, the economic impact of actually providing college scholarships, graduate school scholarships for dreamers in the State of Florida, what it would mean for us in terms of our progress, our economy, and the impact in our communities.

Mr. GRAHAM. Thank you for the question, Congresswoman. I can't do a horseback estimate of that, but there are 10 states now, including the State of California but also including the State of Texas, Washington, Minnesota, very recently New York, New Jersey, and Connecticut, that give state aid to dreamers equally with state aid to other eligible students. Each has a residency requirement. You have to have graduated from high school and in some cases gone three years to high school to be eligible for state aid.

It would be relatively easy to ask California or Texas education officials what has been the effect of that. And, as you know, Florida and most states gather records from all of their state colleges and all private colleges in the case of Florida and look at the effect on their earnings. So the question you are asking could be answered by asking any of the 10 states that give state aid to dreamers.

Ms. MUCARSEL-POWELL. Okay. Great. Thank you.

I wanted to ask again Yazmin—very exciting. You know, we need women like you. We need Hispanic women that study to be doctors. There is such a tremendous shortage of healthcare providers but especially in medical schools. I used to work at a medical school. And we were constantly trying to recruit women, women of color that have the cultural sensitivity to provide healthcare services to

these communities, especially down in Miami and in Florida. So my question goes to you.

How has this recent DACA rescission negatively impacted your ability to excel as a medical student?

Ms. IRAZOQUI-RUIZ. I really appreciate your question. Thank you for that question.

In 2017, I took an entire leave of absence from medical school. And the background to that is the presidential elections and the inauguration had a lot of implications for me and for my family and people who are like us. There had been a lot of talk during the presidential campaigns about what would happen to DACA and what would happen to immigrant families based on the promises of people who were running. And mentally as a human being who loves this country and who is giving everything because this is my home, theoretically and also hearing from people back home in New Mexico, which is a majority minority state, that I don't belong here, that this isn't my home, and that I am taking the place of a natural-born citizen was really difficult. So I took an entire year off school to spend time with my community and to realize their realities. Whereas, my biggest worry was my next test and how I am going to perform, their biggest worry was "My dad just got detained and he got deported, and we don't know how we are going to pay rent."

It has been really difficult. I just shared I finished my surgery clerkship, and I am going to be really vulnerable with you all. I literally had a breakdown four days before my shelf exam, which is the National Board of Medical Examiners exam at the end of the surgery clerkship, because the uncertainty as I had tried to begin to apply to residency of "What am I going to do? I am working so hard right now. And at the end of the day, it may be worth nothing." So I literally spent 30 minutes crying. And then I was like wiped my tears, got on my computer, cried a little bit more. I was like, "I have to keep studying." But it is really difficult on my mental health and the mental health of my peers. There are four other undocumented students at the medical school who are experiencing the same thing.

Chairman NADLER. The time of the gentle lady has expired.

Ms. MUCARSEL-POWELL. Thank you. Thank you. We need you.

Chairman NADLER. The gentleman from Texas, Mr. Gohmert.

Mr. GOHMERT. Thank you, Mr. Chairman. And thank you all for being here.

A question for Mr. Arthur. Since you had been an immigration judge, you had said in your testimony that you had cases that involved threats of violence from gang members of tender years, some as young as 12. You said "youth" can be a relative term as it relates to different cultures. And we note that we have got criminal gangs that have become a scourge here in the United States. We have got recently an uptick in crimes committed by alien gang members, including multiple murders from MS-13, 18th Street gangs, right here in Virginia, Maryland, D.C., New York, and Texas. So if Congress were to actually pass a legalization of people who were children that were brought here by parents coming in illegally, how would you seek to deal with the gang members who came in?

Mr. ARTHUR. And that is a very important question. I would note that former Representative Randy Forbes had introduced a bill I believe in a number of different Congresses that would have made gang membership itself a ground of inadmissibility and removability. And, again, quite frankly, Judge Gohmert, I believe that it probably should be because these are individuals that prey on their own communities, by and large. They are more of a danger to their own communities than they are to the country at large, but, in fact, they are a danger to the country at large as well.

We had a horrible incident up in Kensington, Maryland in which a young woman who had been sex-trafficked to the United States was beaten with a baseball bat. I believe it was 23 times because they did not—anyway, I would prefer not to complete that sentence.

Mr. GOHMERT. Yes.

Mr. ARTHUR. So it is an issue. The other issue is that, you know, we talk about the violence that exists in these countries. A lot of the violence that exists in El Salvador is a result of MS-13. We know from the Obama Treasury Department that MS-13 funnels money that it makes in the United States through sex trafficking, amongst other things, back to El Salvador to continue the cycle of violence that exists in that country.

So, again, we should make gang membership a ground of removability. It should be a definite bar to any DACA receipt. And I think that Representative Forbes' bill, which I can send to the committee, is definitely a good template to use.

Mr. GOHMERT. Well, and you mentioned gang membership should be a bar, but back as a felony judge in Texas, a common problem—and it is a problem for people that are U.S. citizens and people that were brought here illegally—is driving while intoxicated and, obviously, other crimes. You know, there was a child—I think she was four—killed and thrown in a well in my home county by someone who came in illegally. Shouldn't there be a bar to people that have come in and committed crimes while here? And if you think so, to what extent of a crime would be a bar?

Mr. ARTHUR. I would note that multiple criminal convictions are themselves a ground of removability. Drunk driving is not actually a ground of removability. I think that surprises a lot of people. There have been a number of proposals in the past to make it such. Mothers Against Drunk Drivers estimates that the average drunk driver drives 90 times drunk before they are arrested the first time. So one conviction actually represents 90 different offenses. And, again, you know, my son drives on the highways of America. I wouldn't want him to be the person that encounters that individual the 90th time.

Mr. GOHMERT. Well, I had had a guy that had nine DUIs before he came into my courtroom because he finally not just drove while intoxicated but hit some people and hurt them very seriously. Don't you think that ought to be a bar if you have been convicted of driving under the influence or driving while intoxicated?

Mr. ARTHUR. Definitely should be a bar. It should be a bar. It currently is a bar to DACA, but I definitely think that it should be a ground of inadmissibility and removability from the United

States. I believe that Canada has a rule exactly like that, and we should adopt it.

Mr. GOHMERT. Yes. Well, thank you. So it appears the most compassionate thing we could do for the people in Mexico and Central America is secure the border so the money doesn't keep flowing to the drug cartels and the gangs.

Thank you for being here. I yield back.

Chairman NADLER. I thank the gentleman for yielding back.

The gentleman from California, Mr. Lieu. I am sorry. I am getting it wrong. The gentle lady from Texas, Ms. Jackson Lee.

Ms. JACKSON LEE. Mr. Chairman, thank you so very much for the hearing and the ranking member. The informational aspect of this has been enormous.

To the witnesses, my representation of my presence here at this time is that we were hearing the secretary of homeland security in another hearing how much of a complement it is in getting the right information from both the government and all of you.

Let me focus on the value. I think the American people have been given distorted, misdirected information, misinformation and intertwining elements of bad acts with DACA recipients, TPS recipients versus giving the holistic picture of who we are and who immigrants are. So I am going to take my time. Having been on this committee for 24 years, that means I have seen a lot of immigration hearings and I have heard a lot of opposition to immigration hearings. It means that I really can overlook some of the points.

Now, let me say that I abhor drunk drivers. I abhor criminal acts. Anyone who has engaged in criminal acts that do harm should be subjected to the appropriate process. And I see some heads that are shaking. I am going to just ask Mr. Park, who is a Rhodes scholar in DACA. We all mistakes, but I imagine—could I say that you abhor drunk driving, people who drive drunk?

Mr. PARK. Yes, Congresswoman. Thank you.

Ms. JACKSON LEE. Could I say that for you, Yatta, who have been here 22 years under the DED, that you abhor, that you dislike, that you would not want to see people driving drunk and harming people?

Ms. KIAZOLU. Yes.

Ms. JACKSON LEE. Okay. So I won't poll all of you because, Bishop, I know you are probably merciful and would have mercy on humanity, but I would expect that you would understand that people with bad acts, you would not want them to continue.

I do want to acknowledge Cesar Espinosa and Jesus Contreras, who are here, who work with me and stood alongside of me—Mr. Chairman, I just wanted to acknowledge them—in the battles that we have had in Houston, Texas. I want to welcome Mr. Hilario because he is a graduate of the University of Houston, and I represent there. So thank you very much for your presence. I think who is here on the—Yanez, is it? Yes. So we thank you for being here and appreciate your work.

Let me ask Mr. Jin, it is with a J, sir, Mr. Park?

Mr. PARK. Yep.

Ms. JACKSON LEE. Yes. Let me ask you what the value of DACA has been to you.

Mr. PARK. Thank you, Congresswoman, for the question. When I first received DACA—and I remember President Obama walking into the Rose Garden announcing this program called Deferred Action for Childhood Arrivals. And I think I remember that day as being really hopeful. And I think that it allowed me to plan my life in a way that I could really take into account what I wanted to do for this country and for my community.

Ms. JACKSON LEE. And you wanted to do good. And I am sorry to cut you off, but I have other questions. But I wanted to point out that you were a child and now you want to do good.

Mr. PARK. Yep.

Ms. JACKSON LEE. And you are both a Rhodes scholar and a Harvard graduate. I expect you will do good.

Let me ask Yatta, if I might. Obviously I am very familiar with DED, the turmoil, the violence in Liberia. You have been here 22 years. What has this meant to you?

Ms. KIAZOLU. Having DED has allowed me to stay close with my family. It has allowed me to go to college and explore my own interests. And that is why I am interested in higher education right now.

Ms. JACKSON LEE. And I thank you.

I heard you, Yazmin. Tell me what it is to be fearful that someone is going to snatch you away from your family and your family is going to be deported. All you want to do is serve this country in whatever way you can. What does it mean? What is that fear like?

Ms. IRAZOQUI-RUIZ. It is a crippling fear. Sometimes when I was younger, I would go to school and not know if I came back, if my mother was going to be there. If my mom left for work, I didn't know if she was going to come home from work, especially when we were living in Phoenix, Arizona and Maricopa County.

Ms. JACKSON LEE. Let me ask Bishop Mario Dorsonville on the need for compassion and fixing this.

As you do that, Mr. Chairman, let me acknowledge I have a TPS bill, H.R. 6325. And I have comprehensive immigration legislation that I hope that we can proceed on in a compassionate way.

But, Bishop, would you share with us?

And, Mr. Chairman, I am going to ask unanimous consent to put in the record a series of letters from the faith community supporting our compassion and respect, if I could. And could you—

Chairman NADLER. Without objection, the documents will be admitted.

[The information follows:]

REP. SHEILA JACKSON LEE FOR THE RECORD



American Friends Service Committee

Quaker values in action

Statement of the American Friends Service Committee (AFSC) to the U.S. House Judiciary Committee on Protecting Dreamers and TPS Recipients on Wednesday, March 6th, 2019

As a 102-year-old faith-based organization grounded in Quaker belief in respecting the dignity and worth of every person, the American Friends Service Committee urges congress to enact a permanent solution that creates a roadmap to citizenship for all Temporary Protected Status and Deferred Enforced Departure holders, and Deferred Action for Childhood Arrivals recipients.

Our decades of experience working with immigrant communities across the United States inform our support for measures that ensure the integration of immigrants as full members of our society rather than actions that seek to isolate them from communities that they call home. The administration's inhumane termination of TPS for various countries, DED for Liberians, and DACA for young immigrants threaten the safety, well-being, and livelihoods of more than one million immigrants in the U.S. – as well as their families and communities.

AFSC has seen firsthand the importance of protections provided by programs like TPS, DED and DACA. TPS is a life-saving immigration status that allows foreign nationals to remain in the U.S. if, while they were in the U.S., something catastrophic happened in their country of origin that prevented their safe return. Most affected TPS holders have been given 12 to 18 months to obtain other forms of immigration relief or leave the United States and return to potentially life-threatening situations. Members of Congress, faith leaders, impacted populations, and community members have all called for permanent protections for TPS holders currently residing in the U.S. They have conveyed to the administration the terrible country conditions that would make returning these individuals and families to those countries a dangerous and consequential mistake.

DED protected 4,000 Liberian TPS holders residing in the U.S. from returning to Liberia at a time when the nation faced a public health crisis. DED holders have lived in the U.S. for over a decade and are vital community members. DACA has offered stability to the lives of over 700,000 young people also known as Dreamers by giving them opportunity and peace of mind to pursue their dreams, provide for their loved ones, and be active members of their communities.

AFSC's decades of supporting TPS holders and DACA recipients through direct legal immigration services, accompaniment, and advocacy lead us to call for policies that eliminate the uncertainty that TPS and DED holders and DACA recipients have faced for the past years. In addition to the stress, chaos, and turmoil our community members are suffering due to the TPS, DED and DACA terminations, people are already losing their jobs, access to driver's licenses, and face other consequences because of the terminations.

Granting legal permanent residency with a roadmap to citizenship for TPS, DED, and DACA recipients will strengthen communities and support family stability. Most TPS, DED, and DACA recipients have been in the U.S. for decades and are deeply integrated into our communities. They are from mixed-status families of U.S. citizens, TPS holders, and undocumented individuals. They provide emotional and financial support to loved ones, and shoulder responsibilities in schools, churches, and civic organizations.



American Friends Service Committee

Quaker values in action

Deporting TPS, DED, and DACA recipients would separate hundreds of thousands of families, which is morally abhorrent. Nearly 270,000 U.S. citizen children have a parent who is a TPS recipient from Honduras, El Salvador, or Haiti, and at least 200,000 U.S. citizen children have a parent who is a DACA recipient.

TPS, DED, and DACA recipients are vital players in the fabric of their local economies and the national economy. The clear majority—88.5 percent—of TPS recipients participate in the labor force, which is much higher than the national average. A roadmap to citizenship will provide stability for these individuals to continue to gain from and contribute to the economy, earn higher incomes, establish more businesses, and otherwise make more contributions to the welfare of their families and communities.

Offering Lawful Permanent Residency for TPS and DACA recipients would support regional stability. Remittances make up more than 15% of the GDP of some TPS-designated countries, which are also countries of origin for many DACA recipients. A sudden loss of this earned income would have serious economic implications for impacted countries, increasing instability and causing reverberations across the region. The impact of such a preventable loss will only fuel cycles of migration as those impacted by crushing poverty seek to save their lives and the lives of their families.

AFSC seeks to highlight the urgent need for a solution. Lawsuits to preserve TPS and DACA are making their way through the courts. In a few cases, federal judges have issued injunctions to halt deportation for certain groups. However, many immigrant youths and TPS and DED holders are not covered by those decisions. Moreover, even those protected by the injunction have a reprieve, not permanent protection. As soon as March 31st, Liberian DED holders will lose protections and be subject to harmful deportation proceedings. Legislation, not litigation can provide a permanent solution for TPS and DED holders and their families. We can't wait for the courts to solve this problem – we need legislation that keeps families and communities together. Without a legislative fix, these terminations will bring about the next family separation crisis.

AFSC supports efforts that provide a roadmap to citizenship for TPS and DED holders and DACA recipients. This roadmap should be established on a platform of shared values and humane treatment of all immigrants. We benefit as a society when hundreds of thousands of residents can plan for their futures without fear of upheaval.

AFSC urges Congress to provide permanent relief for TPS and DED holders and DACA recipients without expanding detention infrastructure, increasing funding for immigration enforcement, or further militarizing our border communities. AFSC has worked for years to stop detention and deportation and to institute just and humane immigration policies. A roadmap to citizenship will protect TPS, DED, and DACA recipients from policies that would criminalize them and their loved ones and increase persecution through detention and deportation.

AFSC urges principles and visionary leadership on effective immigration policies that embody the best of the nation's values.



**CWS Statement to the U.S. House Committee on the Judiciary pertaining to its hearing, entitled
"Protecting Dreamers and TPS Recipients" on Wednesday, March 6, 2019**

As a 73-year old humanitarian organization representing 37 Protestant, Anglican and Orthodox communions and 23 refugee resettlement offices across the country, Church World Service (CWS) urges the Committee to affirm the need and urgency to pass a permanent, legislative solution for all 1.8 million+ dreamers, 300,000+ Temporary Protected Status (TPS) holders, and 4,000+ Deferred Enforced Departure (DED) recipients that includes a pathway to citizenship. It is equally important that any legislative solution does not violate the sanctity of family unity, contain harmful border militarization provisions, nor expand immigrant detention or the deportation force. We urge Congress to swiftly pass legislation, such as the Dream and Promise Act of 2019, to protect our immigrant neighbors and keep families together.

Dreamers deserve a meaningful permanent solution with a pathway to citizenship that treats all dreamers with the dignity they deserve. Dreamers worship in our pews, study in our schools, and work in our communities. For many, this is where they learned to ride a bike, celebrate our nation's holidays, and serve their communities. They are mothers, fathers, teachers, nurses, lawyers, scientists, and leaders of a new generation of Americans – and they make our nation stronger. Court intervention notwithstanding, it was an immoral decision to rescind Deferred Action for Childhood Arrivals (DACA) before legislation was enacted to protect DACA recipients from deportation. A pathway to citizenship for dreamers has enjoyed broad support from the faith community, state and local elected leaders, business leaders, and faith and secular educators. Every day that a real solution is delayed, countless members of our community have to live in anxiety and fear, unsure if they will be allowed to stay in the country they call home, or if they will be forcibly returned to nations they have never really known. Despite ongoing litigation that allows current DACA recipients to renew their status, no new DACA applications are being accepted and undocumented youth are left in limbo. **Congress must invest in a compassionate, long-term solution that honors our nation's commitment** to families and provides dreamers with a pathway to citizenship.

CWS calls on Congress to create a pathway to citizenship for all TPS holders and DED recipients. TPS holders and DED recipients, left without an opportunity to stabilize their immigration status, live in fear of family separation and deportation. The administration's termination of protections for TPS holders from Haiti, El Salvador, Nicaragua, Liberia, Nepal, Honduras and for those from countries for which the TPS status was not re-designated are immoral and an affront to our American values. Lawsuits and investigations consistently surfaced the dangerous or unsafe country conditions in countries that received a TPS termination or was not re-designated for protection. **The administration has repeatedly attacked TPS holders and DED recipients and turned our nation's back on these individuals we promised to protect.** The administration's wrongful decisions put approximately 300,000 people who are legally living and working in the United States at risk of deportation and will cause irreparable harm to families and our economy. We urge Congress to swiftly pass legislation that allows TPS holders and DED recipients to remain in the United States and pursue a pathway to citizenship.

Families are the cornerstone of a community; they are what holds us together. The communities harmed by the termination of DACA and multiple TPS designations have a lot in common, including being from the same countries, sharing an urgent need for relief, and often being members of the same families. It is imperative that Congress does not pair relief for dreamers, TPS holders, and DED recipients with a policy that puts their parents, siblings, and other immigrants at increased risk of deportation or detention or further infringes upon the rights and safety of border communities. **Increased enforcement is not the remedy.** Our immigration system leaves millions unjustly detained, separated from family, and locked out of regularizing their status.

CWS urges you to support and pass a permanent, legislative solution with a pathway to citizenship for all dreamers, TPS holders, and DED recipients. As a faith-based organization, we hope that Congress will find the compassion and love that we have learned from Leviticus 19:33-34, which reminds us: "Any immigrant who lives with you must be treated as if they were one of your citizens. You must love them as yourself, because you were immigrants in the land of Egypt; I am the LORD your God."



Friends Committee on
National Legislation
A Quaker Lobby in the Public Interest

**FCNL Statement to the U.S. House Judiciary Committee,
pertaining to its hearing: *Protecting Dreamers and TPS Recipients*
March 6, 2019**

The Friends Committee on National Legislation's (FCNL) Quaker faith compels us to see and answer to the Light of God in every person. Our pursuit of just immigration policies is built off that faith principle. The mass terminations of the Deferred Action Childhood Arrivals (DACA) program, Temporary Protected Status (TPS), and Deferred Enforced Departure (DED) left over a million well-rooted, essential members of our society in a cruel state of limbo. **FCNL urges Congress to pass protection for Dreamers, TPS recipients, and DED recipients that includes a workable pathway to citizenship.**

DACA, TPS, and DED recipients are integral members of communities across the country. When these programs were in place, they transformed the lives of recipients, allowing them to participate in and contribute to our communities without fear of deportation. Recipients are our friends, coworkers, classmates, and family, working tirelessly to afford a chance to permanently thrive in our shared nation. Many families with DACA, TPS, or DED holders also include U.S. citizen children, spouses, and siblings. Providing attainable citizenship to them would help stabilize families, communities, and local economies.

More than 1 million community members are at renewed risk of detention and deportation. The administration's reckless cancellations of the DACA, TPS, and DED programs targeted individuals who used legal channels to seek and maintain immigration status. While various lawsuits have provided temporary relief for a fraction of recipients, only Congress can provide a permanent solution. Each day Congress does not act, over one million immigrants who are legally living, studying and working in our communities will do so in anxiety and fear. Until Congress passes legislation, there is no certainty they will be able to stay in the country they call home or if they will be forcibly removed to nations unknown to them or still rendered unsafe for return.

We urge Congress to enact a singular, clean pathway to citizenship for all Dreamers, TPS recipients, and DED holders. The Dream Act of 2017 (H.R. 3440 and S.1615) and the American Promise Act (H.R. 4253) were opportunities for Congress to offer just that - permanent protections and a pathway to citizenship for dreamers, TPS and DED communities at risk of losing their protected status. Both enjoyed broad support in the 115th Congress and we urge Congress to take up similar legislation paired together.

It is imperative that Congress does not pair relief for these communities with harmful enforcement policies. Opportunities to pursue citizenship should not exacerbate the existing injustices of our immigration system. DACA, TPS, and DED recipients themselves reject legislation that puts other immigrants, including their own family members, at increased risk of deportation or detention. Two-thirds of DACA recipients are also border residents; their protection should not further infringe upon their own civil liberties.

Our message is clear: We urge Congress to pass a pathway to citizenship for Dreamers, TPS recipients, and DED holders that reflects shared faith values of welcome, dignity, and protection.

1 — 3/5/2019

FRIENDS COMMITTEE ON NATIONAL LEGISLATION
245 2ND STREET NE • WASHINGTON, DC 20002 • (800) 630-1330 • FCNL.ORG



SISTERS OF THE GOOD SHEPHERD
NATIONAL ADVOCACY CENTER
Rise Up and Act for Justice

Statement for Submission to

Hearing on Protecting Dreamers and TPS Recipients
 House Judiciary Committee
 March 6, 2019

from

Lawrence E. Couch, Director
 National Advocacy Center of the Sisters of the Good Shepherd
 504 Hexton Hill Road
 Silver Spring, MD 20904

They are American in all but a piece of paper. They have plans, hopes and expectations, which are on hold with fears that their dreams will become nightmares. And now they are running out of time. These Dreamers, TPS (Temporary Protected Status) and DED (Deferred Enforced Departure) holders are looking to Congress for a permanent, legislative solution allowing them to remain in the United States and continue living their American dreams.

Most Americans believe that their government should have more compassion. As Catholics, our faith requires that everyone should be treated with the utmost dignity and respect. **The National Advocacy Center of the Sisters of the Good Shepherd calls on the United States Congress to pass a pathway to citizenship for all Dreamers and TPS and DED holders.**

Nearly 4,000 Liberians fear losing their safety status and work authorization. Liberia suffered a terrible civil war and was still in the recovery process when Ebola struck. Liberians in the U.S. have received either DED or TPS (Temporary Protected Status) since 1991 through both Republican and Democratic presidents.

Approximately 300,000 people hold temporary protected status in the United States. TPS is granted on rare occasions to people living in the U.S. from countries that have experienced severe natural disasters, war or other extreme conditions. Removing TPS and sending these people back will have devastating multiplying effects on families in both our country and in the recipient countries.

Losing 1.8 million Dreamers plus their families would shock not just them and the countries where they would be sent, but it would shock our economy, states and communities as well. These Dreamers are of all colors and shapes and come from all parts of the globe. Yet they are American. They are American in their souls, in their attitudes, aspirations and expectations. And let's be frank -- we need them. They power America with their toughness, passion, fortitude, hard work and spirit.

These Dreamers, TPS and DED holders have joined and helped build up the American economy. They are integral to our communities. They own homes, go to church, support our schools and neighborhoods, and contribute to the U.S. tax base.

Our government is out of sync with our values when it does not value these people. Our neighbors, friends and co-workers are constantly coming under assault from this Administration because they were born in another country. But isn't that why the United States of America was founded?

The soul of our nation is being tested.

This nation has a long history of welcoming immigrants. Women religious have consistently been on the forefront accompanying and serving immigrant communities. Good Shepherd Sisters remain committed to welcoming and aiding all those in need.

The Congregation of Our Lady of Charity of the Good Shepherd was founded in France in 1835 and has dedicated itself to serving poor and marginalized people around the world. The Sisters have had a presence in the United States for over 175 years and are known for their work with survivors of human trafficking and domestic abuse and with women and children living in poverty.

It is wrong to play games with the lives of innocent young people and people who have fled tragedy and devastation. The members of this committee are in a position of power. In America we expect our leaders to lead with compassion and a light hand. We call on you to permanently welcome these people and to legislate a solution and pathway to citizenship.

The National Advocacy Center educates and advocates on social justice issues for the transformation of society to the benefit of all people reflecting the spirituality, history and mission of the Sisters of the Good Shepherd. NAC advocates at the Federal level for people living in poverty, immigrants, survivors of human trafficking, survivors of domestic abuse, and other vulnerable populations.

**JCPA Statement to the U.S. House Committee
Hearing on “Protecting Dreamers and TPS Recipients”
Wednesday, March 6, 2019**

As the American Jewish community’s primary convener, consensus-builder, and policy advocate for over 75 years, the Jewish Council for Public Affairs (JCPA) urges House Judiciary Committee members to highlight the need for a permanent legislative solution that includes a pathway to citizenship for Dreamers, Temporary Protected Status (TPS) holders, and Deferred Enforced Departure (DED) recipients. We urge Congress to immediately pass legislation, such as the Dream and Promise Act of 2019, without increasing border security or harming other immigrant groups.

Dreamers deserve a permanent solution with a pathway to citizenship that will enable them to live, work, and study in the U.S. without constant fear of detention and deportation. Under Deferred Action for Childhood Arrivals (DACA), eligible Dreamers voluntarily shared their personal information with the federal government and passed extensive background checks. Ending these protections without a permanent solution in place was cruel and each day that Congress fails to act is another day that Dreamers and their families must live in fear and uncertainty. Not only is this country the only land many of them know, but they are making our nation better by enriching the fabric of our society and helping secure our economic future. Congress has a moral imperative to ensure that these young people can continue to live, work, and study in the U.S., the only country—the only home—many of them know.

TPS holders and DED recipients are also in urgent need of protection and a pathway to citizenship. The Administration’s termination of TPS determinations for Haiti, El Salvador, Nicaragua, Liberia, Nepal, Honduras, and others—despite dangerous or unsafe conditions—have left hundreds of thousands of people without recourse. They live in fear of being torn from their families and deported to countries where they may face grave danger, and even death. Unable to return to their country of origin, many TPS and DED holders have lived and worked legally in the U.S. for decades, building families and communities. These are our communities, our neighbors, colleagues, classmates, and family members. They deserve a pathway to citizenship.

JCPA urges members to uphold the American values of refugee protection, family reunification, and economic opportunity by providing a pathway to citizenship for Dreamers, TPS holders, and DED recipients without increasing border security or harming other immigrant groups.

The Jewish Council for Public Affairs (JCPA) is an umbrella body that represents 125 local Jewish community relations councils and 17 national Jewish agencies, including the four main denominations of American Judaism (Orthodox, Conservative, Reform and Reconstructionist). Together, we and our network advocate for a just and pluralistic society, global human rights, and Israel's quest for peace and security.



UNITED STATES CONFERENCE OF CATHOLIC BISHOPS

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USCCB CHAIRMAN EXPRESSES ONGOING SUPPORT FOR DACA; CALLS ON ADMINISTRATION AND CONGRESS TO ENSURE PERMANENT PROTECTION FOR DACA YOUTH

July 18, 2017

WASHINGTON— Over 750,000 youth have received protection from Deferred Action for Childhood Arrivals (DACA) since its inception by the Department of Homeland Security (DHS) in 2012. While DACA provides no legal status, it does provide recipients with a temporary reprieve from deportation and employment authorization for legal work opportunities in the United States.

In response to the recent petition to the U.S. Department of Justice to terminate DACA, Bishop Joe S. Vásquez, Chair of the Migration Committee and Bishop of Austin, Texas, expressed support for DACA once again, stating:

"The Catholic Bishops **have long supported** DACA youth and **continue** to do so. DACA youth are contributors to our economy, veterans of our military, academic standouts in our universities, and leaders in our parishes. These young people entered the U.S. as children and know America as their only home. The dignity of every human being, particularly that of our children and youth, must be protected. I urge the Administration to continue administering the DACA program and to publicly ensure that DACA youth are not priorities for deportation.

However, DACA is not a permanent solution; for this reason, I also call on Congress to work in an expeditious and bipartisan manner to find a legislative solution for DACA youth as soon as possible. My brother bishops and I pledge continuing efforts to help find a humane and permanent resolution that protects DACA youth. Additionally, I note the moral urgency for comprehensive immigration reform that is just and compassionate. The bishops will advocate for these reforms as we truly believe they will advance the common good.

Lastly, to DACA youth and their families, please know that the Catholic Church stands in solidarity with you. We recognize your intrinsic value as children of God. We understand the anxiety and fear you face and we appreciate and applaud the daily contributions you make with your families, to local communities and parishes, and to our country. We support you on your journey to reach your God-given potential."

Keywords: U.S. Conference of Catholic Bishops, USCCB, Bishop Joe S. Vásquez, Migration Committee, Deferred Action for Childhood Arrivals (DACA), Department of Homeland Security (DHS), Catholic bishops, economy, veterans, academia, human dignity, children, youth, families.

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MEDIA CONTACT:

Judy Keane
202-541-3200

The Honorable Orrin Hatch
104 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Richard Durbin
332 Dirksen Senate Office Building
Washington, D.C. 20510

March 6, 2003

Dear Senator Hatch and Senator Durbin:

The below listed national organizations write to express strong support for the DREAM Act, legislation you introduced in the 107th Congress to resolve the immigration status issues and address federal barriers to education and work confronted by the U.S.-raised children of immigrants lacking immigration status. We look forward to the upcoming re-introduction of this critical legislation.

The DREAM Act is the right thing to do, both for the young people whose lives are in the balance and for the rest of us.

- It is right to recognize that these young people have done nothing wrong. On the contrary, despite the pressure to do otherwise they have stayed in school and out of trouble.
- It is right to consider that they will be better prepared and able to contribute to our joint future if they are permitted to complete their education and work legally. Taxpayers will profit enormously from the DREAM Act, as will all of us who come into contact with these young people in years to come: the children they teach, the patients they care for, the workers they employ, and others.

A particularly important feature of the DREAM Act is that it would provide permanent, rather than temporary, immigration relief, so that the students and their teachers and future employers can invest in their future with confidence.

In the 107th Congress, some argued that the DREAM Act should not be considered until the United States addresses immigration reform comprehensively. All Americans agree that immigration reform is badly needed, though we may disagree about which changes are required. But the students addressed by the DREAM Act should not be asked to wait. Their years are not replaceable. They need relief now.

We therefore want to thank you once again for your efforts on behalf of these students, and we urge you to move as rapidly as possible towards enactment of this legislation.

Sincerely,

ACORN
American Association of State Colleges and Universities (AASCU)
American Council on Education (ACE)
American Federation of Teachers (AFT)
American Friends Service Committee (AFSC)
American Immigration Lawyers Association (AILA)
Arab-American Anti-Discrimination Committee
Asian Pacific American Labor Alliance, AFL-CIO

Association of Jesuit Colleges & Universities (AJCU)
 Catholic Charities USA
 Center for Law and Education
 Center for the Advancement of Hispanics in Science and Engineering Education (CAHSEE)
 Council for Opportunity in Education
 Council of the Great City Schools
 Cuban American National Council (CANC)
 Evangelical Lutheran Church in America
 Hispanic Association of Colleges and Universities (HACU)
 Hispanic National Bar Association (HNBA)
 Hispanic-Serving Health Professions Schools
 "I Have a Dream"® Foundation
 Leadership Conference on Civil Rights (LCCR)
 League of United Latin American Citizens (LULAC)
 LLEGO National Latina/o Lesbian, Gay, Bisexual, and Transgender Organization
 Mexican American Legal Defense and Educational Fund (MALDEF)
 Migrant Legal Action Program
 National Asian Pacific American Legal Consortium (NAPALC)
 National Association for Bilingual Education (NABE)
 National Association for College Admission Counseling (NACAC)
 National Association of Latino Elected and Appointed Officials (NALEO)
 National Association of School Psychologists (NASP)
 National Association of State Directors of Migrant Education
 National Association of Student Personnel Administrators (NASPA)
 National Campaign for Jobs and Income Support
 National Catholic Association of Diocesan Directors for Hispanic Ministry
 National Council for Community and Education Partnerships (NCCEP)
 National Council of La Raza (NCLR)
 National Education Association (NEA)
 National Grassroots Legislation Collaborative
 National HEP-CAMP Association
 National Hispanic Leadership Agenda (NHLA)
 National Hispanic Medical Association (NHMA)
 National Immigration Forum
 National Immigration Law Center (NILC)
 National Korean American Service & Education Consortium (NAKASEC)
 National Latino Children's Institute
 National Network for Immigrant and Refugee Rights (NNIRR)
 National People's Action (NPA)
 National PTA
 National Puerto Rican Coalition
 NETWORK, A National Catholic Social Justice Lobby
 Puerto Rican Legal Defense and Educational Fund (PRLDEF)
 School Social Work Association of America (SSWAA)
 Service Employees International Union (SEIU), AFL-CIO, CLC
 Teachers of English to Speakers of Other Languages, Inc. (TESOL)
 The ASPIRA Association
 The United States Student Association (USSA)
 Union of Needletrades, Industrial and Textile Employees (UNITE)
 United States Conference of Catholic Bishops (USCCB)
 United States Hispanic Chamber of Commerce Foundation



UNITED STATES CONFERENCE OF CATHOLIC BISHOPS

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BISHOPS WELCOME PRESIDENT'S DEFERRED ACTION ON DREAM ELIGIBLE YOUTH, URGE CONGRESSIONAL ACTION ON DREAM ACT

June 15, 2012

WASHINGTON—The U.S. Conference of Catholic Bishops welcomed the action of President Barack Obama today to defer action to all young people eligible under the Development, Relief, and Education for Alien Minors (DREAM) Act, saying that it would permit young people who were brought into the United States undocumented to come out of the shadows and more fully participate in society.

"This important action will provide legal protection, and work authorization, to a vulnerable group of immigrants who are deserving of remaining in our country and contributing their talents to our communities," said Archbishop Jose Gomez of Los Angeles, chairman of the USCCB Committee on Migration. "These youth are bright, energetic, and eager to pursue their education and reach their full potential."

As many as 800,000 young people would be eligible to receive a deferred action on deportation for two years, and a work permit.

Archbishop Gomez said the President's action is no substitute for passage of the DREAM Act and encouraged Congress to enact comprehensive and humane immigration reform.

Full text of Archbishop Gomez's statement follows:

Statement of Most Reverend Jose H. Gomez
Archbishop of Los Angeles
Chairman, USCCB Committee on Migration

On
The Announcement of Deferred Action for DREAM eligible youth
June 15, 2012

On behalf of the U.S. Conference of Catholic Bishops (USCCB), I welcome the announcement by President Obama today that, consistent with his executive authority, he will grant deferred action on a case-by-case basis to youth who entered the United States by age 15 and have not committed certain offenses. Many of these youth would qualify for immigration relief under the Development, Relief, and Education for Alien Minors (DREAM) Act.

This important action will provide protection from removal and work authorization for a vulnerable group of immigrants who deserve to remain in our country and contribute their talents to our communities.

These youth are bright, energetic, and eager to pursue their education and reach their full potential. They did not enter our nation on their own volition, but rather came to the

United States with their parents as children, something all of us would do.

We call upon the President also to review Administration deportation policies and more aggressively pursue the policy of prosecutorial discretion for other populations, a policy which was announced last year. Families continue to be deported and separated, causing undue suffering.

The action by the President today is no substitute for enactment of the DREAM Act in Congress. We encourage our elected officials of both parties to take this opportunity to work together to enact this important law, which would give these youth a path to citizenship and a chance to become Americans. We also renew our call for bipartisan efforts to enact comprehensive and humane reform our nation's broken immigration system

Keywords: USCCB, US Bishops, President Barack Obama, Dream Act, immigration, college, military, Archbishop Jose Gomez.

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UNITED STATES CONFERENCE OF CATHOLIC BISHOPS

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USCCB PRESIDENT, VICE PRESIDENT AND COMMITTEE CHAIRMEN DENOUNCE ADMINISTRATION'S DECISION TO END DACA AND STRONGLY URGE CONGRESS TO FIND LEGISLATIVE SOLUTION

September 5, 2017

WASHINGTON— The President and Vice President along with Chairmen of the U.S. Conference of Catholic Bishops (USCCB) have issued a statement denouncing the Administration's termination of the Deferred Action for Childhood Arrivals (DACA) program after six months.

The following statement from USCCB President Cardinal Daniel N. DiNardo of Galveston-Houston, along with USCCB Vice President, Archbishop José H. Gomez of Los Angeles, Bishop Joe S. Vásquez of Austin, chairman, Committee on Migration, and Bishop Joseph J. Tyson of Yakima, chairman of the Subcommittee on Pastoral Care of Migrants, Refugees, and Travelers says the "cancellation of the DACA program is reprehensible."

Over 780,000 youth received protection from the DACA program since its inception by the Department of Homeland Security (DHS) in 2012. DACA provided no legal status or government benefits but did provide recipients with temporary employment authorization to work in the United States and reprieve from deportation.

Full statement follows:

"The cancellation of the DACA program is reprehensible. It causes unnecessary fear for DACA youth and their families. These youth entered the U.S. as minors and often know America as their only home. The Catholic Church has long watched with pride and admiration as DACA youth live out their daily lives with hope and a determination to flourish and contribute to society: continuing to work and provide for their families, continuing to serve in the military, and continuing to receive an education. Now, after months of anxiety and fear about their futures, these brave young people face deportation. This decision is unacceptable and does not reflect who we are as Americans.

The Church has recognized and proclaimed the need to welcome young people: 'Whoever welcomes one of these children in my name welcomes me; and whoever welcomes me does not welcome me but the one who sent me' (Mark 9:37). Today, our nation has done the opposite of how Scripture calls us to respond. It is a step back from the progress that we need to make as a country. Today's actions represent a heartbreaking moment in our history that shows the absence of mercy and good will, and a short-sighted vision for the future. DACA youth are woven into the fabric of our

country and of our Church, and are, by every social and human measure, American youth.

We strongly urge Congress to act and immediately resume work toward a legislative solution. We pledge our support to work on finding an expeditious means of protection for DACA youth.

As people of faith, we say to DACA youth – regardless of your immigration status, you are children of God and welcome in the Catholic Church. The Catholic Church supports you and will advocate for you."

Keywords: U.S. Conference of Catholic Bishops, USCCB, United States Congress, Homeland Security, Cardinal Daniel N. DiNardo, Archbishop José H. Gomez, Bishop Joe S. Vasquez, Committee on Migration, Bishop Joseph Tyson, Subcommittee on Pastoral Care of Migrants, Refugees, and Travelers, Deferred Action for Childhood Arrivals, DACA, legal status, youth, deportation, immigration, legislative solution.

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UNITED STATES CONFERENCE OF CATHOLIC BISHOPS

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HEAD OF CATHOLIC BISHOPS ASKS PRESIDENT OBAMA TO GRANT HAITIANS IN THE U.S. TEMPORARY PROTECTED STATUS

January 15, 2010

WASHINGTON—In a letter sent to president Barack Obama on Friday, January 15, Cardinal Francis George of Chicago, president of the United States Conference of Catholic Bishops, asked the White House to designate the country of Haiti for Temporary Protected Status (TPS).

"It is clear that Haiti merits an immediate designation of TPS after suffering the devastating 7.0 magnitude earthquake of January 12, one of the worst in Haitian history," Cardinal George said in the letter.

TPS permits nationals of a designated nation living in the United States to reside here legally and qualify for work authorization. TPS designation is based upon determination that armed conflict, political unrest, environmental disaster, or other extraordinary and temporary conditions exist in a nation and that the return of that country's nationals would further destabilize the nation and potentially bring harm to those returned.

Cardinal George said that "it is important that Haitians in the United States are allowed to receive legal status and obtain work authorization, as a designation of TPS would provide. These Haitians then would be better able to assist their families in Haiti through remittances and by working together as a community to garner other resources for their stricken homeland."

Citing the language contained in the statute itself, Cardinal George urged the President to act on this matter.

"[B]y any measure, the conditions in Haiti meet the statutory requirements for TPS... Extending this mantle of protection to struggling Haiti is not only appropriate, but a just, compassionate, and concrete step the United States can take toward alleviating the human suffering of the Haitian people."

Full text of the letter follows.

Honorable Barack Obama
President
United States of America
The White House
Washington, D.C. 20500

Dear Mr. President:

On behalf of the Catholic Bishops of the United States, I write to ask you to designate the country of Haiti for Temporary Protected Status (TPS) for a period of eighteen months. The United States Catholic Bishops Conference (USCCB) has a long history of serving the Haitian community, both in the United States and in Haiti, and has first-hand knowledge of the great humanitarian challenges facing the Haitian people.

As you know, a designation of TPS permits nationals of a designated nation living in the United States to reside here legally and qualify for work authorization. A designation of TPS is based upon a determination that armed conflict, political unrest, environmental disaster, or other extraordinary and temporary conditions exist in a nation and that the return of that country's nationals would further destabilize the nation and potentially bring harm to those returned.

It is clear that Haiti merits an immediate designation of TPS after suffering the devastating 7.0 magnitude earthquake of January 12, one of the worst in Haitian history. Reports from Port-au-Prince indicate extensive damage to infrastructure and a high number of human casualties. Scores of buildings collapsed during the earthquake, killing or injuring an unknown number of persons. We are told that hundreds of priests and seminarians are either trapped beneath the rubble or have lost their lives, and that Msgr. Joseph Serge Miot, Archbishop of Port-au-Prince, is among the dead.

In addition, those who have survived the earthquake are in dire need of assistance. Catholic Relief Services, the U.S. Bishops' overseas assistance agency, has reported that the earthquake has destroyed countless homes, churches, seminaries, schools, and other buildings and has left millions without the basic necessities of life. Responding to the immediate aftermath of the earthquake, plus ensuring that the Haitian people have access to basic requirements such as water, food, and medicine, will take considerable time and effort.

In this regard, it is important that Haitians in the United States are allowed to receive legal status and obtain work authorization, as a designation of TPS would provide. These Haitians then would be better able to assist their families in Haiti through remittances and by working together as a community to garner other resources for their stricken homeland. The Inter-American Development Bank reports that Haitians abroad sent close to \$1.83 billion home in 2007, which equaled about 35% of the country's gross domestic product. It is critical that this life-blood of the fragile Haitian economy be sustained, especially at this critical time.

Over the long-term, we hope to work with your Administration on other issues impacting the future of Haiti, including poverty alleviation and trade preferences. This will increase the capacity of the Haitian people to respond to disasters in the future and to minimize their destruction.

Mr. President, by any measure, the conditions in Haiti meet the statutory requirements for TPS. To put it mildly, the earthquake has caused "substantial disruption" in living conditions and Haiti is clearly "unable to handle adequately" the return of its citizens abroad, as the TPS statute requires.

Extending this mantle of protection to struggling Haiti is not only appropriate, but a just, compassionate, and concrete step the United States can take toward alleviating the human suffering of the Haitian people.

We urge you to grant a TPS designation for Haiti as soon as possible.

Thank you for your consideration.

Sincerely yours,
Francis Cardinal George, OMI
Archbishop of Chicago

President

Keywords: Haiti, earthquake, TPS, Temporary Protected Status, USCCB, U.S. Catholic Bishops, Cardinal George, refugees

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April 4, 2001

President George W. Bush
The White House
1600 Pennsylvania Ave., NW.
Washington, D.C.

Dear President Bush:

On behalf of the National Conference of Catholic Bishops, I wish to commend you on your wise and compassionate decision to grant Temporary Protected Status (TPS) to nationals of El Salvador following the recent earthquakes there. We now urge you to offer the same protection to nationals of Honduras and Nicaragua by granting an 18 month extension of their TPS status. The devastation caused by Hurricane Mitch and the environmental disaster it left in its wake have had catastrophic consequences for Honduras and Nicaragua. This natural disaster has caused suffering for thousands of people in those small nations, threatened the infrastructures of these countries and stretched the resources of both governments. Unfortunately, the recent tragedy in El Salvador has exacerbated the difficulties faced by Honduras and Nicaragua as many Salvadorans fleeing the devastation in their homeland seek refuge in the neighboring countries of Honduras and Nicaragua placing a further strain on the economies and infrastructures of these nations.

As you know, Congress has authorized the U.S. Attorney General to grant TPS to nationals of countries in crisis who are currently in the United States if the people from that country would face "natural disaster" or "extraordinary temporary conditions" if they were returned. The continuing consequences of the devastation wrought by Hurricane Mitch, in my view, meets this definition: From the on-site reports in the region, the damage and loss of life attributed to Hurricane Mitch is significant and continues to have severe consequences for both Nicaragua and Honduras.

Official government and non-governmental sources, including the U.S. Southern Command and the United Nations have provided estimates of the damages these countries have sustained. In Honduras, a nation of approximately 6 million inhabitants, there were 6,600 deaths attributed to Hurricane Mitch as well as 8,052 missing and over 2 million affected. According to the Economic Commission for Latin America and the Caribbean (ECLAC), total damages sustained by Honduras amount to \$3,794 million or about 70% of the country's gross domestic product (GDP). The agriculture industry which is critical to Honduras' economy, and from which sixty percent of Hondurans rely for a living, suffered severe damage. Much of the country's arable land was destroyed and tens of thousands of workers lost their jobs. The nation's environment and economy continue to be substantially disrupted as a result of Hurricane Mitch. Conditions in Nicaragua are similarly dismal. This nation of less than 5 million inhabitants suffered over 2,000 deaths, 1,084 missing and 868,000 affected as a result of Hurricane Mitch.

Due to the widespread destruction wrought by Hurricane Mitch, TPS designation was originally granted to Honduras and Nicaragua on January 5, 1999. That designation was extended

on May 5, 2000 because of the continuing instability these countries suffered as a result of this natural disaster. The current extension of TPS status for Honduras and Nicaragua is scheduled to end on July 5, 2001. I am requesting that you consider extending TPS designation for nationals of Honduras and Nicaragua for 18 months in the interest of assisting those nations and their people in the task of recovering from this devastating natural disaster.

It is particularly critical that TPS be extended for nationals of Nicaragua and Honduras at this time as both of these nations will be facing national elections this November. Currently approximately one hundred thousand Hondurans and six thousand Nicaraguans benefit from this program. Mass return of these individuals to their home countries would result in widespread chaos and instability at a time when these nations need calm and stability most – during the exercise of the central right of citizens in a democracy, that of voting. We believe that it is in the best interests of Nicaragua and Honduras, as well as of the United States, to do all that we can to promote political stability during their national elections.

Over the past two years, TPS has had a very positive and stabilizing effect on Nicaragua and Honduras. Remittances provide these countries with desperately needed foreign revenues. According to the U.N., for example, the value of remittances by Hondurans exceeded \$600 million in 2000. Failure to grant an extension of the TPS designation to Hondurans and Nicaraguans in the United States, and their forced return, would cut off these critical remittances to hundreds of thousands of families in these nations and would aggravate existing living and economic conditions.


It is clear that the governments of Honduras and Nicaragua will need time and money to recover from the widespread devastation of Hurricane Mitch. An extension of the designation of TPS for their nationals will help those nations recover by ensuring that no Hondurans or Nicaraguans are returned to their countries until such time as the situation has stabilized. In addition, because TPS allows nationals to work in the United States, Hondurans and Nicaraguans will be able to send back much needed remittances to loved ones to assist with the economic recovery of their nations. Furthermore, an extension of TPS designation for Honduran and Nicaraguan nationals is consistent with U.S. efforts to promote economic development and strengthen democracy in Central America.

Therefore, in order to assist in the recovery of our neighbors in Central America, I respectfully request your serious consideration of an 18 month extension of the TPS designation for Honduras and Nicaragua.

Thank you for your consideration of my views.

Sincerely,

Most Reverend Joseph A. Fiorenza
Bishop of the Diocese of Galveston-Houston
Chairman, National Conference of Catholic Bishops



**Temporary Protected Status: A Vital Piece of the
Central American Protection and Prosperity Puzzle**

October 2017

Report of the Committee on Migration of the United States
Conference of Catholic Bishops

TRIP DELEGATION

Bishop Joe Vásquez
Bishop of Austin, TX

Bishop David O'Connell
Bishop of Los Angeles, CA

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Introduction

A delegation from Migration and Refugee Services of the U.S. Conference of Catholic Bishops (USCCB/MRS) traveled to Honduras and El Salvador from August 13-19, 2017, to examine conditions in both countries related to the possible return of its nationals who are current Temporary Protective Status (TPS) recipients in the United States. The visit was conducted with a view towards gathering information relevant to the U.S. government's upcoming decision regarding TPS for those two countries.

Most Reverend David O'Connell, Auxiliary Bishop of Los Angeles, California and member of the USCCB Committee on Migration (USCCB/COM) led the delegation in Honduras. The delegation also included staff from USCCB/MRS: Ashley Feasley, Director of Migration Policy and Public Affairs, Katie Kuennen, Associate Director of Children's Services, and Matthew Wilch, Refugee Policy Advisor. Most Reverend Joe S. Vásquez, Bishop of Austin, Texas and Chairman of the Committee on Migration as well as Father Juan J. Molina, O.S.S.T., Associate Director of the USCCB Office of National Collections and Director of the Collection for the Church in Latin America joined the delegation in El Salvador.

TPS is a temporary, renewable, and statutorily authorized immigration status that provides employment authorization and protection from deportation for designated groups of immigrants from countries experiencing temporary environmental, armed conflict, or other extraordinary conditions.¹ TPS was included in the Immigration Act of 1990 and was signed into law by President George H.W. Bush on November 29, 1990.²

Currently, large groups of nationals from El Salvador and Honduras that live in

the United States have TPS, and the U.S. government will soon decide whether to continue that protection. It is estimated that there are approximately 187,000³ - 204,000⁴ current TPS recipients from El Salvador living in the United States. The current TPS designation for El Salvador is set to expire on March 9, 2018,⁵ and the Department of Homeland Security (DHS) Secretary needs to decide whether to extend or cancel the designation by January 8, 2018 to comply with the statute's notice requirements. It is estimated there are approximately 57,000⁶- 61,000⁷ current TPS recipients from Honduras living in the United States. Honduras's TPS designation extends through January 5, 2018, and the DHS Secretary needs to decide to extend or cancel the designation by November 6, 2017.⁸

The USCCB/MRS delegation traveled to El Salvador and Honduras to express solidarity with our brothers and sisters currently under TPS protection, to assess the potential human security issues for them, and to assess the capacity of both of their nations to adequately return and integrate them if their TPS is not renewed. The delegation first visited Honduras to speak with U.S. and Honduran government officials, Catholic leaders, Catholic service providers, civil society and the United Nations High Commissioner for Refugees (UNHCR). Delegation members had the opportunity to speak with families and youth, some of whom have relatives with TPS, and others who had recent migration experiences and perspectives on current repatriation and integration services. The delegation subsequently travelled to El Salvador to collect information and assess the local conditions, including the capacity for the nation to reabsorb large numbers of returned nationals. In addition, the delegation heard updates on vulnerable mobile populations, the current situation of violence in communities, and related forced displacement.

USCCB/MRS's deep concern about individuals with TPS is rooted in its experience as an immigrant church in an immigrant nation and in Catholic social teaching on migration. God calls upon his people to care for the alien, whom others marginalize, because of their own experience as aliens: "So, you, too, must befriend the alien, for you were once aliens yourselves in the land of Egypt" (Deut. 10:17-19). Jesus was forced to flee his home, and identifies himself with newcomers and with other marginalized persons in a special way: "I was a stranger and you welcomed me" (Mt. 25:35). In modern times, popes over the last 100 years have continued to develop the Church's teaching on migration, teaching that has been frequently applied by church leaders. Pope Pius XII reaffirmed the Catholic

Church's commitment to caring for pilgrims, aliens, exiles, refugees, and migrants of every kind, affirming that all peoples have the right to conditions worthy of human life and, if these conditions are not present, the right to migrate.⁹ Pope Francis provides recent guidance regarding such situations, saying, "Collective and arbitrary expulsions of migrants and refugees are not suitable solutions, particularly where people are returned to countries which cannot guarantee respect for human dignity and fundamental rights."¹⁰

The following report details the delegation's findings and recommendations.

Overview

A. *Honduras: A Fragile State and Strategic Ally That Is Progressing but Currently Lacks Sufficient Citizen Security, Protection Systems for Children and Displaced Populations, or Reintegration Capabilities to Adequately Handle Return of Nationals with TPS.*

Honduras is a fragile state and strategic U.S. ally whose recent legislative, child welfare, and police reforms have been met with cautious optimism. However, despite important but incremental advances, Honduras is currently not equipped to deal with a large-scale return and reintegration of TPS recipients living in the United States. Honduras, the size of the state of Tennessee with just over 9 million people,¹¹ has many close ties to the United States, including some 599,000 Hondurans living in the United States.¹²

During this assessment of conditions in Honduras and its readiness for possible return of large number of nationals, the delegation found the governmental capacity to address child migration at the national level to be improved from the systems that were in place when the USCCB/MRS delegation visited in 2013.¹³ This and other efforts by the Honduran government are promising. For example, the Honduran government has codified new migration protection laws, such as the Law to Protect Honduran Migrants and Their Families,¹⁴ and has enacted a new Migrant Child Protection Office, Dirección de Niñez, Adolescencia y Familia (DINAF), which appears to be more efficient and protection-focused in its work than the previous office, Instituto Hondureño de la Niñez y la Familia (IHNEFA). These improvements may be one of the positive reasons for the reductions of the number of unaccompanied Honduran children who are apprehended at the U.S./Mexico border by DHS. Apprehensions decreased from a high in Fiscal Year 2014 of 18,244 Honduran children to 10,468 children

apprehended in Fiscal Year 2016.¹⁵ Additional evidence of progress, this time on citizen security, can be seen in the marked reduction in the national homicide rate since 2014, by over 30%. Additionally, the current President Juan Orlando Hernández Alvarado and First Lady Ana Rosalinda García Carías de Hernández have created a task force consisting of seven institutions that are focused on the reduction of irregular migration flows. These are all systemic improvements related to migrant protection that should be noted, commended, and built upon.

However, despite these initial improvements to fundamental protection systems and the creation of the task force, larger issues exist for the Honduran government and Honduran society. Even as the government improves the systems, the number of people needing the protection systems and access to services continues to expand. Annually, Mexico and the United States already return approximately 70,000 migrants to Honduras. Moreover, at least 174,000 individuals in need of protection and integration remain forcibly displaced within Honduras, and it was clear to the delegation that the government does not yet have the capacity to provide civilian security and protection for the internally displaced and recently returned individuals. Thus, despite making strides in systematizing repatriation efforts for individually returned nationals, particularly children, adding the return of a large group of Hondurans who were formerly TPS recipients would be a tremendous challenge for the government. The delegation saw no evidence of capacity for sustained integration for a large group of TPS recipients as there are no large-scale integration services, systems or programs currently in existence. In the event TPS is rescinded, the notable small advancements that have

been achieved are at risk of being undermined, governmental systems in place would be overwhelmed and the current displacement problem would be greatly exacerbated.

The need for further development of Honduran government systems in protection and repatriation is not the only obstacle to adequately protecting and sustainably integrating TPS recipients returning from the United States. Economic, citizen security, and governance-related root causes of forced displacement and forced migration remain major problems, even though some progress has been made. One notable factor is the persistent violence that permeates daily life in Honduras and the related lack of livelihood opportunities. While Honduran government officials spoke consistently to the delegation about the improvements that President Hernández Alvarado had made through purging the national police, creating anti-corruption tribunals, and strengthening the Ministry of Public Security, all parties the delegation interviewed mentioned social violence in communities as a consistent threat and obstacle to greater stability, protection, and integration of nationals.

Due to continued financial and citizen insecurity, the Honduran economy and Honduran citizens rely increasingly on remittances sent back from its nationals abroad, including from TPS recipients living in the United States. As Honduras is the second poorest country in Central America, with an annual per capita income of \$4,869, the remittances that are sent back to family members living in Honduras are vital for current economic prosperity for many.¹⁶ In 2013, Honduras received \$3,098 million in remittances, and in 2015, that number increased to \$3,719 million.¹⁷

It is estimated that in 2014, remittances to Honduras made up 17.4% of GDP.^{17a} In meeting with government officials, the Honduran government estimated that remittances comprised 11% of the GDP.¹⁸ Much of these remittances return to the United States as Honduras imports many goods from the United States.

Continuation of TPS is vital to the continued stability, future prosperity, and humanitarian well-being of Honduras and the region. TPS was first designated for Hondurans on January 5, 1999, following the destruction wreaked upon the country by Hurricane Mitch.¹⁹ Subsequent administrations have extended TPS for Honduras, with the latest extension issued May 16, 2016.²⁰ Then



DHS Secretary Johnson determined that an extension was warranted because conditions in Honduras supporting the designation continued to be met, as there was substantial but temporary disruption in living conditions in Honduras because of environmental disaster. Secretary Johnson also determined that Honduras continues to be unable temporarily to adequately handle the return of its nationals who are living in the United States.²¹

B. El Salvador: An Important U.S. Government Partner Challenged by Internal Displacement, and Citizen Security, Which Undermine the Government's Ability to Adequately Address the Returning of the Extremely Large TPS Population.

El Salvador likewise shares a deep historical, political, economic, and familial bond with the United States. Indeed, approximately 1.9 million Salvadoran immigrants live in the United States now,²² the second-largest foreign-born Hispanic population in the United States behind Mexico. Correspondingly, the number of TPS recipients from El Salvador (ranging from 187,000- 210,000) living in the United States is the largest group of TPS recipients. Salvadoran nationals send to El Salvador remittances that represent close to 18% of the GDP of the country, making these funds important for the economy and trade, especially with the United States.

El Salvador, a country the size of New Jersey, with a population of just over six million,²³ has been able to develop stronger systems than Honduras to evaluate and understand the identity and needs of the Salvadoran TPS population. Nonetheless, the large size of the TPS population and the extreme protection and security issues apparent in El Salvador render the government unable to adequately handle the return of its nationals now. In the case of El Salvador, extension of TPS is especially vital to ensure progress of important security initiatives and continued growth in the economy as it is an important regional commercial partner of the United States.

The El Salvadoran government has worked to improve its citizen security and address the violence attributed to gangs and drug trafficking. The government formed a National Council for Citizen Security, which designed an integrated security plan (with support from the U.S. government and the United Nations). In January 2015, the government announced the plan: Secure El Salvador (*El Salvador Seguro*), estimated to cost \$2 billion over five years. It includes (1) violence prevention and job creation initiatives, which account for nearly three-quarters of the funding; (2) increased state presence in the country's 50 most violent mu-

nicipalities, with the goals of improving public spaces, expanding community policing, and increasing student retention in schools; (3) improved prison infrastructure; and (4) increased services for crime victims.²⁴ The plan has been launched in 26 of the most violent municipalities, and of the 20 municipalities with the highest homicide rates in 2016, 16 had implemented the plan.²⁵ In 2015, El Salvador posted the world's highest homicide rate, 104 per 100,000 people, but by 2016 that number had decreased to 81 per 100,000 inhabitants.²⁶

Additionally, the Salvadoran government has been working collaboratively with the United States in joint migration, information sharing, and security initiatives. In May of 2012, El Salvador became the first country in the world to receive more complete criminal history information on U.S. gang deportees through the FBI's Criminal History Information Program (CHIP). Recently, the Salvadoran government has reaffirmed its commitment to work with the U.S. government to eradicate drug trafficking and fully prosecute and punish gang members.²⁷

While these efforts constitute progress, large-scale violence persists in El Salvador. As in 2013, this delegation also found violence to be a pervasive factor mentioned in every interview that was conducted and it was routinely described as an element that permeates most parts of Salvadoran society.²⁸ Crime, including extortion, seems to be increasing with respect to geographic areas/departments subject to gang-infiltration. Gangs earn millions of dollars by extorting residents, bus drivers, and business owners. Failure to pay often results in harassment, violent reprisals, even murder. The delegation noted that the failure to pay extortion, or "renta," or the refusal of youths to submit to gang recruitment, has increasingly led to retribution against not only the person initially approached, but against family members, resulting in whole families becoming vulnerable to forced internal displacement or forced migration. As discussed later in the report, there are large numbers of internally displaced people with substantial protection issues that would be further exacerbated by the large-scale return of TPS recipients at this time.

Additionally, gang violence in El Salvador can be linked to delayed economic growth indicators. A recent study by the Inter-American Development Bank (IDB) estimated that the costs of crime and violence in El Salvador may reach 5.9% of GDP.²⁹ El Salvador posted an estimated growth rate of 2.5% for 2016, the lowest rate of any country in Central America. Despite the low growth rate, El Salvador has growing employment needs. It is estimated that El Salvador needs to create approximately 60,000 new jobs a year

to ensure that its very young population (50% of the population is 30 or younger) is employed.³⁰

El Salvador is making progress on reducing violence, but does not have the capacity to adequately accept returning TPS recipients, protect them, and facilitate their sustained integration. The violence that is not under control, such as extortion, will likely hamper returnees' economic development by reducing the money they currently earn or by scaring away would-be entrepreneurs. Ending TPS now for Salvadoran nationals would be catastrophic for the country's economy because it would add TPS deportees to the ranks of the unemployed and reduce remittances, which support many families in El Salvador.

As with the Honduran TPS population, but in a more impactful way due to the size of the Salvadoran TPS population, Temporary Protected Status provides an invaluable economic lifeline to El Salvador while ensuring legal compliance with the U.S. immigration system. In 2001, the Bush Administration designated El Salvador for TPS due to multiple earthquakes.³¹ Subsequent administrations extended TPS for El Salvador, with the latest extension made on September 10, 2016 and ending on March 9, 2018.³² Most recently, DHS premised extension of TPS on the argument that Salvadorans present in the country during 2001 still cannot safely return to El Salvador.³³ Specifically, DHS found that there "continues to be a substantial, but temporary, disruption of living conditions in El Salvador resulting from a series of earthquakes in 2001, and El Salvador remains unable, temporarily, to handle adequately the return of its nationals."³⁴ As a Catholic organization, USCCB/MRS is concerned that the levels of violence and insecurity (as described more below) in addition to the unresolved service infrastructure and capacity issues, make ending TPS for Salvadorans an unwise and uncharitable decision at this time.

Findings

(1) Entire Families, Not Just Children, Currently Face Targeted Violence in Both Countries

In both countries, the delegation consistently heard that while children were still very vulnerable and experienced extreme protection issues, more whole family units were being targeted and more rural areas were experiencing exploitation due to gang violence



and drug trafficking operations.³⁵

The Church in both Honduras and El Salvador is experiencing, publicly reflecting on, and responding to the escalation of violence in urban communities, in rural communities, and to family units. In his pastoral letter, "I See Violence and Strife in the City," Most Reverend José Luis Escobar Alas, Archbishop of San Salvador, stated: "[t]he faithful know that they are being monitored in their comings and goings in the communities. The same applies to pastoral agents who are constantly watched. . . . The exodus of families is heart-breaking. . . . It is truly unfortunate and painful that the Church cannot work because of this atmosphere of insecurity and anxiety that shakes our beloved country."³⁶ The Archbishop describes one parish alone that in one year was "exposed to murder, persecution, exodus, and extortion," including the murder of six active parishioners by stabbing, dismemberment, or firearms.³⁷ In Honduras, Cardinal Óscar Andrés Rodríguez Maradiaga, Archbishop of Tegucigalpa, discussed Church efforts to be a source of healing and new life for children and families at risk, particularly through Catholic schools and pastoral outreach.³⁸ The Cardinal also noted the moving generosity of the Honduran people, such as the Hondurans in the United States themselves, who sacrifice to send remittances back to family members. On the issue of remittances, Cardinal Rodríguez noted: "it is a touching lifeline and act of love: the poor helping the even poorer."³⁹

In many cases an act of violence directed at a person involves his or her whole family group and breaks down the social fabric of communities, as people are forced to flee with their families. There have been cases where whole communities are targeted and forced from their homes after threats from criminal groups. This targeting of entire families, and the corresponding need for protection of entire families,

is corroborated by what the delegation heard from service providers in both Honduras and El Salvador. In Honduras, both Casa Alianza and Pastoral Care for Migrants, a Catholic collaborative effort led by Scalabrinians in Honduras, reported an increase in families arriving at shelters seeking care. Sister Lidia Mara Silva de Souza, National Coordinator of the Pastoral Care for Migrants, noted many more “total family migration” cases arriving for services and protection.⁴⁰ She described this as a situation where one person is persecuted by gangs, but as a result, the whole family often needs to leave to protect the family. Families in shelters had begun to be targeted when youth had inadvertently disclosed the new location of the family through social media, such as Facebook, causing the need for some families to move yet again in search of protection. In these cases, internal relocation within Honduras is preferred rather than leaving the country, if safe options are available, but Sister Lidia noted that such options were very limited and uncertain.

The delegation also met with Catholic service providers in El Salvador, most notably, Father Mauro Verzeletti, a Scalabrinian who operates a large shelter and safe house in downtown San Salvador. Father Mauro discussed the large increase in the number of families that his organization had been receiving in the past 18 months.⁴¹ He described the very scant existing protections for those who fit the profile of TPS recipients, that is, those who would be returning after a long absence from El Salvador who would face threats of violence or had extreme protection needs.

The increase of family-targeted violence is particularly important when discussing the future possibility of return for TPS recipients, as most will return with their families, including spouses or partners and children. One recent survey estimated that at least 86.3% of Salvadoran and Honduran TPS recipients surveyed had at least one child, but on average had two children, and that approximately 40% of the same population was married, and 13% cohabiting.⁴² As families increas-

ingly become targets of violence, it is necessary to address the lack of sufficient protection mechanisms for the families currently living in Honduras and El Salvador and work to bolster the system before ending TPS protection. From a U.S. government policy perspective, it is also important to note that many of the younger children born of TPS recipients are U.S. citizens, thus the termination of TPS and return of TPS families would mean U.S. citizens sharing in the risks of return. Such U.S. citizen children, who return with their parents to Honduras and El Salvador due to the end of TPS, could be increased and sought-after targets for extortion and gang violence. If these U.S. citizens were to fall prey to gangs, and even become members in those gangs, and choose to return to the United States as adults they could represent serious challenges to U.S. law enforcement.

(2) Large Numbers of Internally Displaced People (IDPs) in Honduras and El Salvador Continue to be Displaced by Violence and Pose Immense, Growing Humanitarian Protection Challenges.

The delegation learned of the substantial internally displaced persons (IDPs) populations that exist in Honduras and El Salvador, and the difficulties both countries are having providing care for them. In the case of El Salvador, there is the additional problem of even addressing and acknowledging the issue publicly, as displacement was an issue during the civil war. Given the pervasiveness of violence leading to internal displacement in both countries,⁴⁴ and the slow progress to address both the root causes and the consequently growing humanitarian challenges, both governments will face severe obstacles to integrating returning TPS recipients from the United States and ensuring that they do not add to the growing IDP population. Such IDP growth would not only undermine the security efforts to quell violence in both countries but would likely also contribute to forced re-migration of TPS returnees back to the United States.

The United Nations Guiding Principles on Internal

Maria* - Violence Leading to Forced Displacement of a Family

Maria was an altar girl at her church and a good student in school in her Honduran community located right outside Tegucigalpa. A gang moved into the abandoned house next to Maria's family house. The police started surveilling the house due to the gang's presence. The gang assumed Maria and her family had complained to the police about their presence. Gang members came over during the day and beat her mother and grandmother while Maria was at school. They turned the music up in the house to drown out the cries as they beat them. Maria's mother and grandmother survived, and the gang then told Maria's father that they had 24 hours to vacate the house. The family immediately moved to a new and equally unsafe neighborhood that an extended relative lived in. Due to the move, Maria had to leave her school and her father had to quit his job, as he feared that the gang would come and find him due to the job's proximity to the old house. Despite some assistance from the Catholic priest from Maria's old parish and NGO organizations, the family had to relocate again and continues to live in extreme fear.

Displacement describe IDPs as “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.”⁴⁵ While IDPs do not qualify for the definition of refugee,⁴⁶ the IDP population is at similar risk for irregular migration out of country due to extreme vulnerability.

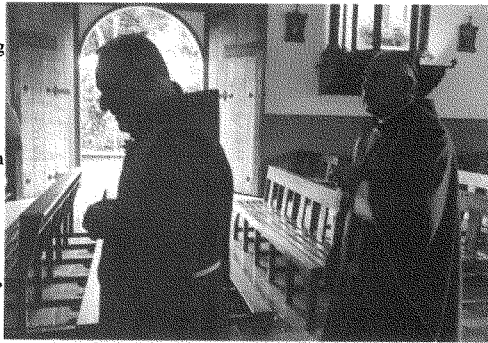
The delegation visited Catholic and other civil society NGO service organizations who serve people affected by violence and forced displacement. Despite their best efforts, all noted the limited capacity to care for IDPs in both countries. In the context of caring for those physically displaced within the country, the organizations interviewed discussed similar stories of attempting to attend to people who frequently leave their homes against their will to save their own and their families’ lives. Many families then must move to another place where they frequently find themselves living in inadequate conditions and suffering deterioration in their family life. Many people who end up being pushed out of their homes due to violence and other displacement factors find themselves caught up in new cycles of vulnerability. As these families have been victimized to the point of being forced to move and be displaced from their homes, they then often struggle to acclimate to new communities that they are living in. Facing hardships relating to finding employment, and securing safety, families begin to feel increasingly desperate to migrate to find better living conditions. As such they begin to look to leave their home countries and migrate internationally in search of protection.⁴⁷ Such individuals are often then apprehended during their journey by immigration officials and frequently deported back to their last community, which was not necessarily their own community. These families who experience this phenomenon then find themselves again being internally displaced.

Another issue related to addressing the internally displaced is the lack of existing governmental infrastructure to care for the IDP population. As more families are fleeing from their neighborhoods and becoming displaced, they are effectively abandoning established and regularized lives. They are leaving behind their family, social networks, belongings, property and livelihoods. They face difficulties reintegrating into the labor market, accessing health services and education, and have difficulty obtaining personal documents

such as birth certificates, identity cards, passports, educational and health records. These are the same services that would be overwhelmed if TPS recipients come back to Honduras and El Salvador.

UNHCR estimates that Honduras has 174,000 internally displaced people.⁴⁸ A recent study estimates that from 2004 - 2014, approximately 41,000 households within 20 municipalities were internally displaced because of violence or insecurity.⁴⁹ Displacement in Honduras does not occur from every community across the country, but instead takes place from certain communities and municipalities. Due to the lack of generalized information about this issue, the Honduran government created the Inter-Agency Commission for the Protection of Persons Displaced by Violence (CIP-PDV) in late 2013 to research the issue and promote the creation of policies to prevent forced displacement.⁵⁰ The creation of the CIPPDV is a good first initiative by the government. The Honduran government has also begun engagement with UNHCR to make Honduras one of the pilot sites for strengthening the national protection response pursuant to the Comprehensive Refugee Response Framework (CRRF). Discussion and planning have begun, especially focused on IDPs, including some discussions with the Catholic Church. However, the important collaboration continues to be in the initial phases. Additionally, it was clear from conversations with the UNHCR office in Honduras little attention was being paid to how the possible return of thousands of Honduras TPS recipients would negatively impact the protection dynamics in Honduras, including the IDP situation.

While initial progress has been made in Honduras with regards to the government acknowledging the existence of an internal displacement issue related to gang violence, the situation in El Salvador remains more complex and hidden. The continued elements of



violence in El Salvador are forcing many families to be displaced from their places of origin because they fear violence from gangs that dominate rival territories where they live or engage in daily life activities. The gangs in their neighborhood force them to participate in crimes and attempt to recruit their teenagers. Resistance to these demands is often met with escalating threats and violence. As a result, thousands of families are forced to leave their homes.

The Salvadoran government has not yet publicly acknowledged the full extent of the phenomenon of internal displacement, particularly with respect to those who have been displaced due to violence. As a result, there is currently no national strategy or legislative or policy framework in place to comprehensively monitor, address, or respond to internal displacement in El Salvador when such displacement is related to violence or other factors.

This lack of engagement regarding IDPs is especially troublesome at this moment as El Salvador, in 2016, was second in the world in terms of the number of new displacements relative to population size, exceeding countries such as Libya, South Sudan, and Afghanistan.⁵¹ The delegation learned that even the estimated number of IDPs in El Salvador is a contested issue. Estimates range from 220,000 IDPs⁵² up to roughly 400,000.⁵³ With regard to data collection on IDPs, most data are collected by NGOs or international organizations, since there is no government system in place to collect information on IDPs. The delegation learned that certain pilot efforts to collect such data and assist with reintegration programming efforts were implemented in 2014 but were discontinued in 2015.

Recently, the UN Special Rapporteur on Human Rights of Internally Displaced Persons visited El Salvador to investigate the situation. She stated: "... the issue of internal displacement seems to be a hidden and largely publicly unacknowledged challenge in El Salvador. . . Statistical data and further independent research is vital to reveal the full extent of the problem of internal displacement in El Salvador, including not only the numbers affected but their circumstances, vulnerabilities, and protection issues, in order to begin to find effective solutions for many hidden and anonymous victims."⁵⁴ As this issue currently stands, the El Salvadoran government's inability to publicly acknowledge the issue of IDPs who are displaced due to violence prevents larger measures to address protection frameworks from being implemented to assist with this migration phenomenon. While there is initial progress in Honduras to identify and evaluate the number of IDPs and their needs, neither Honduras nor El Salvador has stopped the forced displacement of its current residents. They have neither established

programs to meet their immediate humanitarian and protection needs nor assured that their internal displacement will not lead to international flight. Adding TPS returnees into this dynamic would only lead to more forced displacement, internal instability of both countries, and increased irregular migration back to the United States.

(3) Honduras and Salvadoran Governments Do Not Have the Capacity at This Time to Adequately Handle the Return of Their Respective TPS Populations.^{54a}

While previous designations for both Honduras and El Salvador have been made based on varying factors, the current reality is that both Honduras and El Salvador, due to violence, have no capacity to adequately repatriate and achieve sustained integration of TPS recipients at this time in a manner that does not undermine economic stability, create re-migration and perhaps have an impact on regional security.

(A) Honduras Does Not Have the Existing Framework in Place to Identify and Map TPS Recipients Living in the U.S. or to Identify, and Safely Address Repatriation Needs.

Currently, the Honduran government has no means of tracking the existing TPS population living in the United States. Admittedly, the Honduran government does not have any extensive data on TPS recipients beyond what has been provided by DHS and by civil society. This is a structural obstacle that undermines the existing ability of the Honduran government to adequately plan for the needs of those to be returned. While the Honduran government is in the process of building a database to collect such information, it will not be complete in the foreseeable future.⁵⁵ In an attempt to better collect data of nationals living abroad, the Honduran government is undertaking a huge initiative to roll out and implement an enhanced consular identification card.⁵⁶ The consular identification card can be used as a second form of identification for those living in the United States and is being rolled out in partnership with Canada Bank Notes, which currently provides secure identification card services for several U.S. states.⁵⁷ While this is an initiative that will help give more information and data for the Honduran government, this process just began on September 23, 2017 and will not be fully implemented in the next year or even in the next 18 months.

Honduran officials also acknowledged that they have little hard data regarding the age of the Honduran TPS population and for which possible forms of legal immigration relief the existing Honduran TPS population may be eligible.⁵⁸ The lack of knowledge about what available forms of legal immigration relief could

be available provides a sizeable administrative hurdle to scaling up pro bono or low-cost legal immigration services that could identify possible forms of relief. If such information is collected and assessed it could provide the possibility of relief for tens of thousands of Honduran TPS recipients. However, without that type of information, it is hard to assess or do outreach to the eligible population who may not need to be returned if TPS is cancelled. Additionally, there is a dearth of valuable biographical information about Honduran TPS recipients, including factors like age and language ability. While extensive data about the actual population of Honduran TPS holders is not available, recent research indicates that Honduran TPS holders are likely to be older than both the undocumented population, the immigrant population with permanent legal status, and the U.S. population in general.⁵⁹ An older returning population would be problematic and taxing for the very basic health care services available in Honduras. Similarly, the government has no knowledge about the percentage of the population that lives in mixed-status families, has U.S. citizen children, or even speaks Spanish. For example, it is estimated that approximately 20% of Salvadorans and 23% of Hondurans arrived in the United States before the age of 16.⁶⁰ However, such information has only recently been provided by civil society organizations and is based on research estimates.

In addition to issues related to data collection and system development, Honduras does not have an existing repatriation infrastructure in place to deal with the integration needs of returned TPS recipients. Unfortunately, the delegation heard from Honduran and U.S. governmental representatives consistently that despite the progress being made, the Honduran government does not have the ability to adequately handle the return of TPS recipients. While the Law to Protect Honduran Migrants and Their Families, Decree #106-2013 codifies protection for families, there is no further protections or rights listed in the law where rights of those returned nationals are discussed.⁶¹ Furthermore the existing regulations for the government-sponsored Center for Returned Migrants (Oficina de Asistencia al Migrante Retornado (OFAMIR)) has been developed to respond to the needs of returnees who only recently left Honduras. It does not have services for the type of returnees that TPS recipients will be – nor for their long term integrative needs.⁶²

Moreover, in a meeting with the delegation, the staff of the U.S. Embassy in Tegucigalpa, in explaining why they recommended to the U.S. Administration to renew TPS for Honduras, noted the already large num-

ber of annual returnees. An estimated 69,370 people returned to Honduras from January to December in 2016.⁶³ They voiced concern about the existing ability of the government to take additional people, stating: “It [Trying to address additional returns] would undermine all the [security] efforts trying to ensure security here.”⁶⁴ Furthermore, Honduran government officials themselves note that there are no long term integration services that exist to help these particular returnees. The group will include those who are elderly and who generally have greater economic and health care needs. The younger returnees will not necessarily speak Spanish, may not be familiar with Honduran societal or cultural norms, and will not have lived in Honduras as adults.⁶⁵ An official from Foro Nacional Para las Migraciones en Honduras, stated: “As a country we are not prepared. There is no plan. At the government level, no strategy for integrating that many people back into society.”⁶⁶

(B) *El Salvador Has Greater Knowledge of Its TPS Recipient Population but Currently Lacks Capacity to Provide Transitional Legal Services, or to Adequately Accept and Facilitate Sustained Reintegration of Its Extremely Large TPS Recipient Population.*

Of all the nationalities who have TPS designations from the United States, El Salvador is by far the largest. The estimates range from 187,000- 205,000⁶⁷ Salvadorans who have TPS and are living in the United States. The size of this population is noteworthy and elicits the need for greater data collection and evaluation when discussing the possibility of ending TPS and whether the country can adequately accept the return of TPS recipients as mandated by the statute.⁶⁸ In a proactive way, the government of El Salvador has collected data about the TPS recipients. For example, importantly, the delegation learned that the Salvadoran government estimates that approximately 25% of the roughly 200,000 Salvadoran TPS recipients living in the United States are eligible for some form of permanent legal immigration relief in the United States.⁶⁹ The most common forms of relief that are likely available are the adjustment of status based on marriage, and adjustment of status through a U.S. citizen child.⁷⁰

While the Salvadoran government has more knowledge of its TPS population, it is similarly challenged when it comes to having the capacity within the United States to provide legal immigration services. The delegation learned that the Salvadoran government has hired five immigration attorneys at its consulates in the United States to assist TPS recipients with legal immigration

services.⁷¹ While this is an important first step, a much more robust legal immigration service presence needs to be implemented in the Salvadoran consulates and in communities that serve Salvadorans but do not have consulate presence.

More robust legal services are needed particularly as there are recent cases from the United States courts in the 6th and 9th Circuit that provide precedents for certain TPS holders to become permanent residents. The cases apply to TPS recipients in the 6th and 9th Circuits, which include Kentucky, Michigan, Ohio and Tennessee in the 6th Circuit and Alaska, Arizona, California and Hawaii in the 9th Circuit. In *Ramirez v. Brown*, the 9th Circuit held that a grant of TPS constitutes an “admission” for purposes of adjustment of status under the INA.⁷² Through *Ramirez*, the Ninth Circuit, has the same holding as an existing opinion by the 6th Circuit, *Flores v. USCIS*.⁷³ A large number of recipients are able to adjust to lawful permanent residence under *Ramirez* and *Flores* provided that they fulfill other statutory requirements.⁷⁴ This is particularly important when speaking about the ability of Salvadoran TPS recipients’ ability to adjust their status as a majority of Salvadoran TPS recipients live in California.⁷⁵ It is vital that the Salvadoran government work to promote awareness of *Flores*

and *Ramirez* in the respective jurisdictions and work to scale up legal services in those states that are in the 6th and 9th Circuits. The Catholic Church in California has been involved in helping those who are eligible to apply for the relief available. In Los Angeles especially, the archdiocese has been very active in making the districts’ decision known and in offering help through various arms of the archdiocese.

The government does not have adequate systems to address the protection and integration needs of the current returning population, which last year reached 52,560, let alone the potentially much larger TPS returnee population. To accept up to 205,000 individuals in a single year, on top of other deportees, would certainly bring the existing governmental and civil society returnee system to the breaking point.^{75a}

(4) Rescinding TPS for Honduras and El Salvador Will Place Families Who Participated in the Central American Minors (CAM) Program in Jeopardy.

While it has been reported by the Administration that the Central American Minors (CAM) refugee program will be phased out in Fiscal Year 2018,⁷⁶ there is continued concern about the protection needs of vulnerable children and their families who applied and enrolled or attempted to apply for the program. Most notably, the high correlation between TPS recipients and CAM enrollment gives great concern with regards to family separation for families that participated in the program. The delegation learned from the U.S. Embassy staff in El Salvador that an estimated 90% of CAM refugee applications were from qualifying relatives who had TPS.⁷⁷ Created in 2014, the Central American Minors (CAM) Refugee program was to provide certain qualified children who are nationals of El Salvador, Guatemala, and Honduras, as well as certain family members of those children, an opportunity to apply for refugee status and possible resettlement in the United States.⁷⁸ Only certain parents who are lawfully present in the United States were eligible to be qualifying parents and request access to the program for their children. To be eligible, parents must have lawful immigration status, of which TPS was recognized as one form of eligible status.⁷⁹ TPS is also the predominant status that eligible parents for CAM refugees have been able to utilize. Examination of the Catholic Charities refugee resettlement affiliates in USCCB’s network who are processing the most CAM cases, lends support to the claim that those eligible for the existing CAM refugee program are primarily through TPS status. For example, Catholic Charities of Rockville Center reported that 98% of its CAM caseload had TPS as qualifying relationships⁸⁰, Catholic Charities of the Archdiocese of New York reports that approximately 78% of their CAM qualifying relationships have been TPS⁸¹, and

Ricardo— Family That Would Face Financial Uncertainty with TPS Non-Renewal

Ricardo is a contractor with one of the civil society organizations that the delegation interviewed in Honduras. Ricardo is university-educated and has a business providing translations and website designs to NGOs. He has extensive family in the United States, including cousins in Tennessee and California. One of his cousins who lives in the United States is a business owner who has TPS. Ricardo’s wife has a niece and nephew in Florida and Texas who both have TPS. They work as a nurse and as an Emergency Medical Technician. Ricardo expressed concern about the future for his TPS recipient family living in the United States. He worries about how exactly they will survive in Honduras if they are forced to come back and what they will do to make a living. He particularly noted concern for his cousin who owned a business and has TPS. He mentioned that his cousin, due to his tenuous TPS status, was uncertain as to the fate of his self-made business. If he lost his TPS status, he would no longer be able to run his business. Ricardo also noted the crime that occurred in Honduras that was frequently targeted at small business owners, and wondered aloud how exactly entrepreneurs like his cousin would be able to make a living to support themselves and their families if they were returned.

Blanca* Salvadoran TPS Recipient, School Aide, Church Leader & Mother of U.S. Citizen Children

Blanca is a middle-aged Salvadoran woman. She has been living in the United States for 16 years, first in Washington D.C., and currently in Maryland. She came to this country seeking a better living than what her war-ravaged home country of El Salvador could offer. Blanca currently works as a school aide at a local public school. She is married and has four children (ages 16, 15, 11 and 9), all of which are American citizens. She regularly sends money to her uncle and her brother in El Salvador. She is an active member of her community. Blanca attends Mass regularly at St. Camillus in Silver Spring and teaches Catechesis to children in her parish. She also volunteers in her children's school. She contacted an immigration lawyer through St. Camillus who told her she could not apply for permanent residence until her first-born turns 21. Blanca is fearful that this administration might rescind TPS for Salvadorans. She does not want to be torn away from her children, all of whom know no other country other than the U.S. Blanca noted that it is important to remember that "many TPS holders have families they have to feed, and can't afford to be separated from them."

Catholic Charities of Houston reports that 95% of their CAM qualifying relationships have TPS.⁸²

Rescinding TPS for Honduras and El Salvador will only exacerbate existing protection concerns for Central American minors. By effectively placing qualifying relationship sponsors of CAM refugees into undocumented status in the United States, families would no longer be able to provide safe and stable placement for their children. In addition, families will be at increased risk of family separation which could result in further interactions with the child welfare system, as primary caregivers are stripped of TPS and become eligible for removal. For CAM applicants not yet arrived in the U.S., revoking TPS from qualifying relationships would result in thousands of vulnerable children being left in extremely dangerous and violent situations from which they are attempting to flee. As the root causes of migration in Honduras and El Salvador have not been mitigated, and facing no viable alternative for legal migration, minors with extreme protection needs will continue to flee in search of safety and will be forced to consider more dangerous routes, placing them at greater risk for exploitation in the hands of smugglers and traffickers.

The CAM refugee and parole program, while small, has offered an important legal and regular immigration pathway for vulnerable children and family members with extreme protection needs. In Pope Francis's recently released Twenty Points Responding to Refugees and Migrants, through the Holy See's Dicastery on Migrants and Refugees, the importance of safe and legal routes for migrants and refugees is highlighted. In the section on "Welcoming: Enhancing Safe and Legal Channels for Migrants and Refugees", the Holy See recommends that states should be encouraged to expand the number and range of alternative legal pathways for safe and voluntary migration and resettlement. A specific recommendation is "adopt[ing] humanitarian corridor programs that grant legal entry

with a humanitarian visa to people in particularly vulnerable situations..."⁸³ As articulated by the Holy See, the need for safe and legal pathways such as the CAM program is vital at this time of unprecedented violence and regional child protection issues in the Northern Triangle. CAM provided necessary safe regular migration corridors to the United States in a year when Central American refugees have accounted for just 1 percent of the 51,000 refugees who have been admitted to the United States. With the end of the CAM program called for by the Administration, coupled with the end of TPS, families who came forward to register with the U.S. government and enroll in an existing safe legal migration program will be doubly harmed and placed in a far more vulnerable situation.

Recommendations

To the United States Government:

- (1) **TPS should be extended for 18 months for Honduras and El Salvador respectively.** Such an extension is appropriate under federal statutory criteria, because neither country can adequately handle the return of its nationals at this time, and both countries have requested continued protection.⁸⁴ Extension of TPS at this time to both Honduras and El Salvador would also help to ensure regional stability and prevent larger-scale internal displacement as well as irregular international migration flows.
- (2) **Congress should pass a legislative solution providing continued lawful status for those TPS beneficiaries that have been granted protection for many years in the United States. They have personal equities that are also closely associated with U.S. interests, such as U.S. citizen children, businesses,**

and home mortgages. Congressional lawmakers need to work in a bipartisan manner to address long-term TPS recipients as they have developed strong equities in the United States. Such options may include one-time relief for long-term resident TPS recipients, "protected status suspension" for persons in danger if returned to country of origin; or adjustment of status for current TPS beneficiaries who would be otherwise eligible for an immigrant visa and are admissible to the United States for permanent residence.

- (3) **DHS should work with the Honduran and Salvadoran consulates and civil society to formulate an education campaign to ensure that TPS recipients in the United States who are eligible for permanent lawful status receive information concerning how to adjust their status.** This is important since adjustment of status is a positive integration outcome which ensures a greater financial contribution to the U.S. government. From an economic and humanitarian point of view, it is also a cost saving alternative to apprehension, detention and removal.

To Honduran Government:

- (1) **Honduras should improve its existing infrastructure for registering and monitoring existing TPS recipients living in the United States.** The newly revamped Consular Identification card, introduced in September 2017, is a good first step and could have wide-reaching impact if robustly implemented.
- (2) **Honduras should consider development of its consular presence in the United States and its legal immigration services for its nationals living in the United States.** Such efforts could include education campaigns and legal immigration services for Honduran TPS recipients in the US, urging them to get screened for available forms of status and move forward with permanent legal immigration options where possible.
- (3) **Honduras and El Salvador need to improve their in-country legal work opportunities for their youthful populations.** Gang-prevention programs that have job skill component programming, such as Catholic Relief Services YouthBuilders programs will help to provide Honduran and Salvadoran nationals with more economic security and help further develop the stability of the region.
- (4) **Honduras needs to develop stronger programming to address protection and integration services for internally displaced people and for returnees who have been outside of Honduras for many years.** This is vital to prevent onward migration and re-migration in the case of Honduran nationals who have been internally displaced or returned. Such program development could also help enable Honduras to adequately handle the return of TPS recipients in the future. Services such as language skills and cultural orientation will help ensure that such a long departed and newly returned population will better acclimate and will not face remigration or forced displacement.

To El Salvadoran Government:

- (1) **El Salvador should consider addressing the issue of internal displacement of people due to generalized violence.** El Salvador should work with UNHCR to engage in an internal displacement profiling study to better understand and respond to the scope and challenges of IDPs whose numbers have greatly increased in the past five years.
- (2) **El Salvador needs to better fund and coordinate its existing consular legal resources to ensure that the large number of TPS recipients who are potentially-eligible for permanent legal status may be able to apply.**
- (3) **El Salvador needs to develop better programming to address long-term repatriation and integration services.** This is vital to prevent re-migration in the case of Salvadoran nationals who have been returned and to adequately handle the return of TPS recipients in the future. Services such as language skills and cultural orientation will help ensure that returned populations will better acclimate and will not face remigration or forced displacement. This protection/integration program could also be part of the infrastructure to protect and assist IDPs mentioned above.
- (4) **El Salvador (and Honduras) should address root causes of forced displacement and forced migration, working in collaboration with the United States, the international community, and civil society.** Honduras is already engaging UNHCR and other international organizations in this effort, but meaningful protection plans need to be further created and implemented.

To Civil Society Leaders in the United States:

- (1) **U.S. immigration service providers should coordinate to robustly screen and provide legal services for Salvadorans and Hondurans living in the United States who might qualify for immigration relief under U.S. law.**
- (2) **Funding mechanisms should be created through existing donor and funder networks to help defray the application costs for assisting TPS recipients who have legal relief available.**

To Catholic Church Leaders:

- (1) **Through diocesan services and Catholic NGOs in El Salvador and Honduras, contribute to further providing protection and humanitarian assistance for IDPs, current and future returnees, and possible future TPS returnees.** Recent examples of the Scalabrinians collaborating with the Honduran government are positive but more formalized partnership needs to occur to better protect and ensure a greater number of individuals who can access protection and integration services in country.
- (2) **Through diocesan services in the United States and Canada, support legal screening and services to maximize access to permanent legal status for Salvadorans and Hondurans in the U.S. and Canada.** More legal education and screening opportunities need to occur at the parish and diocesan community level. While the existing Catholic Charities legal service network provides assistance, it is vital to further develop education and awareness about the TPS population and possible legal immigration options available.

Conclusion

It is crucial for the United States to extend TPS for El Salvador and Honduras. Terminating TPS for the two countries may negatively impact regional security, and have negative economic and humanitarian consequences in El Salvador, Honduras and the United States. While both El Salvador and Honduras have demonstrated improvements in their existing governmental protection and security efforts, neither nation has the ability at this time to adequately handle the return of its nationals if TPS is not renewed. Both countries lack institutional capacity to reintegrate as they are already under strain due to the large number

of returnees coming back from the United States and Mexico and from the large number of IDPs in both countries.

In meeting with TPS recipients in the United States through our Catholic Charities network and speaking with TPS recipients' family members in Honduras and El Salvador, it is clear that many TPS recipients consider the United States their home and are contributing members of the United States in economic and social terms. They also provide financial assistance and security to their children, many of whom are U.S. citizens, and they provide the same through remittances for loved ones in their countries of origin. These funds are vital to the well-being of families. To end TPS will also ensure devastating situations of family separation and affect an estimated 270,000 U.S. citizen children who will face the unbearable choice of either being without their parents or returning with their parents to face the dangers for youth and families that are well documented in El Salvador and Honduras.

We ask the Administration to extend TPS for 18 months for Honduras and El Salvador and to continue working with the respective governments on economic development, security and safe repatriation efforts. Further, the Administration should support anti-gang, anti-corruption and systematic integration efforts to ensure greater regional stability and human security.

We look forward to working with Congress, the Administration and others in pursuing humane and just solutions for the long-term TPS beneficiaries currently residing in the United States.

Acknowledgements

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Apostolic Nunciature of the Holy See, El Salvador

Archdiocese of Washington, St. Camillus Church, Silver Spring, Maryland

Archdiocese of San Salvador

Archdiocese of Tegucigalpa

Asociación Comité de Familiares de Migrantes Fallecidos y Desaparecidos de El Salvador (COFAMIDE)

Caritas, El Salvador, Honduras

Casa Alianza, Honduras

Catholic Relief Services, El Salvador, Honduras

- Cristosal
- Dicastery for Integral Human Development, Holy See
- Dirección de Niñez, Adolescencia Y Familia (DNAF), Honduras
- Embassy of El Salvador and Honduras in the United States of America
- Foro Nacional Para Las Migraciones, Honduras
- Inter-American Foundation
- International Organization for Migration
- Ministry of Foreign Affairs, El Salvador
- Ministry of Foreign Affairs and International Relations, Honduras
- Pastoral Care for Migrants in Honduras
- Scalabrinian Fathers, El Salvador and Scalabrinian Sisters, Honduras
- United Nations High Commissioner for Refugees
- U.S. Embassy in San Salvador and U.S. Embassy in Tegucigalpa
- USAID Mission in San Salvador and USAID Mission in Tegucigalpa
- Youth in “Youth Builders,” Tegucigalpa and Youth in “Youth Builders,” El Salvador
- * In each of the case studies used in the report, the names of individuals were changed to protect their identity.
- Endnotes**
- 1 8 U.S.C. § 1254(b) provides that TPS may be designated:
- (1) In general. – The Attorney General after consultation with the appropriate agencies of the Government, may designate any foreign state (or any part of such foreign state) under this subsection only if-
- (A) The Attorney General finds that there is an ongoing armed conflict within the state and due to such conflict, requiring the return of aliens who are nationals of that state to that state (or to the part of the state) would pose a serious threat to their personal safety;
- (B) The Attorney General finds that-
- (i) There has been an earthquake, flood, drought, epidemic, or other environmental disaster in the state resulting substantial but temporary disruption of living conditions in the area affected,
- (ii) The foreign state is unable, temporarily to handle adequately the return to the state of
- aliens who are nationals, and
- (iii) The foreign state officially has requested designation under this subparagraph;
- 2 See Immigration Act of 1990, Pub. L. No. 101-649, 104 Stat. 5036, available at <https://www.gpo.gov/fdsys/pkg/STATUTE-104/pdf/STATUTE-104-Pg4978.pdf>
- 3 Number provided to the USCCB/MRS delegation by the US Embassy staff in El Salvador, August 18th, 2017 delegation trip notes on file with the author.
- 4 Cecilia Menjivar, Temporary Protected Status in the United States: The Experiences of Honduran and Salvadoran Immigrants, Center for Migration Research, University of Kansas, Central American Resources Center, National Day Laborer Organizing Network, May 2017, at 2.
- 5 TPS Designated Country: El Salvador, U.S. CITIZENSHIP AND IMMIGRATION SERVICES (USCIS) (March 6, 2017), <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protectedstatus-designated-country-el-salvador>
- 6 Carla Argueta, Temporary Protected Status: Current Immigration Policy and Issues, Congressional Research Service, January 17, 2017, at 4.
- 7 Cecilia Menjivar, Temporary Protected Status in the United States: The Experiences of Honduran and Salvadoran Immigrants, Center for Migration Research, University of Kansas, Central American Resources Center, National Day Laborer Organizing Network, May 2017, at 2.
- 8 TPS Designated Country: Honduras, USCIS, (Aug. 11, 2016), <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-honduras>.
- 9 Pope Pius XII, *Exsul Familia* (On the Spiritual Care of Migrants), September, 1952.
- 10 Message of his Holiness Pope Francis for the 104th World Day of Migrants and Refugees referring to Statement of the Permanent Observer of the Holy See to the 103rd Session of the Council of the IOM, 26 November 2013.
- 11 *World Fact Book: Honduras*, CIA, see https://www.cia.gov/library/publications/the-world-factbook/geos/print_ho.html.
- 12 Gabriel Lesser, Jeanne Batalova, “Central American Immigrants in the United States,” Migration Policy Institute, April 5, 2017, available at <http://www.migrationpolicy.org/article/central-american-immigrants-united-states>
- 13 See Mission to Central America: The Flight of Unaccompanied Children to the United States, USCCB/MRS, November 2013 available at <http://www.usccb.org/about/migration-policy/fact-finding-mission-reports/upload/Mission-To-Central-America-FINAL-2.pdf>
- 14 Law to Protect Honduran Migrants and Their Families, De-

- cree #106-2013, codified February 15, 2014 available at https://docs.wixstatic.com/ugd/ab137c_b55feb81b9894bbab0883c5b-b78679a7.pdf
- 15 U.S. Customs and Border Protection, Unaccompanied Alien Children Encountered by Fiscal Year, Graph on Fiscal Years 2009-2015, FY 2016 (October 1, 2015 - September 30, 2016) available at <https://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children/fy-2016>
- 16 World Bank Data: Honduras, Country Profile 2017, available at <https://data.worldbank.org/country/honduras>
- 17 The Continued Growth of Family Remittances to Latin America and the Caribbean in 2015, The Dialogue for Leadership in the Americas, February 2016 available at <http://www.the dialogue.org/wp-content/uploads/2016/02/2015-Remittances-to-LAC-2122016.pdf>
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- 18 Meeting with Vice Minister Maria Matamoros Castillo, August 14th, 2018 delegation trip notes on file.
- 19 See Designation of Honduras Under Temporary Protected Status, 64 Fed.Reg. 524 (Jan. 5, 1999).
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- 26 Bureau of Diplomatic Security, *El Salvador Crime and Safety Report*, February 22, 2017, U.S. Government, available at <https://www.osac.gov/pages/ContentReportDetails.aspx?cid=21308>
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66 Meeting with Karen Valladares Foro Nacional Para las Migraciones en Honduras 8.12.17, notes on file.

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73 *Flores v. USCIS*, 718 F. 3d 548 (6th Cir. 2013)

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79 The forms of eligibility: (1) lawful permanent resident; (2) TPS; (3) parolee; (4) deferred action (DACA or another form); (5) deferred enforced departure; or (6) withholding of removal.

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83 Vatican Dicastery on Migrants and Refugees, Responding to Refugees and Migrants: Twenty Action Points, at I-Welcome, 2.c, 2017.

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Migration &
Refugee Services
Reverend Migration, Seeking Justice.
UNITED STATES CONFERENCE OF CATHOLIC BISHOPS



CATHOLIC RELIEF SERVICES



Catholic
Charities
USA.
Working to Reduce Poverty in America.



CATHOLIC LEGAL
IMMIGRATION
NETWORK, INC.

November 1, 2016

The Honorable Jeh Johnson
Secretary of Homeland Security
U.S. Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, DC 20528

The Honorable John F. Kerry
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

VIA EMAIL

RE: Protection for and Aid to Haitians after Hurricane Matthew

Dear Secretaries Johnson and Kerry:

We write on behalf of the U.S. Conference of Catholic Bishops' Committee on Migration (USCCB/COM), Catholic Relief Services (CRS), Catholic Legal Immigration Network (CLINIC), and Catholic Charities USA (CCUSA) to share our concerns regarding the care and treatment of Haitians by the Department of Homeland Security (DHS). Our concerns have increased significantly due to the disaster wrought by Hurricane Matthew in Haiti.

Hurricane Matthew devastated Haiti on October 4, 2016, killing hundreds of Haitians and leaving 1.4 million in need of urgent humanitarian assistance. Hurricane Matthew has left tens of thousands in Haiti with damaged or destroyed homes, and over 175,000 individuals remain in emergency shelters. Adding to this catastrophe is the fact that flood waters resulting from the hurricane compromised the water supply and destroyed essential crops. In addition to food shortages, we are concerned that the cholera epidemic could worsen. CRS has already provided support to nearly 12,000 households and is leading coordination of the shelter response. As the country seeks to recover from this latest disaster, we encourage our government to do all it can for Haitians presently in Haiti and arriving to the United States. This emergency is yet another reminder of the unprecedented humanitarian needs globally; we urge the Administration and its

successor to press Congress for an expansion of robust humanitarian funding in Fiscal Years 2017 and 2018 appropriations.

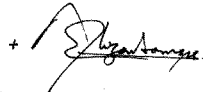
We are concerned about DHS's recent immigration policies which separate and detain Haitian family members. These policies are particularly inhumane in the aftermath of Hurricane Matthew when our government should be showing Haitians compassion and support. Thus, we urge you to consider the following migration-related recommendations:

- 1) **Permanently Halt Haitian Regular Removal Policy and Reinstate Humanitarian Parole of Haitians at the U.S./Mexico Border.** While we welcome your recent decision to temporarily suspend flights deporting Haitians from the United States, we urge you to permanently halt regular removals to Haiti. DHS justified the September 22, 2016 change of policy resuming regular removals by finding that conditions in Haiti had "improved sufficiently." This assertion in the face of the devastation left by Hurricane Matthew, as well as the effects of prior natural disasters, health epidemics, violence, and political instability, is untenable. With the current destruction in Haiti, placing arriving Haitians in detention and removal proceedings will only contribute to over-crowding in our immigrant detention facilities, as they cannot be safely returned to Haiti at this time. Therefore, we ask that you reinstate the humanitarian parole of Haitians as a humane but also a cost-effective measure.
- 2) **Redesignate Temporary Protected Status (TPS) for Haiti.** DHS should issue TPS for Haitians currently in the United States and extend the status through the duration of Haiti's recovery. As you know, DHS extended TPS for Haiti – initially designated after the 2010 earthquake – through July 22, 2017; however, in the wake of Hurricane Matthew, DHS should redesignate Haiti for TPS. DHS has the authority to issue such a policy under Section 244(b) of the Immigration and Nationality Act. As noted above, the hurricane has had catastrophic consequences in Haiti and return of individuals to the country cannot be accomplished safely at this time. Thus, redesignating Haiti for TPS is an appropriate and a humane administrative response that will allow individuals to work in the United States and send remittances back to Haiti. Permitting displaced Haitians to legally work will also provide them with the opportunity to support themselves and their families and live with dignity.
- 3) **Expand the Capacity of the Cuban and Haitian Family Reunification Parole Programs.** During this time of crisis, we ask you to fully support and expand existing programs such as the Haitian Family Reunification Parole (HFRP) Program, which expedites reunification for eligible Haitian family members of U.S. citizens and lawful permanent residents. As with its companion program for Cubans, the need for the HFRP Program is vast as evidenced by the fact that there are an estimated 100,000 Haitians who will become eligible for the program. In the aftermath of Hurricane Matthew, this need will undoubtedly grow. Thus, expanding capacity of and increasing resources to this family reunification program, as well as the Cuban Family Reunification Parole Program, is vital to ensure timely, safe, and legal family reunification.
- 4) **Increase Efforts to Ensure Haitian Family Unity.** In recent weeks, we have learned of the toll DHS's new policy has taken on family unity. DHS is detaining approximately 2,700 newly arrived Haitians in facilities across the country. While we welcome the decision to release

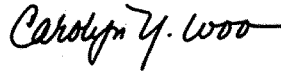
pregnant women and women with children, DHS should ensure that it is strictly adhering to this policy. Unfortunately, the CARA Pro Bono Project has recently observed at least 11 Haitian families transferred from the border to the South Texas Family Residential Center in Dilley, Texas. We ask that you not detain Haitian families and that you not separate Haitian husbands and fathers arriving in these family units. Finally, DHS must ensure that it is making every effort to reunite family members who were separated at the U.S./Mexico border due to the September 22nd policy shift. Family unity is the foundation of our nation's federal immigration policy and a high priority of the Catholic Church. We have an obligation to uphold this priority. Consequently, DHS should ensure pregnant women and Haitian family units – including Haitian men arriving in family units – are not detained, facilitate family units being processed together at ports of entry, and make every effort to expedite processing for those individuals who have already been separated and are waiting for an appointment at the San Ysidro or Calexico Ports of Entry.

In conclusion, our nation must lead by example during this time of crisis and tragedy. We must offer aid, protection, and compassion to Haitians abroad and within the United States. As Catholic service providers, we stand ready to work with you to help assist Haiti and Haitians rebuild from this terrible tragedy. We believe these policies will help ensure that Haiti and its people are positioned for recovery.

Sincerely,



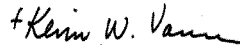
Most Rev. Eusebio Elizondo
Chairman, Committee on Migration
U.S. Conference of Catholic Bishops



Dr. Carolyn Y. Woo
President and CEO
Catholic Relief Services




Sr. Donna Markham, OP,
PhD
President & CEO
Catholic Charities USA



Most Rev. Kevin Vann
Chairman
Catholic Legal Immigration Network, Inc.

cc: Felicia Escobar, Special Assistant to the President for Immigration Policy
Cecilia Muñoz, Assistant to the President and Director of the Domestic Policy Council
Denis McDonough, White House Chief of Staff, Executive Office of President



Haiti's Ongoing Road to Recovery: The Necessity of an Extension of Temporary Protected Status

November 2017

Report of the Committee on Migration of the United States Conference of Catholic Bishops

TRIP DELEGATION


Archbishop Thomas Wenski
Archbishop of Miami, FL

Bishop Launay Saturne
Bishop of Jacmel, Haiti

William Canny, Executive Director
of USCCB/MRS

Jeanne Atkinson, Executive Director
of Catholic Legal Immigration
Network

Melissa Hastings, Policy Advisor of
USCCB/MRS



I. INTRODUCTION

From September 4-7, 2017, a delegation from the U.S. Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) traveled to Port-au-Prince, Haiti to examine country conditions and analyze the need for an extension of Temporary Protected Status (TPS) for Haitian nationals living in the U.S.

Most Reverend Thomas Wenski, Archbishop of Miami and a member of the USCCB Committee on Migration led the delegation. Archbishop Wenski was accompanied by Most Reverend Launay Saturne, Bishop of Jacmel, Haiti; William Canny, Executive Director of USCCB/MRS; Jeanne Atkinson, Executive Director of the Catholic Legal Immigration Network, Inc. (CLINIC); and Melissa Hastings, Policy Advisor at USCCB/MRS.

TPS is a temporary, renewable, and statutorily authorized immigration status that allows individuals to remain and work lawfully in the U.S. during a period in which it is deemed unsafe for nationals of that country to return home. Congress passed TPS as part of the Immigration Act of 1990, which President George H.W. Bush signed into law on November 29, 1990.¹ The Secretary of Homeland Security, in consultation with other appropriate agencies, may designate a country for TPS in instances of ongoing armed conflict, environmental disaster or epidemic, or in other situations where there are extraordinary and temporary conditions that prevent nationals from safely returning to their home country.²

Currently, there are an estimated 50,000 Haitians living in the U.S. with TPS.³ Through its work in Haiti and in the United States, the Catholic Church knows these individuals to be hardworking contributors to American communities, Catholic parishes, and our nation. Over 81 percent of Haitian TPS recipients work in the U.S. labor force.⁴ These individuals and families have ties to the U.S. in the form of careers, home mortgages, and family members with U.S. citizenship. Given these equities, there is a significant need for Congress to find a legislative solution for long-term TPS recipients.

Unfortunately, without a legislative solution, Haitian TPS recipients are living in a state of uncertainty and flux as Haiti's current TPS designation is set to expire on January 22, 2018.⁵ As discussed in Section II, the Department of Homeland Security (DHS) most recently extended TPS for Haiti on May 24, 2017 for a period of six months.⁶ Per the statutory requirements, the Administration will need to make a decision on whether to extend TPS for Haiti by November 23, 2017.⁷

United States Conference of
Catholic Bishops/
Migration and Refugee Services

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With this deadline quickly approaching, the USCCB/MRS delegation, which included the Executive Director of CLINIC, traveled to Port-au-Prince to meet with Haitian government officials, the U.S. Embassy, the United Nations High Commissioner for Refugees (UNHCR), the United Nations Development Program (UNDP), and the International Organization for Migration (IOM), as well as other international and civil society actors. Through direct observations and discussions with these actors, the delegation analyzed the progress Haiti had made since its initial designation for TPS in 2010 and examined the challenges that remain. The delegation also assessed the ability of the country to safely accept and reintegrate returned nationals should TPS for Haiti be terminated. Finally, the delegation worked with the Archdiocese of Miami and the Justice for Immigrants network to gain the perspective of TPS recipients and a better understanding of the challenges that recipients and their families would face if TPS is not extended and a legislative solution is not found.

USCCB/MRS's deep concern for individuals with TPS is rooted in Catholic Social Teaching and its experience with welcoming and integrating large populations of migrants to the U.S. God calls upon His faithful to care for the foreigner, whom others marginalize, because of their own experience as foreigners: "So, you, too, must befriend the alien, for you were once aliens yourselves in the land of Egypt."⁸ Jesus was also forced to flee his home, and identifies himself with newcomers and with other marginalized people in a special way: "I was a stranger and you welcomed me."⁹ In modern times, popes over the last 100 years have continued to develop the Church's teaching on migration. Pope Pius XII reaffirmed the Catholic Church's commitment to caring for pilgrims, foreigners, exiles, refugees, and migrants of every kind, affirming that all people have the right to conditions worthy of human life and, if these conditions are not present, the right to migrate.¹⁰ Pope Francis has provided recent guidance, saying: "Collective and arbitrary expulsions of migrants and refugees are not suitable solutions, particularly where people are returned to countries which cannot guarantee respect for human dignity and fundamental rights."¹¹

This report details the delegation's findings and corresponding policy recommendations.

II. OVERVIEW: HAITI'S PROGRESS TOWARDS RECOVERY HAS BEEN LIMITED AND TENUOUS

In 2010, Haiti was devastated by the strongest earthquake to hit the country in 200 years.¹² While Haiti has made notable and important progress since this disaster, its limited resources have impeded swift recovery. Haiti, a nation slightly smaller than Maryland and home to 11 million people, remains the poorest country in the Western Hemisphere and one of the poorest in the world.¹³ In addition to economic barriers to recovery, recent hurricanes and flooding have further delayed the nation's reconstruction and rehabilitation. To date, the United States has recognized the ongoing challenges faced by Haiti, as well as the necessity and benefits



Photo Credit: Bob Roller/CRS

of providing protection to Haiti's displaced diaspora through TPS.

During its assessment of conditions in Haiti and the ability of the nation to safely accept return of its nationals, the delegation found that while conditions are improving, as shown by the lessening numbers of internally displaced persons (IDPs) and a reduction in severity of the cholera epidemic, the country is not yet at a point where it can safely accommodate the return of 50,000 TPS recipients. Haiti is still a country in the midst of recovery, as evidenced by the thousands that remain displaced in camps and the key infrastructure that has yet to be rebuilt. And while cholera cases decreased in 2017, there have still been thousands of new cases reported this year. Furthermore, as discussed in Section III(B), the delegation found that recent hurricanes have substantially impeded Haiti's efforts to rebuild and have contributed to the pervasive poverty and food insecurity, with Hurricane Matthew alone causing an estimated \$2.8 billion of damage in 2016.¹⁴

Terminating TPS would further strain Haiti's institutions, weaken the Haitian economy, increase irregular re-migration, and divert resources away from the path to recovery. A return of TPS recipients to Haiti at this time would exacerbate the ongoing effects of the natural disasters and a loss of remittances from TPS recipients would be a severely destabilizing force. Furthermore, the delegation found no evidence of capacity to provide large-scale reintegration ser-

Samuel's Story* - A Family Facing Separation and Upheaval

Samuel, a client of Catholic Legal Services, Archdiocese of Miami, Inc. (CLS), is one such TPS recipient with strong ties to the U.S. Samuel came to the U.S. in 1998. He lives in Florida, where he has worked for the same company for 16 years. He is a father of five, and his two youngest children are U.S. citizens. If TPS is terminated, Samuel faces the possibility of being torn from his home and career. His family also faces imminent separation and will have to make life-changing, difficult decisions. They anticipate that Samuel and his wife, also a TPS recipient, would return to Haiti with their younger children, while their older children would try to obtain status in Canada. In addition to this separation, Samuel worries about the ability of his U.S. citizen children to integrate and adapt to life in Haiti. He worries that they would be targets for kidnapping, as individuals who have lived in the U.S. are often perceived as being affluent.

VICES for repatriated nationals with TPS. Consequently, provision of TPS continues to be essential to the safety of Haitian nationals currently protected in the U.S., necessary to foster Haiti's tenuous stability, and key to protect the progress being made by the nation. At this point in its recovery, a decision to terminate TPS for Haiti would be both premature and inhumane.

The Secretary of Homeland Security initially designated Haiti for TPS on January 21, 2010 for an initial period of 18 months.¹⁵ The Secretary designated Haiti on the grounds of extraordinary and temporary conditions that prevent nationals' safe return after a 7.0-magnitude earthquake devastated Haiti on January 12, 2010. The Department of Homeland Security (DHS) noted at the time of designation that the earthquake affected an estimated three million people, or one third of Haiti's population,¹⁶ and killed an estimated 230,000 individuals.¹⁷ Among those lost were Archbishop Joseph Serge Miot of Port-au-Prince, as well as numerous priests, men and women religious, and seminarians.¹⁸ The earthquake further destroyed homes, infrastructure, churches, hospitals, and government buildings, including the Presidential Palace, the Ministry of Justice, and Parliament.¹⁹

In its initial designation, DHS noted Haiti's limited resources to cope with such a disaster. DHS further found that "allowing eligible Haitian nationals to remain temporarily in the United States, [is] an important complement to the U.S. government's wider disaster relief and humanitarian aid response underway on the ground in Haiti, [and] would not be contrary to the public interest."²⁰

DHS both extended TPS and re-designated Haiti for TPS on May 19, 2011. This decision allowed Haitians having received TPS in 2010 to retain their status while also allowing additional eligible individuals who had been residing in the U.S. since January 12, 2011 to apply for TPS. In doing so, DHS noted the fact that conditions warranting the TPS designation continued to be met and found that the "earthquake has exacerbated Haiti's position as the least developed country in the Western Hemisphere and one of the poorest in the world."²¹ It also noted the estimated 1.6 million IDPs and the cholera outbreak as additional reasons for redesignation.²²

Due to the ongoing adverse impacts of the earthquake, political instability, and devastation of Hurricane Matthew in 2016, DHS extended TPS for Haiti several more times. It did so most recently on May 24, 2017 for a period of six months.²³ In its announcement of the extension, DHS noted that while Haiti had made significant progress in its recovery, conditions remain that warrant its designation for TPS.²⁴

This six-month extension is set to expire on January 22, 2018. As noted above, however, DHS is statutorily required to make a decision to extend or terminate Haiti's TPS designation by November 23, 2017.

III. FINDINGS

A. While progress is being made, recovery is far from complete, and the "extraordinary and temporary conditions" that warranted Haiti's TPS designation remain.

The delegation found that notable progress has been made in Haiti since 2010, including improved political stability, reduction in cholera cases, and a decrease in the number of IDPs. While this progress is heartening, the delegation also found that the recovery process is far from complete. The country is still struggling to rebuild and attract investments, meanwhile food insecurity, poor sanitation, and the ongoing cholera epidemic remain significant barriers to Haiti's full recovery. The Catholic Church itself, while slowly rebuilding, has yet to obtain full recovery, as evidenced by its earthquake-decimated Cathedral. At this time, the continuing challenges would be exacerbated by the return of 50,000 TPS recipients. The delegation remains hopeful, however, that the notable progress made is indicative of the temporary nature of these conditions.

Economy & Poverty. The delegation consistently observed that poverty remains a systemic problem in Haiti. Nearly 60 percent of Haitians live under the national poverty line of \$2.41 per day.²⁵ As noted by one UNDP representative, in Haiti "people are either poor or very poor," with unemployment for youth remaining a particularly pervasive problem.²⁶

The 2010 earthquake caused an estimated \$8 - 14 billion in damage,²⁷ and recovery from a disaster of this magnitude has understandably been slow, particularly given Haiti's limited resources. Organizations such as Catholic Relief Services (CRS) in Haiti assist with emergency response, as well as educational, health, and agricultural recovery needs. Nevertheless, reconstruction remains a challenge, particularly as economic growth has slowed to one percent and the fiscal deficit is expected to widen this year.²⁸ The delegation heard of the need to relaunch the Haitian economy, with key areas for potential growth including the tourism, agricultural, and textile industries.²⁹ In the wake of Hurricane Matthew, however, it has been very difficult to secure investments other



than for acute humanitarian needs.³⁰

Buildings & Infrastructure. The reconstruction effort has progressed but large structural needs remain, particularly as related to durable, safe housing and government infrastructure. In the summer of 2010, a USCCB delegation to Haiti found that close to 1,300 tent camps had been erected around Port-au-Prince, 80 percent of schools and 60 percent of hospitals in the city lay in rubble, and permanent reconstruction had yet to begin.³¹ While the tent camps have been largely cleared away, tens of thousands of Haitians remain displaced and damaged buildings continue to line the streets of Port-au-Prince – a stark reminder of the work that remains to be accomplished.

In meetings with Haitian government officials and international organizations alike, the delegation was informed of the challenges of rebuilding after the earthquake. Officials from the Government of Haiti noted that they hope to start rebuilding the Presidential Palace next year, but the Ministry of Foreign Affairs, Palace of Justice, and Parliament buildings represent just a portion of the buildings that also remain in need of reconstruction.³² Advisors to Haitian President Jovenel Moïse noted that a key challenge has been the lack of funding currently available to invest in reconstruction and infrastructure, despite the large amounts initially pledged in 2010.³³ A representative from the European Union (EU) confirmed that donor interest has markedly decreased since the earthquake.³⁴

There are similar financing and reconstruction challenges faced by civil society in Haiti. For example, the Catholic Cathedral in Port-au-Prince was one of the many buildings destroyed in the earthquake that has yet to be rebuilt. It is

estimated that the Cathedral will cost \$50-60 million to rebuild, a sum against which very little has been raised.³⁵ In the interim, the Church has been utilizing a temporary Cathedral. The Church has, in partnership with CRS – Haiti, been able to rebuild the teaching hospital of St. Francois de Sales, which was destroyed in the earthquake. This reconstruction was vital, as the hospital serves some of the most vulnerable and impoverished in Port-au-Prince.³⁶

In terms of housing, thousands remain displaced. While the number is significantly less than immediately following the 2010 earthquake, UNDP has estimated that

there are still about 55,000 people in camps or squatting on land they hope to claim.³⁷ Unfortunately, IOM has encountered a slowdown in the placement of displaced Haitian families due to lack of durable housing solutions.³⁸ The delegation also observed that quality of housing remains a true challenge. Many shelters along the streets of Port-au-Prince are poorly constructed with tin, resulting in temperatures so extreme during summer months that they are virtually uninhabitable during the day.

Sanitation & Cholera. The delegation observed the lack of adequate sanitation and heard about this continued issue from those interviewed. The ongoing sanitation challenges present a significant health risk for Haitians. The Government of Haiti informed the delegation that they are looking for ways to provide improved sanitation, but currently there is no public trash system and garbage lines many of the streets in downtown Port-au-Prince.³⁹ Access to clean drinking water has also been an ongoing problem for the country, as evidenced by the cholera epidemic. There is a clear need for investment in improved water and sanitation systems. These infrastructure challenges will be further exacerbated if approximately 50,000 Haitians are returned en masse before lasting improvements have been made.

From the time cholera was initially introduced in Haiti by United Nations (UN) soldiers, in October 2010, to August 2017, the UN has recorded 815,000 cholera cases and an estimated 9,700 cholera-related deaths.⁴⁰ The cholera epidemic has improved significantly from 2016, with commendable vaccination efforts underway, including a vaccination campaign in the South and Grand'Anse departments.⁴¹ Nonetheless, cholera remains a serious threat, particularly in the Ar-

Mitsu's Story – Living with the Knowledge that Haiti is Not Ready for TPS to be Terminated

Mitsu and her brother entered the U.S. on student visas to attend college; they are both now TPS recipients. Mitsu works as a physician assistant, and is grateful for the ability to help support her parents in Haiti. Mitsu speaks with her parents frequently about the situation back home. She knows that while you may not see those displaced on the main streets of Port-au-Prince, the tent camps are there if you know where to look – grouped into certain parts of the city. She knows the infrastructural challenges that remain, reporting that her parents, living in the Port-au-Prince area, only get electricity for a few hours each week. Additionally, having had family and friends kidnapped and assassinated, she knows of the safety and security concerns faced by the nation. The possibility of having TPS terminated is a stress with which Mitsu and her brother are constantly living. She notes: “If you send people to a country with no options and no future, they are just going to come back.”

tibonite and Centre departments, with 10,527 cholera cases reported between January and September 2017.⁴² As noted by the Government of Haiti: “Valuable resources initially earmarked for addressing critical earthquake recovery issues had to be re-appropriated to eradicate this epidemic, with limited support from the United Nations.”⁴³ The delegation confirmed that the UN program is having difficulty collecting funds needed to continue the battle against cholera, with current funding only covering about two percent of the total need.⁴⁴ Without sufficient funding, concern remains that Haiti may suffer a retrogression in battling the epidemic.

Food Insecurity. The Government of Haiti highlighted important efforts to increase agricultural yields. Its progress in the area of rice production has been notable, with rice production increasing from 80,000 tons to 200,000-300,000 tons per year.⁴⁵ Unfortunately, however, food insecurity continues to plague millions in Haiti. In 2017, over 2.35 million Haitians faced acute food insecurity,⁴⁶ and an estimated 18,000 children under the age of five suffered from severe acute malnutrition.⁴⁷ A key challenge is the lack of adequate funding to help mitigate malnutrition in remote areas.⁴⁸ The delegation learned that recent flooding and hurricanes (discussed in Section III(B), *infra*) have contributed to food shortages and insecurity. A UNDP representative confirmed that the 2017 spring harvest in the South produced far less than during a typical year.⁴⁹ Officials hope that the November harvest will be adequate, but with flooding caused by Hurricanes Irma and Maria, this remains uncertain. Such food insecurity would be intensified by the return of the estimated 50,000 Haitian TPS recipients.

Political Stability. The delegation found that political stability in Haiti has improved since the recent elections. Haiti's improved stability is evidenced in one respect by the wind down of the 13-year UN Stabilization Mission in Haiti

(MINUSTAH) on October 15, 2017.⁵⁰ Yet, the Director of MINUSTAH informed the delegation that “[s]ome issues [faced by the country] will far and long outlast MINUSTAH.”⁵¹ And, in fact, the UN is not pulling out of Haiti entirely. Rather, it will be transitioning to a smaller follow-up mission, the UN Mission for Justice Support in Haiti. This mission, which has a two-year mandate, will be focused on rule of law, including justice, peace, and human rights. It does not have a military component but will include civilian staff one-fifth the size of MINUSTAH and will support the national police units.⁵²

While the delegation repeatedly heard of Haiti's improved stability, it was also noted by a UNDP representative that the President's tenure is still relatively new and largely untested.⁵³ Further, it remains to be seen how the country will fare without the UN military presence. Recently, tensions have increased in the country due to the highly disputed national budget and tax increase, with protests turning violent in early October.⁵⁴ Tension also mounted over the President's decision to remobilize Haiti's defunct army. An EU representative informed the delegation that the President is anticipated to have recruited a few hundred individuals for the Army by the end of 2017, with an objective to recruit 3,000 to 5,000 individuals to serve by the end of the mandate. The structure and financing for the Army has yet to be clearly defined, but some fear it could present a risk of turning into a militia.⁵⁵ Such tensions and protests underscore the continued fragility of Haiti's political stability. And, as noted by the Minister of Foreign Affairs, returning TPS recipients “would make governing the country harder.”⁵⁶

B. Hurricanes Matthew, Irma, and Maria have impeded Haiti's progress towards recovery.

The delegation found that the recent hurricanes have severely compounded the challenges already facing Haiti from the earthquake. Taken together, these natural disasters have further contributed to hazardous conditions in Haiti and, understandably, have lengthened the road to recovery. The Government of Haiti acknowledged the magnitude of the setback in its October 4, 2017 letter to Acting DHS Secretary Elaine Duke, stating: “However, despite best efforts and tangible progress, unforeseen natural disasters, including Hurricanes Irma and Maria, have significantly delayed the Government's ability to adequately maintain the pace of recovery from the 2010 earthquake.”⁵⁷

Hurricane Matthew. Hurricane Matthew, a category 4 hurricane, devastated Haiti on October 4, 2016. Matthew was the most severe natural disaster suffered by Haiti since the earthquake. It affected 2.1 million Haitians, leaving 1.4 million in need of urgent humanitarian assistance and killing hundreds.⁵⁸ Matthew also left tens of thousands with damaged or destroyed homes and, in the southern departments, a third of hospitals and over 700 schools were damaged.⁵⁹ Adding to this catastrophe, flood waters compromised the

Tamara's* Story – A Young Student with an Uncertain Future

Tamara, a 23-year-old young woman and client of CLS, fled Haiti after the earthquake and has been living in the United States since January 2010. Tamara, along with her parents, received TPS, but her two younger brothers were born after their arrival and are U.S. citizens. Tamara received her associate's degree in pharmacy technician studies at the end of 2016. She is currently a junior at Florida International University, studying to become a pharmacist. If TPS is terminated, Tamara will be unable to complete her studies and recognize her dream of becoming a pharmacist. Additionally, given Haiti's underdeveloped health sector, it is also highly unlikely that Tamara will be able to get a job in her chosen field when she returns to Haiti.

water supply and destroyed essential crops. Agricultural losses were estimated at \$573 million⁶⁰ and approximately 806,000 individuals were left in extreme food insecurity as a result of the hurricane.⁶¹ Overall, the damage caused by Hurricane Matthew was equivalent to 32 percent of Haiti's GDP.⁶² The magnitude of this disaster is evident when compared to the fact that weather-related disasters on average have resulted in annual losses of an estimated two percent of Haiti's GDP since 1975.⁶³

The delegation learned of many key efforts that have been initiated to facilitate recovery from Hurricane Matthew. For instance, CRS in Haiti has provided seeds and agricultural inputs to nearly 18,000 households; although after severe flooding in April 2017,⁶⁴ many of these seeds had to be re-distributed as farmers lost their crops.⁶⁵ Reconstruction of major roads and transportation routes has also begun. Haitian government officials noted their efforts in the South to repair roads, including the main national road of which reconstruction is almost complete, and to clean river beds in the South in an effort to avoid future flooding. In addition, approximately 180 damaged schools have been repaired.⁶⁶ And while these are significant efforts, it was evident to the delegation that substantial challenges remain. For instance, the 180 schools that have been rehabilitated represent only a fraction of the total affected schools.⁶⁷ Additionally, even a year later, the UN has found that "a greater part of the 2.1 million people affected by Hurricane Matthew in October 2016 are still in need of humanitarian assistance."⁶⁸

Hurricanes Irma and Maria. The delegation's trip occurred in the lead up to Hurricane Irma, a category 5 storm, with the group on the ground just hours before the storm hit on September 7, 2017. The delegation spoke to numerous entities about the preparations being made for Irma. A UNDP official noted that it was expected that Hurricane Irma would be much larger than Hurricane Matthew, with an anticipated 40 percent of the country to be impacted. She further informed the delegation that while the UN was working with the Haitian government and evacuation plans were in place, there was insufficient shelter space and provisions.⁶⁹ The delegation also learned from CRS about the important role of civil society in the emergency response plan. CRS, for example, had partnered with Caritas and sent employees into the field in northern Haiti to help move individuals into shelters at schools and churches. They also were engaged in preparation to bring supplies to affected

areas after the storm. Haiti's system to respond to natural disaster appeared improved, but it was clear to the delegation from the number of private actors and entities involved that these same entities would be called upon again in the face of future disaster, lessening their capacity to engage in other necessary projects, such as reintegration efforts.

While Haiti was fortunate that Hurricane Irma did not wreak as much havoc on the nation as initially feared, the impact in northern Haiti was not, by any means, insignificant. The eye of the hurricane hit north of Haiti, however, 22 communities near Haiti's northern coast, in the departments of Artibonite, Centre, Nord, Nord-Est, Nord-Ouest and Ouest, suffered extensive rainfall, severe winds, and flooding.⁷⁰ As noted by CRS, "[t]he coastal communities are low-lying and flood prone with some of the poorest populations."⁷¹ Over 12,500 Haitians were evacuated from their homes and, as of September 11, approximately 6,500 people continued to be housed in shelters.⁷² Irma damaged over 2,600 homes, completely destroyed nearly 500 homes,⁷³ and severely damaged over 20 schools.⁷⁴ CRS has provided financial assistance to help remobilize affected schools and has provided tarps for distribution in remote areas where extremely vulnerable families' homes were damaged.⁷⁵ Unfortunately, the flooding also caused significant agricultural losses in the Centre, Nord-Est and Nord-Ouest departments.⁷⁶

Photo Credit: Getty Images



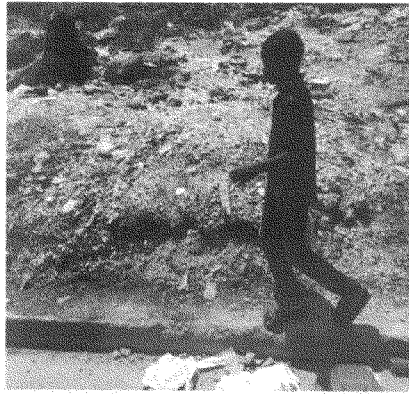
Northern Haiti then suffered another setback when Hurricane Maria brought heavy rains and wind to the Nord-Ouest, Nord, and Nord-East departments on September 22,

2017.⁷⁷ The storm flooded an estimated 2,000 homes and damaged nearly 50 homes.⁷⁸ Reports shared with the delegation indicate that, as of late September, schools were still not operating at full capacity in the North and Northeast departments after the two hurricanes.⁷⁹ Due to the flooding, concerns have also been raised about the increased risk of cholera and other waterborne diseases.⁸⁰

The impact of these hurricanes on neighboring countries with large Haitian populations, such as the Turks and Caicos, also poses a significant threat to the struggling Haitian economy. As will be discussed in Section III(D), the importance of remittances from the Haitian diaspora was highlighted in nearly every conversation the delegation had with stakeholders.

C. Conditions in Haiti are such that nationals cannot be safely returned at this time, particularly as adequate reintegration programs are lacking.

Haiti is not yet in a position to safely and adequately accommodate the return of 50,000 nationals who are currently TPS recipients. As an initial matter, Haiti is already struggling to cope with a migration crisis at its border with the Dominican Republic,⁸¹ a crisis which is straining the resources and capacity of stakeholders to respond. UNHCR noted that, since July 2015, over 200,000 Haitians in the Dominican Republic have been deported, voluntarily returned, or returned under fear of deportation and violence,⁸² including, according to President Moïse's advisors, over 1,500 individuals the week before the delegation's visit.⁸³ As noted by UNHCR, many of these individuals have lived years outside of Haiti; when they are returned, they are staying along the border because they have no home or livelihood to which to return. Additionally, many individuals have been left stateless due to a revision of the Dominican Republic's laws on citizenship and its retroactive application.⁸⁴ Such realities make returnees at the border particularly vulnerable, with reports showing that "[a]bout a quarter of the estimated 737,000 people, including 355,640 children, located near the border are at



Haiti's Ongoing Road to Recovery

Esther's* Story – An Elderly Woman Facing Return with no Support

Esther, an 86-year-old woman and client of CLS, was living with her U.S. citizen sister in Haiti when the earthquake entirely destroyed their home. Esther came to the United States shortly thereafter so that she could care for her sister who needed to seek medical treatment that the Haitian healthcare system was ill-equipped to handle. Unfortunately, Esther's sister passed away shortly after their arrival to the U.S. If TPS is terminated, Esther's transition will be incredibly difficult. She will have to uproot her life, sell her apartment, and start over with absolutely no support. Because Esther has no remaining family in Haiti, she expects she would be living on the streets.

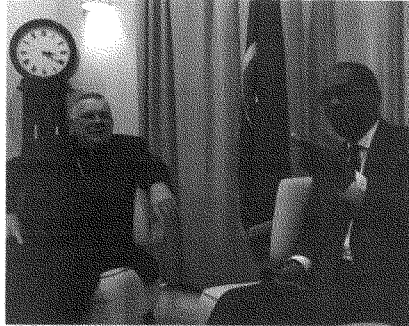
direct risk of trafficking."⁸⁵

During conversations with representatives from UNDP, UNHCR, the EU, and Jesuit Migration Service (JMS), the delegation learned of the Haitian government's failure to adequately respond to this crisis on the Haiti-Dominican Republic border and found a lack of confidence in the government's ability to adequately do so. The UNDP reported that when repatriations from the Dominican Republic began, UNDP officials were shocked by the lack of reaction by the Haitian government and the fact that government officials were asking the UN what would be done about the crisis.⁸⁶ UNHCR explained that while returnees are supposed to be provided 1,000 Gourde (~\$16-\$17) by the Haitian government so that they can return to their communities of origin, this is not regularly occurring due to economic constraints.⁸⁷ An EU representative also noted that while the EU has provided funding for reintegration of Haitians from the Dominican Republic, not all of the fund is being used and it is not being used as effectively as it could be.⁸⁸ And while JMS and Le Groupe d'Appui aux Rapatriés et Réfugiés (GARR) are doing what they can to serve recent returnees at the border with limited resources, without sustained reintegration services, JMS reported that individuals often stay only a few days and then re-migrate without authorization.⁸⁹

Forced and economic migration is a much larger problem for Haiti overall. In addition to seeing individuals repatriated, including through forcible return, from the Dominican Republic, Haiti is witnessing nationals leave the country en masse for Chile, frequently as individuals are unable to support themselves and their families in Haiti. Haitian migration to Chile has increased rapidly over the last year. The delegation was informed that in 2016, approximately 45,000 Haitians left for Chile, while so far in 2017, 90,000 have already made the journey. Recently, approximately 300 Haitians are being forced by poverty to migrate to Chile each day. As noted by a UNDP official: "If there is still such a massive exodus per day – people aren't leaving for nothing."⁹⁰ The Minister of Foreign Affairs also noted that Haitians are leaving by boat for Suriname, Guyana, and French Guiana.⁹¹ Returning TPS recipients to Haiti at this time would exacerbate conditions and could lead to an increase in re-migration to these countries, as well as others like Chile, the Dominican Republic, and the U.S.

Returning TPS recipients could have a particularly devastating impact on Port-au-Prince. If TPS is terminated, it is expected that as many as 30,000-45,000 individuals would specifically return to the Port-au-Prince area. As Bishop Saturné explained, when individuals voluntarily return to Haiti, they typically will return to their communities of origin, but when individuals are forced to return, many stay in Port-au-Prince.⁹² Without proper reintegration services, this influx of residents would undoubtedly exacerbate challenges faced by those in the capitol city. One direct consequence would be an extreme tightening of an already weak labor market. As observed by a Special Advisor to President Moïse, many who received TPS were those whose situations were so dire that they would have little to come back to. And while some returnees would bring with them a skill set from their work and education in the U.S., as noted by a UNDP representative, conditions for any person to start a small enterprise or find a job are not favorable.⁹³ Haitians with degrees are often compelled to take low-paying jobs or those in the informal sector as many cannot find work requiring a degree. Returning TPS recipients would further strain this limited job market, putting more individuals at risk for exploitation and abuse in the labor sector.

Furthermore, as noted above, the delegation did not find evidence of sufficient capacity to provide returnees with adequate and sustained reintegration services should TPS be terminated. While IOM, with funding from the U.S. Agency for International Development, partnered with the Haitian government to provide services to approximately 4,000 Haitian returnees when the U.S. resumed deportations to Haiti in November 2016, this “Post-Return Humanitarian Assistance to Deportees” program is no longer in existence.⁹⁴ IOM’s program provided some limited support to repatriated individuals. IOM met returnees at the airport and provided individuals with hygiene kits, a short on-site psycho-social and medical service, and \$100 for individuals to return to their communities of origin. IOM also had bed space available for those individuals who needed shelter for a few nights upon their return. IOM reported that many individuals served initially exhibited signs of aggression because they did not know where they were going or how to get into contact with family in Haiti. Many had also suffered trauma during their



migration journeys. While IOM noted the need for additional psycho-social assistance, due to lack of funding and capacity, IOM could not provide sustained reintegration services to these individuals. Consequently, there is also a lack of data available on the outcomes for returned individuals. As stressed by an IOM representative: “We talk about return, but reintegration – this is missing.”⁹⁵ Similarly, Officials from the Government of Haiti’s National Office for Migration (ONM) acknowledged that they lack the funds and supplies to adequately reintegrate TPS recipients and that ONM currently does not have capacity to welcome additional Haitian nationals from any country.⁹⁶

The ongoing challenges faced by Haitians on the ground are serious for any individual, much less repatriated nationals who are particularly vulnerable given their long absence from the country. As observed by Archbishop Wenski: “Coming back here is the end of hope. Only very few people can make the transition back.”⁹⁷ Without significantly improved capacity for reintegration and given the existing demands that the migration crisis at the border has placed on the already limited resources to provide accompaniment to returnees, former TPS holders would not be able to be safely returned.

D. Termination of TPS would undermine Haiti’s future progress and threaten the country’s already weak economy during this period of ongoing recovery.

While Haiti is in the midst of recovery, it would be premature and detrimental to the country’s redevelopment to return TPS holders to Haiti. As noted by Haiti’s Minister of Foreign Affairs, terminating TPS for Haiti while it still faces difficult challenges from the natural disasters would tax its overburdened institutions and economy.⁹⁸ In fact, on October 4, 2017, the Haitian government officially requested an 18-month extension of TPS, noting that the extension was necessary “to ensure that Haiti is able to adequately move forward with its recovery and redevelopment plan and will not have to rely, over the long term, on the United States for temporary residence for its citizens.”⁹⁹

If TPS is terminated, the loss of remittances alone would deal a devastating blow to Haiti’s fragile economy. Reports indicate that remittances from the Haitian diaspora increased steadily between 2013 and 2015; in 2015, remittances accounted for 22.7 percent of Haiti’s GDP,¹⁰⁰ with over half of total remittances being sent by Haitians in the U.S.¹⁰¹ The delegation learned that currently the diaspora sends an estimated \$2 billion in remittances, which accounts for an estimated 25 percent of Haiti’s GDP. These remittances are used by families in Haiti to pay for basic necessities, such as food, education costs for children, and necessary home repairs. As noted by the Special Advisor to President Moïse, even 1,000 Haitians not sending remittances is a big deal to the country.¹⁰² Consequently, the loss of remittances from the 50,000 individuals currently with TPS would be devastating – not only to those returned but also to their extended families, their communities, and the nation’s economy as a whole. As stated by Father Lissainthe of JMS, those with TPS “help the country to survive.”¹⁰³

Haitian government officials and certain civil society actors

also expressed concern to the delegation that a termination of TPS could have larger regional impacts. The Minister of Foreign Affairs noted that a termination may be used by other countries to justify increased return of Haitian nationals.¹⁰⁴ While the international organizations expressed some skepticism, this concern was echoed by President Moïse's advisors and JMS.¹⁰⁵

E. Return of Haitian TPS holders would have negative implications for U.S. citizen children.

Terminating TPS for Haitians would also contribute to family separation and undue hardship for U.S. citizen children. Over 27,000 U.S. citizen children have been born to Haitian TPS recipients.¹⁰⁶ If TPS is terminated, these mixed-status families will have a heartbreaking decision to make – to uproot their children from their homes and the only country they have ever known or face family separation. As an additional concern, if TPS recipients are returned before Haiti can accommodate them, it is unlikely that they will be able to adequately provide for their families.

Rather than separate, some families may return to Haiti together. Many of the U.S. citizen children returning to Haiti with their parents would suffer acute integration needs in a country without resources to handle such. IOM confirmed that they had witnessed minors returning who had not lived in Haiti and noted their concerns with the children's ability to integrate.¹⁰⁷ In addition to societal and cultural norms to which they may not be accustomed, these children will not necessarily speak Creole. As noted above, some TPS recipients fear that their U.S. citizen children will be targets for kidnapping upon their return.

The limitations of the educational system, particularly after the natural disasters, also presents a concern. With the number of schools still requiring reconstruction, U.S. citizen children would suffer an extreme setback if TPS is prematurely terminated. Additionally, the delegation was informed that in Haiti, "public schools are few and far in between."¹⁰⁸ In fact, 85 percent of schools are private, with the vast majority of these being non-accredited by the government.¹⁰⁹ And given the limited access and deficiencies with the public school system, even the very poor rely on private schools. Unfortunately, neither the private nor public schools demonstrate high levels of scholastic success. The delegation was informed that over 80 percent of students fail the required aptitude test at the end of their secondary education due to language difficulties. Compounding these challenges is the fact that there are very few English schools.¹¹⁰

Consequently, without proper planning and programs in place, U.S. citizen children will face significant integration challenges, threats to their wellbeing, and barriers to future success.

IV. RECOMMENDATIONS

To the United States Government:

A. The Administration should extend TPS for Haiti for a period of 18 months. This extension is appropriate because, consistent with the statutory requirements, Haiti continues to suffer from ex-

traordinary and temporary conditions which prevent its nationals safe return. As was the case a mere six months ago, extending TPS for Haitians is not contrary to the interests of the United States. Rather, extending TPS will promote regional stability as Haiti can continue to build on the progress it has made towards recovery, remittances can continue to facilitate growth, and the government can focus on mitigating the ongoing migration crisis at its border with the Dominican Republic. In addition, extending TPS will help prevent further irregular re-migration of these individuals to the U.S. and other countries. It will also prevent an unnecessary expansion in the undocumented population in the U.S.

B. Congress should pass a legislative solution providing continued lawful status for those TPS recipients who have been provided protection in the United States for at least five years. These individuals have personal equities that are closely associated with U.S. interests, such as U.S. citizen children, businesses, careers, and home mortgages. As a result, Congressional lawmakers need to work in a bipartisan manner to address long-term TPS recipients. Legislative solutions may include one-time relief for long-term TPS recipients, "protected status suspension" for persons in danger if returned to their country of origin, or adjustment of status for current TPS recipients who would be otherwise eligible for an immigrant visa and are admissible to the United States for permanent residence.

C. The U.S. Embassy in Haiti should begin working on a plan to accommodate a potential influx of U.S. citizen children. While it is appropriate and necessary to extend TPS at this time, we also recommend that the U.S. Embassy in Haiti begin to develop plans for the eventual termination of TPS. Given the large number of U.S. citizen children that may return to Haiti with their parents, integration services will be essential. Necessary services would include, at a minimum, language development and cultural orientation classes. The U.S. Embassy should also work with the Government of Haiti to prepare for and support the educational needs of this population, as well as support skills training and start-up small business grants for these youth.

To the Haitian Government:

A. The Haitian government must develop improved and expanded programs to address protection and integration needs of returnees.

These services are essential to ensuring that nationals can be safely repatriated and to prevent forced re-migration. While there are immediate program needs at the border, such services would also help prepare Haiti to safely accommodate the eventual return of TPS recipients. These services should include, in part, issuance of documents for stateless individuals, expanded and sustained social services, as well as cash and housing assistance. In addition, improved

and long-term data collection is needed to determine the rate and success of sustained integration for these individuals.

B. The Haitian government should, in collaboration with the international community and civil society, continue to address root causes of forced migration. This must include renewed efforts to revitalize Haiti's economy (particularly in the tourism, agricultural, and textile industries), increase food security, improve the public education system, and expand employment opportunities for youth.

C. The Haitian government should increase investment in its healthcare system and develop adequate water and sanitation infrastructure. In addition to promoting the health of those in-country, this investment will be necessary to promote the health of repatriated individuals, a population which will include the young, ill, and elderly individuals.

To International Organizations and Civil Society:

A. International organizations should robustly fund agencies working to support reception at the Haiti-Dominican Republic border. Given the magnitude of the crisis at the border, additional resources are needed to adequately support return of individuals from the Dominican Republic. Mitigating this crisis will also help place Haiti in a better position to handle the eventual return of TPS recipients.

B. International organizations and civil society should renew efforts to coordinate with ONM on expanded and sustained reintegration services. Efforts should include funding to ensure individuals can return to their communities of origin, provide for immediate health and hygiene needs, and establish long-term reintegration services and data collection processes. In addition, organizations should partner with ONM to help build its capacity and expertise to provide these services.

C. The UN and public health civil society should work together to robustly fund and implement cholera response efforts. While the number of individuals being infected with cholera has decreased in 2017, continued efforts are needed to halt the epidemic in Haiti. International organizations and civil society actors should work together to continue cholera-prevention efforts such as vaccination campaigns. Additionally, actors should work with the Government of Haiti to identify gaps in access to cholera treatment and care.

V. CONCLUSION

Haiti is in no position to accommodate the return of the estimated 50,000 Haitians who have received TPS. Doing so would potentially destabilize the small nation, derail its path to recovery, and possibly harm those returned, particularly the uprooted children. In addition, terminating TPS would needlessly create a large unauthorized Haitian population in the U.S. and contribute to unauthorized re-migration.

We urge the Administration to provide an 18-month extension of TPS for Haiti. This will allow the country to build upon the progress it has made towards recovery and help ensure individuals' return and reintegration can be safely accomplished. An extension of TPS will allow Haitians to continue to legally work, contribute to our communities in an authorized capacity, and live with dignity. In addition, it will help facilitate Haiti's long-term reconstruction by allowing the diaspora to continue to send home remittances to help the country rebuild.

We ask the Administration to show compassion and patience during Haiti's ongoing path to recovery. We look forward to working with the Administration, Congress, and others to help ensure TPS recipients and their families are provided the protection and support they need while Haiti rebuilds.

VI. ACKNOWLEDGEMENTS

USCCB/MRS thanks the following offices and organizations for meeting with our delegation. A special thanks to Christopher Bessey, Country Representative for CRS – Haiti; Cassandra Bissainthe, Partnership and Church Capacity Strengthening Manager for CRS-Haiti; and Father Luca Caveada of the Apostolic Nunciature of the Holy See in Haiti for all of their support.

Apostolic Nunciature of the Holy See in Haiti

Caritas - Haiti

Catholic Legal Services, Archdiocese of Miami, Inc.

Catholic Relief Services – Haiti

Diocese of Jacmel, Haiti

Haitian Embassy in the United States
 European Union
 International Organization for Migration
 Jesuit Migration Service
 Ministry of Foreign Affairs
 Office of President Jovenel Moïse
 United Nations Development Program
 United Nations High Commissioner for Refugees
 United Nations Stabilization Mission in Haiti (MINUSTAH)
 U.S. Embassy in Haiti

ENDNOTES

* *Name changed to protect the identity of the individual.*

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“(A) the Attorney General finds that there is an ongoing armed conflict within the state and, due to such conflict, requiring the return of aliens who are nationals of that state to that state (or to the part of the state) would pose a serious threat to their personal safety;

(B) the Attorney General finds that—

(i) there has been an earthquake, flood, drought, epidemic, or other environmental disaster in the state resulting in a substantial, but temporary, disruption of living conditions in the area affected,

(ii) the foreign state is unable, temporarily, to handle adequately the return to the state of aliens who are nationals of the state, and

(iii) the foreign state officially has requested designation under this subparagraph; or

(C) the Attorney General finds that there exist extraordinary and temporary conditions in the foreign state that prevent aliens who are nationals of the state from returning to the state in safety, unless the Attorney General finds that permitting the aliens to remain temporarily in the United States is contrary to the national interest of the United States.”)

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July 21, 2017

Dear Senator:

I write on behalf of the U.S. Conference of Catholic Bishops' Committee on Migration (USCCB/COM) to urge you to support S.1615 the "Dream Act of 2017." This bipartisan legislation, introduced on July 20, 2017, by Senators Lindsey Graham (R-SC) and Richard Durbin (D-IL), would protect numerous immigrant youth from deportation, including the approximately 780,000 Deferred Action for Childhood Arrivals (DACA) recipients.

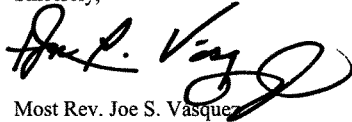
The Dream Act is intended to protect immigrant youth who entered the United States as children and know America as their only home. The bill offers qualifying immigrant youth "conditional permanent resident status" and a path to full lawful permanent residency and eventual citizenship. In order to receive the conditional status, the youth must, among other requirements, have entered the U.S. as a child, been continuously present in the United States for at least four years prior to enactment of the bill, meet certain admissibility and security requirements, and have obtained or be pursuing secondary education. Current DACA recipients are also deemed eligible for the conditional status. S.1615 allows recipients of this conditional status to obtain non-conditional lawful permanent residency if they satisfy requirements that include: background checks; demonstrated English proficiency; and either education in a higher learning institution, honorable military service, three years of employment in the United States, or a hardship exception.

My brother bishops and I believe in protecting the dignity of every human being, particularly that of our children. The Catholic Bishops have long supported these immigrant youths and their families who are contributors to our economy, academic standouts in our universities, and leaders in our parishes. These youths have grown up in our country, some even choosing to put their lives on the line to serve in our armed forces. They truly exemplify the extraordinary contributions that immigrants can provide to our nation. These youths should not be forced to live their lives in constant fear that they will be deported at any moment and separated from their families. It is both our moral duty and in our nation's best interest to protect them and allow them to reach their God-given potential.

For these reasons, we ask you to support and co-sponsor the Dream Act of 2017. We also

urge you to continue to work towards the larger legislative reform of our immigration laws that our country so desperately needs. As always, USCCB/COM stands ready to work with Congress to reform our immigration system in a humane, just, and common-sense manner.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe S. Vasquez". The signature is stylized with a large, looping initial "J" and "V".

Most Rev. Joe S. Vasquez
Chairman, USCCB Committee on Migration

THE *Episcopal* CHURCH

The Episcopal Church Statement to the House Judiciary Committee, pertaining to its hearing *Protecting Dreamers and TPS Recipients*

March 6, 2019

The Episcopal Church, the U.S. based province of the Anglican Communion, the third largest Christian denomination globally, has long welcomed refugees and immigrants as a fundamental part of its mission. It wishes to express its unequivocal support for legislation to protect both Dreamers and Temporary Protected Status (TPS) recipients. Dreamers and TPS recipients are crucial to the economic vitality of United States and are integral to the faith community of The Episcopal Church.

The Episcopal Church, through its official Church policies, has long supported the passage of legislation that would offer a pathway to citizenship for undocumented youth and young adults. In a statement on Deferred Action for Childhood Arrivals (DACA), the Most Rev. Michael B. Curry, Presiding Bishop and Primate, and President of the House of Deputies Rev. Gay Clark Jennings articulate the Church's moral stance on Dreamers: "those young women and men who were brought to this country as children, who were raised here and whose primary cultural and country identity is American [...] are children of God and deserve a chance to live full lives, free from fear of deportation to countries that they may have never known and whose languages they may not speak." Offering Dreamers a pathway to citizenship is a critical step to giving these children and their families stability and ensuring the success of future generations of dedicated and hardworking citizens.

As with Dreamers, The Episcopal Church's unwavering support for those with and in need of TPS is reflected and affirmed in official Church policies. If TPS were terminated, nearly 300,000 individuals who are currently protected under this program would lose their legal right to remain in the U.S. causing the communities and economies they contribute to daily to suffer. Further, these individuals need ongoing protection as many countries remain unsafe due to ongoing conflict, recovering from natural disaster or being unable to safely reintegrate those who currently have TPS. For example, Haiti, the largest diocese of The Episcopal Church, has been unable to fully recover from the earthquake in 2010 and is therefore not able to reintegrate the nearly 50,000 Haitian TPS holders in the U.S. if their status were to be terminated. The Episcopal Church also urges protections for those with Deferred Enforced Departure (DED). This is why The Episcopal Church urges Congress to support legislation that offers a pathway to legal status and long term stability for current DED recipients and TPS holders.

The Episcopal Church's ministry and mission not only recognizes the need to welcome all of God's people, but also to strive for justice and peace for them as well. Thus, as witnesses of God's love and in the interest of protecting the most vulnerable among us, The Episcopal Church urges Congress to pass legislation that will provide long overdue solutions for Dreamers and DED and TPS recipients in our country as a first step towards comprehensive immigration reform.



**Statement to the U.S. House Committee on the Judiciary pertaining to its hearing entitled
Protecting Dreamers and TPS Recipients on Wednesday, March 6, 2019**

The Unitarian Universalist Service Committee (UUSC), a U.S.-based human rights organization with over 40,000 members and supporters across the country, writes to express our grave concern at attempts by the Trump administration to cancel Deferred Action for Childhood Arrivals (DACA), Deferred Enforced Departure (DED), and Temporary Protected Status (TPS), for nearly 1.3 million U.S. residents. We are grateful to the Committee for investigating the harmful effects of these cancellations on innumerable families and communities across the United States, and we call upon Congress to support a legislative path to permanent residency for DACA recipients, DED holders, and TPS holders and continue to expand protections as in-country situations require.

The Trump administration's attempted cancellation of these programs threatens incalculable economic and human costs for families and communities across the United States. This action directly threatens innocent people, who have rightly relied on the goodwill of the U.S. government, with loss of legal status and, in some cases, deportation to unsafe conditions. This includes TPS holders who have sought refuge from ongoing natural disasters, active conflicts, civil wars, and pervasive violence. In Central America, there is documented evidence that people recently deported from the United States face added risk of being targeted for persecution and extortion by criminal networks.¹

Removing individuals' status after they have built lives in the United States exposes thousands of families to the risk of separation from their loved ones, while also depriving the country of the contributions DACA recipients, DED holders, and TPS holders make to our shared communities as parents, workers, business owners, taxpayers, neighbors, and friends. Currently, nearly 300,000 U.S. citizen children have at least one parent who is a TPS holder.² If their parents lose legal status and are rendered vulnerable to deportation, these families will face heart-rending decisions as to whether to separate or return to countries where their children have never lived, and where their educations, safety, and future opportunities may be in jeopardy.

The human consequences of the actions of this White House are not abstract or hypothetical. Last month, UUSC staff were honored to join the National TPS Alliance at the TPS People's Summit in Maryland. During the summit, we saw the production of *The Last Dream*, a play written and performed by the U.S. citizen children of TPS holders in Massachusetts. This play, which was also presented to members of Congress, depicts the lived experiences and reactions of children of TPS holders from El Salvador on the night that the TPS termination for the country was announced. The nightmarish reality of family separation that these children face is depicted in the form of a skeletal figure that looms over the stage. At the end of the play, one of the children turns to this figure and challenges it, imploring through her tears, "Have you ever known what it is to be loved?"

Any governmental policy that results in direct harm to children is unacceptable. Further, it goes against the values and history of the United States to leave any individuals in harm's way, members of our shared communities who have placed their lives and trust in the good word and intentions of the U.S. government. As the poet Stephen Spender once wrote, "*No cause is just unless it guards the innocent / As sacred trust.*" We urge you, as members of Congress, to uphold that sacred trust and to protect the many families who depend on DACA, DED, and TPS.

¹ See Amber Moulton, Joshua Leach, and Kevin Ferreira, "Waiting for Refuge: Benefits and Challenges of the Central American Minors In-Country Refugee Processing Program (CAM)," UUSC, December 2016, pp. 16-17 https://www.uusc.org/wp-content/uploads/2016/12/Waiting-for-Refuge_December-2016.pdf; Sarah Stillman, "When Deportation Is a Death Sentence," *The New Yorker*, January 18, 2015 <https://www.newyorker.com/magazine/2015/01/15/when-deportation-is-a-death-sentence>; Binh X. Ngo, "Women and LGBTQ Deportees Face Compounded Dangers Upon Return," Center for American Progress, August 10, 2018. <https://www.americanprogress.org/issues/immigration/news/2018/08/10/454637/women-lgbtq-deportees-face-compounded-dangers-upon-return/>

² Fabiola Santiago, "Another separation crisis looms — this time for 273,000 American children," *Miami Herald*, July 12, 2018. <https://www.miamiherald.com/news/local/news-columns-blogs/fabiola-santiago/article214722630.html>

Ms. JACKSON LEE. Thank you, Mr. Chairman.

I just wanted to get the question in before the bell, which is the need for compassion to fix this problem.

Chairman NADLER. You didn't get the question before the bell, but the witness may answer the question.

Ms. JACKSON LEE. Mr. Chairman, you are kind. Thank you. Thank you very much.

Bishop DORSONVILLE. Well, that is a good point to raise it during Lenten season.

Ms. JACKSON LEE. Yes, sir.

Bishop DORSONVILLE. We got the experience of forgiveness from God. And we are just given the good news about forgiving, embracing, and trying to build up other people's lives. I really think that when you said, Congresswoman, respecting the fear and the pain of others is something that you can see in every single person who has this point in their life, "Am I going to see again my family? Am I going to be ripped off of everything I have, everything I have looking forward and I have built up?" for I guess that the compassion means to have evaluation, to get the sense of the history of the person. That is when the real encounter begins, when I really can see what is the problem and how this human person really needs the person's evaluation from every single person around that person.

Chairman NADLER. Thank you.

The time of the gentle lady has expired. The gentleman from California, Mr. Lieu.

Mr. LIEU. Thank you, Mr. Chair.

I have heard a lot of opinions today. And everyone is entitled to their opinion but not to their own facts. And we have heard folks talking about crime and drugs and the wall. So let me just put out some facts, and then I am going to ask some questions.

We know that based on the Trump Administration's own data, border crossings have decreased 75 percent from 2000 to 2018. We know that based on the FBI's latest statistics, violent crime and property crime are down across America. We know that based on the Department of Homeland Security's own data, 80 to 90 percent of illegal drugs flow through legal checkpoints. So a wall is really something in search of a problem that does not exist.

Now I have got some questions about TPS and DED. These are programs that the Trump Administration wanted to terminate and has terminated. And it reeks of racial animus. My first question is to Mr. Arthur. In January 2018, the Washington Post reported during discussions about providing protections to immigrants from Haiti, El Salvador, and African countries, Donald Trump said, "Why are we having all of these people from shithole countries come here?" Mr. Arthur, do you agree with the President that these are shithole countries?

Mr. ARTHUR. Absolutely not.

Mr. LIEU. All right. Thank you.

So, Yatta, thank you for being here today. I know you have shared your story with me and my district staff. I do want to put on the record some additional facts. Other than being a toddler in Liberia, have you gone back to Liberia at all?

Ms. KIAZOLU. No. I only visited once, when I was a toddler.

Mr. LIEU. And if you were to be deported, where would you go?

Ms. KIAZOLU. I do not know.

Mr. LIEU. Mr. Palma, thank you for being here today. My understanding is you have four children who are U.S. citizens.

Mr. PALMA. Yes, sir.

Mr. LIEU. If you and your wife were to be deported by Donald Trump's administration, what would happen to your children?

Mr. PALMA. That is the big question we are trying to answer at this specific moment. And that is why I think myself and many other TPS recipients are doing everything that is possible to keep our families together because the urgency is there, the safety of our kids is a priority, and that is why we are doing everything we can.

Mr. LIEU. Thank you. These are cruel actions by the Trump Administration.

I would now like to switch to DACA. Mr. Yanez, thank you for being here. Thank you for your testimony. You did say in your statement that a vote that goes nowhere is not enough and that a clean DACA bill would not pass the House of Representatives. I believe that is incorrect. I do believe the House of Representatives will pass a clean DACA bill. And my view is don't sell yourself short. You have overcome many obstacles. Don't sell the House of Representatives short. We will pass a clean DACA bill. Public sentiment is on your side and on our side. A poll last year from CBS reported that 87 percent of respondents, nearly 9 in 10 people in America, want DACA students to remain in America.

So we are going to pass that to U.S. Senate. We are going to see what the U.S. Senate does. But at the end of the day, understand that Lincoln's words ring true then, as it does today, which is that public sentiment is everything. With it, nothing can fail. Without it, nothing can succeed. So that is why we take that vote. That is why we keep pushing this issue.

And I would like to now conclude by reading some portions of President Ronald Reagan's farewell address to the Nation. He talks about this incident he had. He said, "I have been reflecting on what the past eight years have meant and mean." And he talks about this sailor who, like most American servicemen, was young, smart, and fiercely observant. And the crew spied on the horizon a leaky little boat. Crammed inside were refugees from Indochina hoping to get to America. The midway sent a small launch to bring them to the ship and safety.

As the refugees made their way through the choppy seas, one spied a sailor on the deck and stood up and called out to him and yelled, "Hello, American sailor. Hello, freedom."

And Reagan concludes towards the end. And how does this city on this winter night stand? "More prosperous, more secure, and happier than it was eight years ago. But more than that: after 200 years, 2 centuries, she still stands strong and true on the granite ridge, and her glow has held steady no matter what storm. And she is still a beacon, still a magnet for all who must have freedom, for all the Pilgrims from all the lost places who are hurtling through the darkness, toward home."

And, Mr. Chair, I would like to enter the January letter from 1989, the address of Ronald Reagan to the Nation, for the record.
Chairman NADLER. Without objection.
[The information follows:]

REP. TED LIEU FOR THE RECORD

ARCHIVES | 1989

Transcript of Reagan's Farewell Address to American People

JAN. 12, 1989

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Following is a transcript of President Reagan's speech to the nation last night from the White House, as recorded by The New York Times:

My fellow Americans, this is the 34th time I'll speak to you from the Oval Office, and the last. We've been together eight years now, and soon it'll be time for me to go. But before I do, I wanted to share some thoughts, some of which I have been saving for a long time.

It's been the honor of my life to be your President. So many of you have written the past few weeks to say thanks, but I could say as much to you. Nancy and I are grateful for the opportunity you gave us to serve.

One of the things about the Presidency is that you're always somewhat apart. You spend a lot of time going by too fast in a car someone else is driving, and seeing the people through tinted glass - the parents holding up a child, and the wave you saw too late and couldn't return. And so many times I wanted to stop, and reach out from behind the glass, and connect. Well, maybe I can do a little of that tonight.

People ask how I feel about leaving, and the fact is parting is "such sweet sorrow." The sweet part is California, and the ranch, and freedom. The sorrow? The goodbyes, of course, and leaving this beautiful place.

You know, down the hall and up the stairs from this office is the part of the White House where the President and his family live. There are a few favorite windows I have up there that I like to stand and look out of early in the morning. The view is over the grounds here to the Washington Monument, and then the Mall, and the Jefferson Memorial. But on mornings when the humidity is low, you can see past the Jefferson to the river, the Potomac, and the Virginia shore. Someone said that's the view Lincoln had when he saw the smoke rising from the battle of Bull Run. Well, I see more prosaic things: the grass on the banks, the morning traffic as people make their way to work, now and then a sailboat on the river. Reflections at a Window I've been thinking a bit at that window. I've been reflecting on what the past eight years have meant, and mean. And the image that comes to mind like a refrain is a nautical one - a small story about a big ship, and a refugee, and a sailor.

It was back in the early Eighties, at the height of the boat people, and the sailor was hard at work on the carrier Midway, which was patrolling the South China Sea. The sailor, like most American servicemen, was young, smart and fiercely observant. The crew spied on the horizon a leaky little boat - and crammed inside were refugees from Indochina hoping to get to America. The Midway sent a small launch to bring them to the ship, and safety. As the refugees made their way through the choppy seas, one spied the sailor on deck, and stood up and called out to him. He yelled, "Hello, American sailor - Hello, Freedom Man."

A small moment with a big meaning, a moment the sailor, who wrote it in a letter, couldn't get out of his mind. And, when I saw it, neither could I.

Because that's what it has to - it was to be an American in the 1980's; We stood, again, for freedom. I know we always have but in the past few years the world - again, and in a way, we ourselves - rediscovered it.

It's been quite a journey this decade, and we held together through some stormy seas. And at the end, together, we are reaching our destination.

The fact is, from Grenada to the Washington and Moscow summits, from the recession of '81 to '82 to the expansion that began in late '82 and continues to this day, we've made a difference. Two Great Triumphs

The way I see it, there were two great triumphs, two things that I'm proudest of. One is the economic recovery, in which the people of America created - and filled - 19 million new jobs. The other is the recovery of our morale: America is respected again in the world, and looked to for leadership.

Something that happened to me a few years ago reflects some of this. It was back in 1981, and I was attending my first big economic summit, which was held that year in Canada. The meeting place rotates among the member countries. The opening meeting was a formal dinner for the heads of government of the seven industrialized nations. Well, I sat there like the new kid in school and listened, and it was all Francois this and Helmut that. They dropped titles and spoke to one another on a first-name basis. Well, at one point I sort of leaned in and said, "My name's Ron."

Well, in that same year, we began the actions we felt would ignite an economic comeback: cut taxes and regulation, started to cut spending. Soon the recovery began.

Two years later, another economic summit, with pretty much the same cast. At the big opening meeting, we all got together, and all of a sudden just for a moment I saw that everyone was just sitting there looking at me. And then one of them broke the silence. "Tell us about the American miracle," he said.

Well, back in 1980, when I was running for President, it was all so different. Some pundits said our programs would result in catastrophe. Our views on foreign affairs would cause war, our plans for the economy would cause inflation to soar and bring about economic collapse. I even remember one highly respected economist saying, back in 1982, that "The engines of economic growth have shut down here and they're likely to stay that way for years to come."

Well, he - and the other "opinion leaders" - were wrong. The fact is, what they called "radical" was really "right"; what they called "dangerous" was just "desperately needed." "The Great Communicator"

And in all that time I won a nickname - "The Great Communicator." But I never thought it was my style or the words I used that made a difference - it was the content. I wasn't a great communicator, but I communicated great things, and they didn't spring full bloom from my brow, they came from the heart of a great nation - from our experience, our wisdom, and our belief in the principles that have guided us for two centuries.

They called it the Reagan Revolution, and I'll accept that, but for me it always seemed more like the Great Rediscovery: a rediscovery of our values and our common sense.

Common sense told us that when you put a big tax on something, the people will produce less of it. So we cut the people's tax rates, and the people produced more than ever before. The economy bloomed like a plant that had been cut back and could now grow quicker and stronger. Our economic program brought about the longest peacetime expansion in our history: real family income up, the poverty rate down, entrepreneurship booming and an explosion in research and new technology. We're exporting more now than ever because American industry became more competitive, and at the same time we summoned the national will to knock down protectionist walls abroad instead of erecting them at home.

Common sense also told us that to preserve the peace we'd have to become strong again after years of weakness and confusion. So we rebuilt our defenses - and this New Year we toasted the new peacefulness around the globe. Not only have the superpowers actually begun to reduce their stockpiles of nuclear weapons - and hope for even more progress is bright - but the regional conflicts that rack the globe are also beginning to cease. The Persian Gulf is no longer a war zone, the Soviets are leaving Afghanistan, the Vietnamese are preparing to pull out of Cambodia and an American-mediated accord will soon send 50,000 Cuban troops home from Angola. 'We Changed a World'

The lesson of all this was, of course, that because we're a great nation, our challenges seem complex. It will always be this way. But as long as we remember our first principles and believe in ourselves, the future will always be ours.

And something else we learned: once you begin a great movement, there's no telling where it'll end. We meant to change a nation, and instead, we changed a world.

Countries across the globe are turning to free markets and free speech - and turning away from the ideologies of the past. For them, the Great Rediscovery of the 1980's has been that, lo and behold, the moral way of government is the practical way of government. Democracy, the profoundly good, is also the profoundly productive.

When you've got to the point where you can celebrate the anniversaries of your 39th birthday you can sit back sometimes, review your life and see it flowing before you. For me, there was a fork in the river, and it was right in the middle of my life.

I never meant to go into politics: it wasn't my intention when I was young. But I was raised to believe you had to pay your way for the blessings bestowed on you. I

was happy with my career in the entertainment world, but I ultimately went into politics because I wanted to protect something precious. 'We the People'

Ours was the first revolution in the history of mankind that truly reversed the course of government, and with three little words: "We the People."

"We the People" tell the Government what to do, it doesn't tell us. "We the people" are the driver - the Government is the car. And we decide where it should go, and by what route, and how fast. Almost all the world's constitutions are documents in which governments tell the people what their privileges are. Our Constitution is a document in which "We the People" tell the Government what it is allowed to do. "We the people" are free.

This belief has been the underlying basis for everything I tried to do these past eight years.

But back in the 1960's when I began, it seemed to me that we'd begun reversing the order of things - that through more and more rules and regulations and confiscatory taxes, the Government was taking more of our freedom. I went into politics in part to put up my hand and say, "Stop!" I was a citizen-politician, and it seemed the right thing for a citizen to do.

I think we have stopped a lot of what needed stopping. And I hope we have once again reminded people that man is not free unless government is limited. There's a clear cause and effect here that is as neat and predictable as a law of physics: as government expands, liberty contracts. Actions Based on Deeds

Nothing is less free than pure communism, and yet we have, the past few years, forged a satisfying new closeness with the Soviet Union. I've been asked if this isn't a gamble, and my answer is no, because we're basing our actions not on words but deeds.

The detente of the 1970's was based not on actions but promises. They'd promise to treat their own people and the people of the world better, but the gulag was still the gulag, and the state was still expansionist, and they still waged proxy wars in Africa, Asia and Latin America.

Well, this time, so far, it's different: President Gorbachev has brought about some internal democratic reforms and begun the withdrawal from Afghanistan. He has also freed prisoners whose names I've given him every time we've met.

But life has a way of reminding you of big things through small incidents. Once, during the heady days of the Moscow Summit, Nancy and I decided to break off from

the entourage one afternoon to visit the shops on Arbat Street - that's a little street just off Moscow's main shopping area.

Even though our visit was a surprise, every Russian there immediately recognized us, and called out our names and reached for our hands. We were just about swept away by the warmth - you could almost feel the possibilities in all that joy. But within seconds, a K.G.B. detail pushed their way toward us and began pushing and shoving the people in the crowd. It was an interesting moment. It reminded me that while the man on the street in the Soviet Union yearns for peace, the Government is Communist - and those who run it are Communists - and that means we and they view such issues as freedom and human rights very differently. 'Keep Up Our Guard'

We must keep up our guard - but we must also continue to work together to lessen and eliminate tension and mistrust.

My view is that President Gorbachev is different from previous Soviet leaders. I think he knows some of the things wrong with his society and is trying to fix them. We wish him well. And we'll continue to work to make sure that the Soviet Union that eventually emerges from this process is a less threatening one.

What it all boils down to is this: I want the new closeness to continue. And it will as long as we make it clear that we will continue to act in a certain way as long as they continue to act in a helpful manner. If and when they don't - at first pull your punches. If they persist, pull the plug.

It's still trust - but verify.

It's still play - but cut the cards.

It's still watch closely - and don't be afraid to see what you see.

I've been asked if I have any regrets. Well, I do.

The deficit is one. I've been talking a great deal about that lately, but tonight isn't for arguments, and I'm going to hold my tongue.

But an observation: I've had my share of victories in the Congress, but what few people noticed is that I never won anything you didn't win for me. They never saw my troops; they never saw Reagan's Regiments, the American people. You won every battle with every call you made and letter you wrote demanding action. Much to Be Done

Well, action is still needed. If we're to finish the job, of Reagan's Regiments, we'll have to become the Bush Brigades. Soon he'll be the chief, and he'll need you

every bit as much as I did.

Finally, there is a great tradition of warnings in Presidential farewells, and I've got one that's been on my mind for some time.

But oddly enough it starts with one of the things I'm proudest of in the past eight years; the resurgence of national pride that I called "the new patriotism." This national feeling is good, but it won't count for much, and it won't last unless it's grounded in thoughtfulness and knowledge.

An informed patriotism is what we want. And are we doing a good enough job teaching our children what America is and what she represents in the long history of the world?

Those of us who are over 35 or so years of age grew up in a different America. We were taught, very directly, what it means to be an American, and we absorbed almost in the air a love of country and an appreciation of its institutions. If you didn't get these things from your family you got them from the neighborhood, from the father down the street who fought in Korea or the family who lost someone at Anzio. Or you could get a sense of patriotism from school. And if all else failed, you could get a sense of patriotism from the popular culture. The movies celebrated democratic values and implicitly reinforced the idea that America was special. TV was like that, too, through the mid-Sixties. Ahead, to the Nineties .

But now we're about to enter the Nineties, and some things have changed. Younger parents aren't sure that an unambivalent appreciation of America is the right thing to teach modern children. And as for those who create the popular culture, well-grounded patriotism is no longer the style.

Our spirit is back, but we haven't reinstitutionalized it. We've got to do a better job of getting across that America is freedom - freedom of speech, freedom of religion, freedom of enterprise - and freedom is special and rare. It's fragile; it needs protection.

We've got to teach history based not on what's in fashion but what's important: Why the pilgrims came here, who Jimmy Doolittle was, and what those 30 seconds over Tokyo meant. You know, four years ago, on the 40th anniversary of D-Day. I read a letter from a young woman writing to her late father, who'd fought on Omaha Beach. Her name was Lisa Zanatta Henn, and she said, we will always remember, we will never forget what the boys of Normandy did. Well, let's help her keep her word.

If we forget what we did, we won't know who we are. I am warning of an eradication of that - of the American memory that could result, ultimately, in an erosion of the American spirit.

Let's start with some basics - more attention to American history and a greater emphasis of civic ritual. And let me offer lesson No. 1 about America : All great change in America begins at the dinner table. So tomorrow night in the kitchen I hope the talking begins. And children, if your parents haven't been teaching you what it means to be an American - let 'em know and nail 'em on it. That would be a very American thing to do.

And that's about all I have to say tonight. Except for one thing.

The past few days when I've been at that window upstairs, I've thought a bit of the shining "city upon a hill." The phrase comes from John Winthrop, who wrote it to describe the America he imagined. What he imagined was important, because he was an early Pilgrim - an early "Freedom Man." He journeyed here on what today we'd call a little wooden boat, and, like the other pilgrims, he was looking for a home that would be free.

I've spoken of the shining city all my political life, but I don't know if I ever quite communicated what I saw when I said it. But in my mind, it was a tall proud city built on rocks stronger than oceans, wind swept, God blessed, and teeming with people of all kinds living in harmony and peace - a city with free ports that hummed with commerce and creativity, and if there had to be city walls, the walls had doors, and the doors were open to anyone with the will and the heart to get here.

That's how I saw it, and see it still. How Stands the City?

And how stands the city on this winter night? More prosperous, more secure and happier than it was eight years ago. But more than that: after 200 years, two centuries, she still stands strong and true on the granite ridge, and her glow has held steady no matter what storm.

And she's still a beacon, still a magnet for all who must have freedom, for all the Pilgrims from all the lost places who are hurtling through the darkness, toward home.

We've done our part. And as I "walk off into the city streets," a final word to the men and women of the Reagan Revolution - the men and women across America who for eight years did the work that brought America back:

My friends, we did it. We weren't just marking time, we made a difference. We made the city stronger - we made the city freer - and we left her in good hands.

All in all, not bad. Not bad at all.

And so, goodbye.

God bless you. And God bless the United States of America.

A version of this article appears in print on January 12, 1989 of the National edition with the headline: Transcript of Reagan's Farewell Address to American People.

Mr. LIEU. And I am going to conclude by saying that my parents are immigrants. They had little skills when they came here, the same as Donald Trump's grandfather, who spoke little English and came and was a barber.

And, Mr. Arthur, I think your view that we should only allow immigrants in based on skills is deeply offensive. Neither Donald Trump nor I would be here today if that, in fact, were the law. And it is so, in fact, radical that even a number of U.S. Republican senators could not vote for your proposal.

With that, I yield back.

Chairman NADLER. I thank the gentleman for yielding.

The gentleman from Colorado, Mr. Neguse.

Mr. NEGUSE. Thank you, Mr. Chair.

I want to echo my good colleague from California's comments, Mr. Lieu. My parents were refugees as well from East Africa. And I think of the value that immigrants bring to this incredible Nation of ours. And I have been so moved and was so moved earlier this morning hearing the testimony of these young people, in particular, hearing your hopes and your dreams. And I want to thank you for your courage, for sharing your story, not just with this committee but with countless Americans who are watching these hearings as we speak.

I as the son of African refugees certainly would not be sitting as a member of the United States House of Representatives were it not for this country's willingness to welcome them as refugees with open arms. And so I hope and I trust that the House will finally address this issue and provide the protection that our dreamers and the folks in the TPS program so desperately need. And so I appreciate you testifying today.

I know we have heard some very compelling stories in discussions. As a Coloradan, I would be remiss if I didn't share the story of one particular individual back in my district, Yeck Raj Decal, who is a father, a teacher, a 14-year resident of Colorado, and a TPS recipient who is a member of our vibrant Nepalese community.

I know many of you here are aware that Nepal is one of the six countries whose TPS status was recently terminated by the Trump Administration. Four of these countries received an extension while their cases proceed through the courts. But, as we all know, Nepal and Honduras are not members to this extension. So, notwithstanding the outcome of recent court filing, Nepal looks to see its termination go into effect June 24th of this year. That means that Yeck Raj and his family, who are active members of our community, will be forced to leave and return to Nepal.

In Nepal, Yeck Raj, his wife, and two daughters lived through unwarranted violence from the Maoist insurgency. They moved from city to city to keep their family safe. Yeck Raj left his job as a teacher in order to ensure the safety and security of his family. And after years of struggling to find consistent work or make enough for his family to live on, he made the terrifying, yet courageous, decision, as so many others have done, to come to the United States. For 15 years, his wife and two daughters have lived in the United States. Colorado is their home. He provides for his family through his job as the head chef at local restaurants. And

his daughters are now 22 and 24 and have gone on to earn an M.B.A., attend nursing school, and earn a living. They are an example of the promise of the young folks, just as the young people who are gathered here today.

Yeck Raj, like many TPS holders, is deeply embedded in his local community. And to uproot the family would be a loss for not just his family and friends but a loss for our shared Coloradan community. And, of course, if this hearing has made anything clear, it is that his story is not unique, that there are countless, indeed hundreds of thousands, of people just like him, including some of our witnesses today.

To that end, Mr. Palma, in listening to your testimony this morning, I was particularly moved that obviously you not only supported and raised a wonderful family as a TPS recipient but now serve as such a strong advocate on behalf of TPS recipients across the country. And I understand that, you know, in some sense, TPS recipients are all kind of going through a similar experience, facing the real possibility that the life that they and their family have built in the U.S. is about to come crashing down.

So I am curious. In serving as an advocate and a coordinator of the National TPS Alliance, could you speak to the impact that this particular group has had on their personal communities, both socially and economically, as well as, you know, what you have learned in your interactions with different members of the TPS community?

Mr. PALMA. Thank you, Congressman for the question. I think one of the beauties about the National TPS Alliance is that the TPS recipients are self. And when I say, "the TPS recipients," I mean people from different countries as we believe we should find a permanent solution for everyone who is protected by TPS. What I have found is like some of the words that you were saying. People are like rooted within the community. Many people are studying to become professional. Some others are cleaning, like this beautiful building; across the country are working in different places. Some others are domestic workers. So I have found out that many people are very motivated. And they are also planting a seed for future group of professionals, like 270,000 U.S. citizen kids.

The reality is that this is urgent. And I really hope Congress will take that in consideration and move legislation that will provide permanent residency for people with TPS and DACA. And I think at this specific moment, we also need to be thinking about DED, which is a very close deadline. And there are families suffering for this. And we should take that in consideration and moving forward a legislation to provide for this.

Mr. NEGUSE. Thank you, Mr. Palma. I share your urgency. We can get this done. We must get this done. And we will get this done.

Chairman NADLER. The time of the gentleman has expired.

The gentle lady from Texas, Ms. Garcia.

Ms. GARCIA. Thank you, Mr. Chairman.

And I, too, want to thank all of the witnesses and thank you for your patience. And to many of you in the audience, I know I saw you this morning at the press conference. And you know that there is a lot of commitment here. There is a lot of passion here. There

is a lot of hard work being put in place to make sure that this, in fact, does get done. And we will continue to fight, not only today but tomorrow, until we make sure that it does.

And, Bishop, I wanted to thank you for reminding us today is the beginning of the Lenten season and that it is about forgiveness and it is about acceptance. And for me, as someone who considers herself someone that relies a lot on my faith in terms of the foundation of who I am, I can tell you that when you quoted in your written testimony, you know, "I was a stranger" and you were welcomed here, that is the bottom line for this discussion, is it not? Is it not about welcoming the strangers? Is it not about dignity and respect? And I wanted to start with you because there used to be an old regulation that was written, old fire and regulation that they used to practice in ICE, where they would consider some places safe community places, including schools and churches and courthouses and hospitals, funerals and weddings. For some of us, I would add quinceañeras but any place of community gathering. So are you concerned that some of the ICE activity and some of the things that are going on may someday impact the workings of the church, not only your church, by the way, but all places of worship?

Bishop DORSONVILLE. All the places of worship.

Ms. GARCIA. All places of worship.

Bishop DORSONVILLE. Yes. Unfortunately, we have learned through the years that yes, there have been presence of ICE in these places. Fortunately, the churches, the pastors, people who are around themselves, they defend them. And they have been always very careful about this kind of illegal activity because it is freedom of religion and freedom of worship for I really think that that is something that we really need to continue to sponsor.

Now, what you are saying about faith and community, it works together. It is not only what we believe but what we build as a community of believers. And that is when there is solidarity, fraternity, and we ensure that these youngsters, kids, families are going to continue to drive because they feel like fed by the community that is surrounding them with love and support.

Ms. GARCIA. Well, we want them all to reach their God's potential. And certainly, you know, continue these programs and ensuring full citizenship and full immigration reform is the goal.

And I wanted now to turn to Ms. Irazoqui-Ruiz. You said in your written testimony that, "The core of the DACA is the idea that immigrant youth should be protected without hurting other immigrants, without building more detention camps, hiring more deportation agents, or ripping apart any more families." Tell me why you believe that in like a short phrase or two so that I can move on and ask all of the DACA recipients the same question.

Ms. IRAZOQUI-RUIZ. I believe that I am here not just out of my own accord. My mother is the reason that I am here. She is the reason that I have been able to accomplish everything that I have accomplished. And our stories are very intertwined. You can't separate our stories. And that is why I believe that you can't give me protection intended to harm the very woman who has given everything for me without harming me, too.

Ms. GARCIA. So you want to keep your family together?

Ms. IRAZOQUI-RUIZ. Correct. And I keep hearing this idea of teen migration. I would like to say that it is family reunification. And I think that—

Ms. GARCIA. Absolutely. I agree with you.

Ms. IRAZOQUI-RUIZ [continuing]. That is a value that we have in our country.

Ms. GARCIA. All right. And, Mr. Palma, what about you, sir? Do you agree with that, her statement?

Mr. PALMA. Absolutely. I think many people are facing the reality of being separated. And I think that we should be looking for where to keep families together, which is one of the big values in any society.

Ms. GARCIA. All right. And I can't see your name from here, but I wanted all of you to respond to the same question.

Mr. PARK. Excellent. Thank you for your question. And so, you know, sometimes I get discouraged about, you know, the discourse and the dialogue around immigration.

Ms. GARCIA. Well, please don't. There is hope.

Mr. PARK. Right. And I think when I do get discouraged, I just look at my father's hands. You know, they are rough and coarse and broken because of the kind of work that they, that my parents, do for, eventually for, ultimately for, me. And I think I come, I stand before you today as a DACA recipient, but my achievements and my ability to have succeeded in America does not exist without my parents, doesn't exist without the community. And so I think that is important for this committee to consider.

Ms. GARCIA. All right. And ma'am?

Ms. KIAZOLU. I believe that it is impossible for me to be where I am today without my family members. Their love and support has made it possible for me to continue my education. And there is nothing I wouldn't be able to do without the Liberian community in general. And so that is why it is important for us to keep our families together, because they provide us the support that we need.

Ms. GARCIA. Okay. And, Mr. Palma—

Chairman NADLER. The time of the gentle lady has well expired.

Ms. GARCIA. Thank you, Mr. Chairman. We will talk afterwards. Thank you.

Chairman NADLER. I recognize the gentle lady from Washington, Ms. Jayapal.

Ms. JAYAPAL. Thank you so much, Mr. Chairman.

And I think some of you know that I have been a long-time advocate for immigrant rights, 15 years in the movement, in the streets fighting for comprehensive immigration reform, for humane immigration policy in our country. And it is a real privilege now to be here in Congress and do that. But the inspiration for this movement and the courage and the resilience and the sacrifice of immigrants across this country and of dreamers who have come forward and told your stories and fought in the streets and walked night after night after night on marches and refused to sit down, refused to take no for something that is a core human right, to be acknowledged for what you bring to this country is so incredible.

And I just wanted to start my comments by saying that first and to say to our faith community and to say to all of the businesses

that have been a part of this movement how deeply important, particularly, Bishop, the faith community that has made this clear that it is our responsibility to welcome that stranger. It is our responsibility to make sure that we are putting forward a policy that we can be proud of, that we can wake up every morning and look at ourselves and know that our moral courage is the thing that we have to stand for first and foremost.

So I want to thank everybody on the committee, all of our witnesses for being here to testify and for your stories and to just make the point that we talk about statistics, you know, over one million people set to lose status as a result of President Trump's cruel termination of the DACA program and TPS, all of the over 300,000 TPS recipients from Haiti, El Salvador, Nicaragua, and Sudan, who can now take a breath for a year but that sense of crisis. When we talk about those numbers, your stories allow us to remember that these are real people. Every single one of these numbers is a real person, a family tied to that person, and a community tied to that family and, therefore, a country tied to each one of you.

And so I wanted to just recognize the stories of two dreamers in my district that I am very, very close to: Paul and Jose Quinonez, who moved to the United States when Paul was seven and Jose was two. Both of these brothers grew up participating in highly capable programs in their schools. And their teachers would often talk to them about the high expectations that they had set for them and that the brothers would be part of the next generation of leaders that their community needed.

Both brothers were less certain about their future when they found out about their undocumented status. And then DACA was announced, and everything changed. Paul received DACA. He enrolled at Gonzaga University, where he obtained a B.A. in economics and political science. And after graduating, he went on to work at the Washington State legislature and then the office of the mayor of Seattle.

Seeing all that his brother was able to accomplish, Jose was getting ready to apply for DACA. And, unfortunately, President Trump cruelly terminated the program right before he began his engineering studies at the University of Washington. And now Jose's future is more uncertain than ever, and he finds his dreams in jeopardy.

Nobody on this committee and I think looking at the room behind you, nobody in this room is surprised by these stories because they are happening every single day. And so I just want to turn first to our TPS witnesses and ask Mr. Palma, why do you think people are so much less aware of TPS, Temporary Protected Status, than about DACA and dreamers because when I look at the list of TPS countries, El Salvador, Haiti, Honduras, Nicaragua, Sudan, I see hundreds of thousands of people who have been living in this country and working in our communities for two decades with legal status. So I would just like your opinion on why that is and what we can do to change that and show the importance of TPS.

Mr. PALMA. Thank you for your question. A few things I think are happening. One is that this is a community that has been protected from deportation through the TPS program. This is a com-

munity that has been focusing and building their family, building businesses, working two, three jobs in order to support their kids to have a life, some of us participating in our own communities as volunteer. Like I was soccer coach for many years. I had been volunteer in the Lynn Community Health Center. And I think that those are the things that the TPS community has been doing. It isn't right now that we are facing deportation. That is really very—you know, there is a lot of fear in the need to raise our voices and really work hard to achieve permanent residence.

Ms. JAYAPAL. Thank you.

And my last question before my time expires is some of you are in mixed-status families. And I just would like Ms. Kiazolu and Mr. Palma to just tell us what happens if other members of your families who are citizens—what happens to them if you lose your status?

Mr. PALMA. Well, as I said in my testimony, my son is 18 years old, applying to colleges at this specific moment. Just a few months ago, he asked me, "Dad, should I put my name in the college application because we are not sure whether you are going to still be here when I get accepted to college?" That dream can be trunc. by taking TPS away from me. That kind of biologist who is going to be saving life in the future can be shut down because of this cruel decision at this specific moment. And if we really believe in the American dream, we should be thinking about how to motivate people like my son to be and achieve the full potentials.

Ms. KIAZOLU. So I am fortunate that I am surrounded by a family who are U.S. citizens and permanent residents. I have an aunt who is a U.S. citizen who is a cosigner to my student loans. And in 25 days, when DED ends, I have no idea how I will be able to continue making those payments on my student loans. I have a younger sister who is getting ready to attend college in the next year. And I have been there supporting her, helping her think about what going to college looks like. And so there are many more examples I could offer, but our lives are intertwined with permanent residents and U.S. citizens because they are us.

Chairman NADLER. The gentle lady's time has expired.

The gentle lady from Texas, Ms. Escobar, is recognized.

Ms. ESCOBAR. Thank you, Chairman. I am recognized and I get to sit at the big kids' table today. [Laughter.]

Thank you all very much for being here, for your incredible testimony, for your stories. It has been such a privilege to listen to you all and hear about your heroism and the patriotism of our TPS recipients, our dreamers, our DACA recipients.

I am from El Paso, Texas, the safe and secure U.S.-Mexico border. I say that every time I introduce myself. I sound like a broken record I know, but hopefully one day, it will sink in. I see El Paso and the southern border as the new Ellis Island, and I am very proud of that fact.

But earlier in the hearing, I heard a couple of things that are alarming to me that I think are important to raise publicly and in this hearing. One of the things that I heard about was, again, this idea that we have to secure the border, "secure the border," before we advance comprehensive immigration reform. And I hope it is

not being the same logic used to advance protections and permanent solutions for all of you.

The other thing that I heard was the consistent mentioning of the increase in Central American families arriving at our southern border. And I say that I am alarmed because what those of us on the border have been hearing for over 15 years, as we have been asking for comprehensive immigration reform, as we have been asking for permanent fixes to the situations that you all are in, is that first we have to secure the border. And it has been 15 years of that. It has been hundreds of millions of dollars. The size of Border Patrol has tripled. The size of ICE has tripled. Communities like mine have a wall. We now have concertina wire at our ports of entry. Our ports have been hardened. And all of that has done nothing to change crime statistics in communities like mine because communities like mine were safe long before those tactics. They have remained safe since those tactics. And what makes us safe are folks like you. Exactly you are precisely what makes us safe.

And I raise this issue because it feels like it will never be enough. We will never spend enough money. We will never put up enough wire. We will never do enough to “secure the border.” And so when I hear even members on the panel say, “Let’s secure the border,” it makes me think that we have yet to understand the fact that that goalpost will continue to keep moving, keep moving, keep moving because the border for some folks will never be secure until there are zero people coming in. That is never going to happen. That is just not possible. Nor should it be something that we want.

The border I want to say again has never been safer, never been more secure. And the Central American families, which is true they are arriving in increasing numbers, but, as Congressman Lieu mentioned, we are still not at the numbers that we saw two decades ago. And those families are not coming over to do us harm. Those families are processed by border patrol. They get fingerprinted. They get background checks. If they were a threat, we would have heard about the threat by now.

Earlier, one of my other colleagues, Mr. Biggs, talked about incentives and disincentives, but we never hear from Congress and we haven’t heard from leadership, from the White House how to get to the root causes.

Most of these families—and I have sat down and eaten with many of these Central American families, served them meals. They don’t want to leave, but they have no other choice. And so my fear is the point I am getting at is my fear is by conflating all of this, it may be an obstacle being put up to prevent progress on this.

And so, Ms. Ruiz, you mentioned earlier the mental health impact, how all of this has impacted your mental health and the breakdown that you had. I am curious from you because you mentioned mental health. What does it feel like and sound like when you are linked, when you, your life, is linked with securing the border?

Ms. IRAZOQUI-RUIZ. It is a little bit frustrating, to be completely honest with you, because I do live in a border State. I live in New Mexico. And even before that, I lived in Arizona. And there is already a wall. People are talking about creating, channeling more

resources to a wall. The wall is already there. And those of us who live there know that.

I am by no means an immigration policy expert, but I can talk about my own personal experience. And I hear a lot of comments on both sides of the aisle. And all I can think about is my experience of being here my entire life, of working with my community and wanting to give back to my community, and seeing that that is being impeded by the tenuous future of DACA.

Ms. ESCOBAR [presiding]. Thank you so much.

I think we are going to have to recess. We have to go take votes on the floor. That is why everybody left. We have been summoned to the House floor for votes. We will take a short recess and reconvene as promptly as we can after we vote. The committee stands in recess.

[Recess.]

Ms. SCANLON [presiding]. The Judiciary Committee will come to order.

I'll recognize myself for five minutes. So I represent Pennsylvania's Fifth District, one of the most diverse districts in the country and where immigrants from all parts of the world have enriched our community.

The Fifth District's history of welcoming those of different backgrounds and faiths dates to the arrival of William Penn in Chester, Pennsylvania, in my district in 1682, and his founding of a colony that encouraged diversity and provided sanctuary for people of different faiths from across the globe.

Some come to Pennsylvania to seek a better life and economic opportunity, others come seeking safety and refuge from violence in their home countries. Although everyone's story is a little different, there's a common thread that binds their immigrant experience. They come seeking a brighter future.

Before I entered Congress, I had the privilege of representing some of these strong and resilient people as a pro bono attorney. I met folks from Haiti who sought safety for their families after the devastating earthquake in 2010 and refugees from African and Central American countries where the Rule of Law had broken down and violence erupted.

And I had the privilege to work with Dreamers as they tried to navigate their path to adulthood in the only country that they've ever called home. So I want to say directly to my constituents who are here as immigrants, whether you're a Dreamer, a TPS-holder, a DED recipient, or the beneficiary of another program, we see you and we value what you bring to our country.

I see the nurses who care for our elderly, the teachers who are educating our children, and the public servants bettering our communities. I'm sorry this Administration has kept you in limbo and threatened to break the promises our country has made to you. I'm so glad that we're here today speaking to some of those incredible immigrants directly.

So with that, Ms. Kiazolu, I just signed on to a letter asking the Administration to extend the Liberian DED Program. As I read your testimony, I was struck by the fact that after six years in a Ph.D. program, when you're just a few months away from graduating and presumably accepting a job, you're just 25 days away

from losing work authorization and your ability to remain in the country.

I know that you touched on this briefly, but can you talk to us about any opportunities that you've had to forego due to the questions about your status?

Ms. KIAZOLU. Yes, so I've had to adjust my dissertation research because my advanced parole was never adjudicated and so that's meant having to essentially start again with the process that was already time-consuming.

I've had to pass two teaching opportunities at California State, Long Beach, where I would have been an adjunct instructor, and those opportunities would have been beneficial for progressing my professional development.

And in just the normal life, I haven't been able to take trips with my friends and while I should be preparing for the job market, I've lost a sense of security and peace of mind.

Ms. SCANLON. Okay. Thank you for that.

Ms. IRAZOQUI-RUIZ, I know you've testified that members of your family have different immigration statuses and I know that although you're planning to be an OB-GYN, you have siblings and family members who do other important work in your community.

Can you speak to the impact that the uncertainty created by this Administration's policies around immigration status have had on you and your extended family?

Ms. IRAZOQUI-RUIZ. Thank you for the question. I really appreciate the opportunity to be here and I feel very privileged to be able to use my platform as a DACA recipient and as a medical student to share the stories of my community and they can be reflected in my own family.

My twin sister is a legal permanent resident now. She was a DACA beneficiary. She's currently a business and tax law attorney and because of her, I am able to focus on medical school and only worrying about my tuition because she's able to provide a roof over my head.

My younger brother, Manny, he's a mechanic and every time my car breaks down because I am a limited means medical student with very limited financial opportunities, he fixes my car.

My other brother, he is a small business owner, and when I don't have money to pay my health insurance because I need health insurance as a medical student, he provides the bill, and so these are just examples of how immigrant families are very diverse and not everyone is a doctor, not everyone is a lawyer, but that doesn't mean they're contributing any less to their families or to their communities.

Ms. SCANLON. And just to clarify, your two younger brothers are American citizens?

Ms. IRAZOQUI-RUIZ. They were born in Arizona, yes.

Ms. SCANLON. Okay. Thank you.

With that, I will yield back, but first I'll ask unanimous consent to enter an article entitled "TPS Workers are Rebuilding States Devastated by Natural Disasters" by the Center for American Progress.

Hearing no objection, it is entered into the record.

[The information follows:]

REP. MARY GAY SCANLON FOR THE RECORD

Center for American Progress



TPS Workers Are Rebuilding States Devastated by Natural Disasters

By Nicole Prchal Svajlenka March 5, 2019

Over the past two years, the Trump administration has taken steps to terminate Temporary Protected Status (TPS) for nearly all of the 318,000 immigrants that the program protects. These immigrants' futures—as well as those of their families—are in limbo as legal challenges to the termination make their way through the courts.¹

The vast majority—94 percent—of these immigrants are from El Salvador, Honduras, and Haiti.² Under TPS, they hold a legal status that protects them from deportation and authorizes them to work. TPS holders have lived in the United States for an average of 22 years, in households with a total of 620,000 family members, and are crucial contributors to the U.S. economy.³

One outsized way in which TPS holders contribute to the economy is their role in the construction industry. With 45,900 workers, construction is the second-largest occupation group for immigrants with TPS who are from El Salvador, Honduras, and Haiti.⁴ One-quarter of these workers are laborers, but workers with TPS can also have more-specialized occupations as carpenters, at 7,900; brick masons, at 2,400; plumbers or pipe layers, at 1,800; and electricians, at 1,500. They are also in more senior roles, with 2,700 employed as first-line supervisors and 1,600 employed as managers. Among their many roles, construction workers are key to rebuilding efforts after the occurrence of natural disasters.

TPS holders in construction jobs help rebuild their states after extreme weather events

Over the past two years, seven weather and climate disasters caused more than \$5 billion in damages each across the United States and took hundreds of lives: Hurricane Harvey, Hurricane Maria, and Hurricane Irma in 2017; Hurricane Michael and Hurricane Florence in 2018; and the western wildfires of both 2017 and 2018.

Hurricane Harvey damaged or destroyed more than 200,000 homes and businesses in Texas and Louisiana, causing an estimated \$127.5 billion in damages.⁵ Hurricane Irma damaged or destroyed 90 percent of homes and businesses in the Florida Keys, as well as

1 Center for American Progress | TPS Workers Are Rebuilding States Devastated by Natural Disasters

13,000 other buildings throughout the rest of the state and Georgia; it was responsible for an estimated \$51 billion in damages.⁶ Hurricane Michael damaged 50,000 homes and businesses along the eastern seaboard from Florida to Virginia, causing an estimated \$25 billion in damages,⁷ while Hurricane Florence damaged or destroyed 86,000 homes and businesses in South Carolina, North Carolina, and Virginia, causing an estimated \$24 billion in damages.⁸ The western wildfires and California firestorm of 2018 also caused an estimated \$24 billion in damages, destroying more than 33,500 homes and buildings,⁹ while the western wildfires and California firestorm of 2017 damaged or destroyed 15,000 homes and businesses, causing an estimated \$18.4 billion in damages.¹⁰

With the exception of Hurricane Maria, which caused an estimated \$91.8 billion in damages mostly in Puerto Rico,¹¹ the states hit hardest by these disasters are also home to large communities of TPS holders. The large numbers of TPS holders who work in construction occupations in the following states demonstrate how inextricably TPS is linked to the efforts to rebuild:¹²

- **California**, which is recovering from two extreme wildfire seasons and ranks first for TPS recipients, is home to 5,100 TPS holders in construction-related occupations.
- **Texas**, which is recovering from Hurricane Harvey and ranks second for TPS recipients, is home to 6,800 TPS holders in construction-related occupations.
- **Florida**, which is recovering from two hurricanes: Irma and Michael and ranks third for TPS recipients, has 4,200 TPS holders who are in construction-related occupations.
- **Virginia**, which is also recovering from two hurricanes, Florence and Michael and ranks fifth for TPS recipients, has 8,400 TPS holders who are in construction-related occupations.
- **North Carolina**, which is recovering from Hurricanes Florence and Michael as well and ranks eighth for TPS recipients, is home to 1,800 TPS holders in construction-related occupations.
- **Georgia**, which is recovering from Hurricanes Irma and Michael and ranks ninth for TPS recipients, is home to 1,000 TPS holders in construction-related occupations.

Although TPS holders are a small share of the total U.S. population—between 0.1 percent and 0.3 percent for each of the states listed above—they are overrepresented in construction occupations, making up between 0.4 percent and 4.7 percent of all construction workers in the above states.¹³ While these shares may seem minor, they represent thousands of workers.

The end of TPS would make all of these immigrants ineligible to work, removing them from their roles in the U.S. workforce and potentially jeopardizing or setting

back recovery efforts in each of these states. On top of this, all individuals from a given country would lose their protections and work authorization on the same day,¹⁴ potentially bringing some rebuilding efforts to a halt. It is long past time for Congress to protect immigrants with TPS and their families; doing so would ensure that progress on rebuilding efforts continue apace in disaster-affected communities.

Nicole Prchal Svajlenka is a senior policy analyst of Immigration Policy at the Center for American Progress.

 Endnotes

- 1 Dara Lind, "Judge blocks Trump's efforts to end Temporary Protected Status for 300,000 Immigrants," *Vox*, October 4, 2018, available at <https://www.vox.com/policy-and-politics/2018/10/4/17935926/tps-injunction-chen-news>; Jill H. Wilson, "Temporary Protected Status: Overview and Current Issues" (Washington: Congressional Research Service, 2018), available at <https://fas.org/spp/crs/homesecc/R520844.pdf>.
- 2 Wilson, "Temporary Protected Status: Overview and Current Issues."
- 3 Nicole Prchal Svajlenka, "What Do We Know About Immigrants With Temporary Protected Status?," Center for American Progress, February 11, 2019, available at <https://www.americanprogress.org/issues/immigration/news/2019/02/11/466081/know-immigrants-temporary-protected-status/>.
- 4 Center for American Progress analysis of 2017 1-year American Community Survey microdata. Data accessed via Steven Ruggles and others, "Integrated Public Use Microdata Series, U.S. Census Data for Social, Economic, and Health Research, 2017 American Community Survey 1-year estimates" (Minneapolis: Minnesota Population Center, 2018), available at <https://usa.ipums.org/usa/>. A February 2019 CAP publication cites 44,000 TPS holders in construction occupations; here, 1,600 construction managers were included in the count. See Svajlenka, "What Do We Know About Immigrants With Temporary Protected Status?" Totals differ from text above due to rounding.
- 5 National Oceanic and Atmospheric Administration, "Billion-Dollar Weather and Climate Disasters: Table of Events," available at <https://www.ncdc.noaa.gov/billions/events/US/2017-2018> (last accessed February 2019).
- 6 *Ibid.*; John P. Cangialosi and others, "National Hurricane Center Tropical Cyclone Report: Hurricane Irma (AL112017)" (Washington: National Oceanic and Atmospheric Administration, 2018), available at https://www.nhc.noaa.gov/data/tcr/AL112017_Irma.pdf.
- 7 National Oceanic and Atmospheric Administration, "Billion-Dollar Weather and Climate Disasters"; National Weather Service, "Catastrophic Hurricane Michael Strikes Florida Panhandle: October 10, 2018," available at <https://www.weather.gov/tae/HurricaneMichael2018> (last accessed February 2019).
- 8 National Oceanic and Atmospheric Administration, "Billion-Dollar Weather and Climate Disasters"; National Weather Service, "Hurricane Florence: September 14, 2018," available at <https://www.weather.gov/ilm/HurricaneFlorence> (last accessed February 2019).
- 9 National Oceanic and Atmospheric Administration, "Billion-Dollar Weather and Climate Disasters."
- 10 *Ibid.*
- 11 *Ibid.*
- 12 The ranking of TPS beneficiaries and numbers of TPS holders in construction-related occupations were determined through CAP analysis of 2017 1-year American Community Survey microdata. Data accessed via Ruggles and others, "Integrated Public Use Microdata Series, U.S. Census Data for Social, Economic, and Health Research, 2017 American Community Survey 1-year estimates."
- 13 *Ibid.*
- 14 Catholic Legal Immigration Network, "Temporary Protected Status (TPS) and Deferred Enforcement Departure (DED)," available at <https://cliniclegal.org/tps> (last accessed March 2019).

Ms. SCANLON. And next, I would recognize the gentlewoman from Georgia.

Mrs. MCBATH. Thank you, Madam Chair.

First, I want to say thank you to each and every one of you that are here providing your testimonies today. I'm so sorry. I'm running in between two different hearings today. So I do have your written testimony and thank you for submitting that. But I do want to thank you for sharing your personal stories with us.

When we talk about Dreamers, temporary protected status recipients, and deferred enforced departure recipients, it's important that we have a full picture of the lives that you've led.

Others from Georgia's Sixth District, and I represent Georgia's Sixth Congressional District, have experienced your same struggles and have shared similar stories with me and, trust me, I have spent my first few months here in Congress working on specific cases within my district.

I heard from a Dreamer who teaches in my community. She teaches in the community that I now represent, and I've heard from TPS recipients who escaped dangerous situations in other parts of the world and they're now living in my district. They're raising families and they're working long hours to send their U.S.-born children to college.

To see their impact on our economy, all you need to do is drive down the street in my district and you'll see shop signs in multiple languages, new local businesses where there weren't businesses before, and just many vibrant cultural community centers, and I'm proud of our diverse communities because that's what America is, and I value the economic benefits created by immigrants and their families in my district.

Because I did not have the benefit to actually hear your testimonies, could any of you speak a little more to the local economic effects of your jobs or the jobs or businesses of your family members? I would love to hear those stories. Anyone? Go ahead.

Mr. PALMA. Yeah. Thank you. Thank you for the question.

I think there are many stories I can share from TPS recipient perspective. For example, in my testimony, that is the story of Jose Arriaga, who's a business owner from Boston, Massachusetts, who is the owner of a construction company, which is a multimillion dollar business, and the interesting part about that story is actually he employed dozens of people. The majority of them are U.S. citizens. There are only two people with TPS which is himself and one more person. Everyone else is U.S. citizen and permanent residency, just to highlight one example of many others that I can tell you from across the country. So that's just one example.

Mrs. MCBATH. Thank you.

So a study by USC and the Center for American Progress found that Georgia's Sixth Congressional District, my district, would lose a \$117 million in GDP without DACA workers and that's without counting TPS or DED workers.

Georgia has 8,500 TPS recipients and a thousand of those work in construction. So that's another important economic component for my district.

Could you, any one of you, how would permanent residency change your economic outlook and your ability to plan for your future or your children's futures?

Ms. IRAZOQUI-RUIZ. I'd like to answer this question but also back-track a little bit.

My twin sister Jasmine, she's an attorney, and she has a project for economic justice in the state of New Mexico and she works with immigrant business owners and immigrants are three times more likely to open their own small businesses and employ U.S. citizens and so they're a huge striving force of the economic system today and I don't know the specifics because I'm not an economics expert, but the fact that these immigrants are resilient and they persevere to open their own businesses and give jobs to U.S. citizens just shows the magnitude of the contribution of the community.

And to your second question, how would a pathway to legal permanent residency and citizenship affect me, I spoke about it earlier. I'm trying to begin the process of apply to residency programs and that's going to be a huge question as I begin to apply and begin to interview in residency programs.

How do they know that their investment in me as a resident position and training will not go unfounded because right now, my DACA will expire at the end of this year? I'm still waiting to hear back if they're going to renew my DACA. It's been awhile.

And so that's a huge impact. Will I even be able to practice medicine, which has been my lifelong goal that I've been working for, thank you.

Mrs. MCBATH. Thank you.

Madam Chair, I yield back.

Ms. SCANLON. There's no more time.

The Chair recognizes Mr. Correa.

Mr. CORREA. Thank you, Madam Chair.

First, I also want to thank the committee for holding this most important hearing, and I want to thank each and every one of you today for making a track to be in front of us today and share your personal stories.

I'm Congressman Luke Correa. I represent Central Orange County, which is the richest county in the richest state in the richest country in the world, and grew up in Orange County, I'm blessed to say, and we're little kids—I'm an American-born citizen, but I remember growing up and the kids around me, when they saw any police officers, anybody like that, coming by, they would run and I could never figure out why there was so much fright of law enforcement. It's just a uniform and later on, I found out most of my friends were undocumented. That was back in the '60s, and here we are back in 2019 and as the old saying says, the more the world changes, the more it stays the same.

I know Orange County has gone from a population of a 150,000 in the '50s to about three million today. In my district, I know one of my colleagues said it but I'm going to say it here today, that the real new Ellis Island of the world, of the United States is Central Orange County. We have more immigrants there from any other place in the world.

Growing up again, wave upon wave of Central American, Latin American immigrants, then came the Vietnamese, and today huge

influx from the Middle East, we're all making it work and making Orange County one of the most prosperous counties in the United States.

Let me share a quick story with you. All my kids have gone to public school in Central Orange County, in the "hood," so to speak, and my daughter about two years ago came home and she brought with her two of her best friends, said, Dad, I have two friends that have a problem and want to talk to me, and I said, oh, my God, it's probably something very serious, and it was.

They said, Mr. Correa, I want to talk to you about our immigration status. We're both Dreamers and we're scared to death what's going to happen to us. Can you help us? Our families are all here and we don't want to be law-breakers. You know, we follow the rules. We registered through the authorities. We've told people who we are. We're paying our taxes, studying hard. What else can we do? Help us. What is it that we can do so we won't have to leave the country?

And it was a hard question for me. I almost, you know, started tearing and I did everything I could not to start to show them that the situation is a serious one. I wanted to give them hope and so what I told these two young ladies was you keep studying hard, you keep working really hard, you keep living the American dream, and let me fight your fight in Washington, D.C., and that's what I've tried to do over the last plus two years I've been in Congress.

I've tried to fight the fight for them and this is not a Democrat or Republican issue. Polls show 70 percent of Republicans support a pathway to citizenship for all of you, 80 percent of Democrats, and I have to plug in a quick commercial for Californians because the last president to succeed in passing immigration reform was a California Republican, Ronald Reagan, a great California president, Republican, who had the guts to step up and say I'm going to do the right thing for this country, and that's the last time we had any kind of immigration reform.

So I say to you it's not a D or an R issue. It's the right thing to do as Americans. In California, we have Silicon Valley. We have high-tech operations everywhere and they're based on the work, the technology, the intellect of immigrants, and so today, I want to thank you for being here.

I especially want to thank the Bishop and all of the clergy. I'm very proud to be a Catholic because the Catholic Church has taken with other religious groups a very strong stance on doing the right thing, which is advocating like Jesus Christ did for immigrants.

Thank you very much for being here and with the 26 seconds I have left, I'm going to say we're going to keep fighting because it's the right thing to do, but I'm going to ask all of you here if you can tell me what happens if in fact President Trump has his way and we don't have an adjustment status for you. Open question.

Mr. PALMA. So I can start with that by I have nine months to really get to that reality and I think, you know, for you all that are parents just to think about what would you say to those kids about what can happen.

You know, when your son is applying to college or your seven-month little girl is just making a smile and you start thinking what's going to happen with this U.S. citizen kid. That's the reality

that we are facing and that's the big question that we are looking for answers.

I honestly don't know. I don't know, you know, what I will do when that day comes. What I do know is that—and I hope that legislators will find a way to pass a permanent residency for people with TPS because it's the question that we are struggling. It is the nightmare that many of us are living in this specific moment, but we still want to keep hopeful because that's the U.S. history of opportunity and we hope that opportunity for us for permanent resident will come in the near future.

Mr. CORREA. Mr. Graham, did you have a comment?

Mr. GRAHAM. Might I add to my colleague's eloquent answer?

I mentioned that our scholarship program has 3,400 students in universities around the United States. I'm proud to say that one of our partner colleges is your alma mater, Cal State Fullerton. Another is Congresswoman Escobar's alma mater, UT El Paso.

Ms. SCANLON. Thank you. I'm afraid the gentleman's time has expired.

Mr. GRAHAM. All right.

Ms. SCANLON. And I would recognize the gentlewoman from Pennsylvania.

Mr. CORREA. Thank you very much.

Ms. DEAN. Thank you, Madam Chair.

Last and I hope not least, I'm delighted to be here with you today. I think I'm the last. So thank you for your indulgence and your patience and for being with us and informing us and letting us know personally what this is all about and let's not forget why we're here.

We're here because of an Administration who decided to choose fear over hope, to choose shutting doors instead of opening doors, and so this is self-inflicted by this Administration.

We know what the Obama Administration offered and it was the wise move. Obviously Congress now must step in and make permanent a pathway to citizenship, but I just don't want it to be lost on anybody that this is because of the actions of this Administration shortly after taking office, saying we want to shut the door on Dreamers and TSP and we want to instill fear.

Imagine the mission of this Administration and you are not the only ones that this Administration has chosen fear over hope, over citizenship, over the ideals of American values.

So, Madam Chairman, I thank you. We heard so much today about how you improve our world. You don't take from us. You improve our world, how you grow our economy. If people don't think of it in any other way, let's think of it in economic terms.

The analysis from the Center for American Progress reveals the U.S. can expect to lose \$164 billion in GDP over the next decade if workers from El Salvador, Honduras, and Haiti are removed from the labor force. Social Security and Medicare would face a reduction of almost \$7 billion.

Additionally, their removal would cause employers across the country to experience almost \$1 billion in turnovers.

I'll give you a little snippet from my state. I'm from Pennsylvania. In my home state, we would forfeit 85 million in state GDP annually due to the loss of our 2,500 TPS-holders from El Salvador,

Honduras, and Haiti alone, and as one of you described so beautifully and so heartbreakingly, this whole experience has been dehumanizing.

We should not be in the business of dehumanizing and so I would ask, if I may, Bishop, I just was reading your testimony and your recommendations. So from your mission and from what you have done over the course of your pursuits, would you talk to us with specifics about what we in Congress must do following your recommendations?

Bishop DORSONVILLE. Well, as a member of the Catholic Church and being the voice of my brother bishops, as well, every single person and member of the House and the Congress has bishops in your cities and in your districts. Encourage dialogue, continue to learn the needs of your people, go and talk to your leaders of faith, and being able to cultivate this kind of encounter, human encounter that will continue to impact not by the news but by your own testimony of life.

I really think that that will be something that I would like to recommend to those who need to create and to push for the new laws that are going to be so significant in the life of the immigrant family. I really think that the laws has to continue to empower the family and to empower the sense of getting the people to trust, to hope, and to love in the place that they are across the country.

Ms. DEAN. I so appreciate that wisdom, that we need to be proximate. We need to get close up to understand the plight of those who are vulnerable, whether it is this vulnerability or those suffering from addiction or those suffering from hunger or homelessness. We need to get proximate.

It's not enough to stand in our houses and say, geez, I rail against this group or that group. Get close to them and you'll know better.

If I may, I'd last ask one of the young people and then I would ask for unanimous consent at the very end to enter some documents.

But is there something more that's on your heart that you really wanted to say and impart to this congressional committee at this time?

Mr. YANEZ. I'll say something real quick. I think there's enough blame to go around right now. I think we're kind of so divisive. I think we need to come back and work on things that we do agree.

It can't just be one or the other, which I think I've been proposing. If we want to get something done for the Dreamers, if we want to be serious about getting this fixed, there's a perfect opportunity with your colleagues on the Republican side to bring a permanent solution for Dreamers in exchange for border security. I think there's overall consensus to do that.

Unfortunately, if we focus on one issue, only Dreamers, nothing's going to get done and that's unfortunate and it ultimately hurts me and breaks my heart because it's really false hope.

Ms. DEAN. Mr. Chairman, I see my time has expired, but I do believe that the young woman would like to say something, as well.

Ms. KIAZOLU. Yes, very briefly. I want to stress that DED for Liberia ends in just 25 days and protections for Liberians have been

in place since 1991. So we're talking about almost 30 years of protections.

So TPS and DED recipients need Congress to move immediately. For those of us on DED, our lives are on the line within a matter of days and so we just ask for an expedient response. Thank you.

Chairman NADLER [presiding]. Do you know how many people are on DED roughly?

Ms. KIAZOLU. I believe the estimate, the low estimate's around 900, but the high estimates are around 4,000.

Chairman NADLER. So between 900 and 4,000 people total.

Ms. KIAZOLU. Yes.

Chairman NADLER. And it expires in 25 days.

Ms. KIAZOLU. In 25 days.

Chairman NADLER. And it's been in effect since 1991?

Ms. KIAZOLU. We've had TPS and DED between 1991 and 2019.

Chairman NADLER. So the people who are endangered now were basically brought to this country in 1991?

Ms. KIAZOLU. Yes.

Chairman NADLER. Okay. Yes.

Ms. DEAN. I seek unanimous consent.

Chairman NADLER. Oh, yes.

Ms. DEAN. My time has expired but if I may. I thank you all again.

Ultimately, I'm going to quote President Barack Obama on the announcement of this Trump position that "this is ultimately about basic decency. It's about who we are as a people and who we want to be as importantly as that," and I ask for unanimous consent to offer into the record three documents. One are educational groups who have offered us information and their opinions as to this. National Education Association, the President's Alliance for Higher Ed and Immigration, a memo on its statement, and also the full text of at that point former President Obama's statement on DACA.

Chairman NADLER. Without objection, the documents will be entered into the record.

[The information follows:]

REP. MADELEINE DEAN FOR THE RECORD

March 5, 2019

The Honorable Zoe Lofgren
U.S. House of Representatives
1401 Longworth House Office Building
Washington, DC 20515-0519

Dear Congresswoman Lofgren:

On behalf of our three million members and the 50 million students they serve, we would like to submit for the record the following comments in connection with the March 6 hearing, "[Protecting Dreamers and TPS Recipients](#)."

For far too long, participants in Deferred Action for Childhood Arrivals (DACA), people with Temporary Protected Status (TPS), and Dreamers — people brought to this country as children — have been living with fear and uncertainty. They deserve better. To give it to them, we support legislation that is:

- Broad and inclusive, encompassing DACA and TPS recipients, as well as Dreamers
- Provides multiple pathways to citizenship
- True to America's values and history as a nation of immigrants, which means not arbitrarily helping some at the expense of others

Dreamers, DACA recipients, and TPS holders are our friends and neighbors. They are people like Areli Zárate, a teacher in Austin, Texas, who came to the United States at the age of eight with her family. She graduated from the University of Texas at Austin and, thanks to DACA, was able to become a high school teacher. Educators like her are working in public schools, colleges, and universities all across our nation, inspiring the next generation of Americans.

At this juncture, only Congress can provide the bipartisan leadership necessary to create a permanent pathway to citizenship for Dreamers, DACA recipients, and TPS holders. We stand ready to work with you to achieve that goal and thank you for the opportunity to submit these comments.

Sincerely,

Marc Egan
Director of Government Relations
National Education Association

**PRESIDENTS' | ON HIGHER EDUCATION
ALLIANCE | AND IMMIGRATION**

Statement for the Record of

Nancy Cantor
Co-Chair, Steering Committee
Chancellor, Rutgers University – Newark

Louis Caldera
Senior Advisor
Co-Chair, Steering Committee

David W. Oxtoby
Co-Chair, Steering Committee
President Emeritus, Pomona College

Miriam Feldblum
Executive Director

Presidents' Alliance on Higher Education and Immigration

For a Hearing of the House Committee on the Judiciary

Protecting Dreamers and TPS Recipients

Wednesday, March 6, 2019

2141 Rayburn House Office Building

I. INTRODUCTION

The non-partisan Presidents' Alliance on Higher Education and Immigration (Presidents' Alliance) brings together college and university leaders committed to increasing public understanding of how immigration policies and practices impact our students, campuses, and communities, supporting policies that create a welcoming environment for immigrant, undocumented, and international students on our campuses; and identifying and sharing best practices.¹ The Presidents' Alliance is comprised of over 420 presidents and chancellors of public and private colleges and universities, enrolling over four million students in 41 states, Washington D.C., and Puerto Rico. The Presidents' Alliance collaborates with congressional offices to engage in higher education and immigration related advocacy, including providing technical and substantive recommendations to staff and engaging in oversight. This statement provides recommendations to ensure that future immigration relief meets the needs of immigrant youth and the higher education community; and extends appropriate protections to Dreamers (including Deferred Action for Childhood Arrivals (DACA) recipients) and Temporary Protected Status (TPS) holders.

DACA allowed approximately 800,000 undocumented youth to access more affordable higher education, work opportunities, driver's licenses, bank accounts, professional and occupational licenses (in some states), and more. For students, alumni, staff, faculty, and their families who rely on it, the loss of DACA would be devastating to individuals as well as across campuses and across the entire country.² DACA also represents a small subset of the larger Dreamer population, which must also be protected by Congress.

TPS, a form of humanitarian protection provided to individuals who cannot return to their home countries due to violent conflict or natural disaster, provides recipients temporary refuge in the United States, along with work authorization. The federal government currently provides TPS for over 300,000 foreign nationals.³ Many TPS recipients have been in the country for a decade or more. Some TPS holders are students on our campuses. Many are a crucial part of the workforce, including at colleges and universities, and have U.S. citizen children who are current or prospective students in our higher education system.

We urge the U.S. House of Representatives take the first steps to resolve what is still an urgent matter: permanently protecting Dreamers and TPS recipients. The high anxiety and uncertainty on our campuses continues as many of our Dreamer students, alumni, and community members, along with those with TPS, fear for their futures and families. Legislation that includes permanent protections, absent of harsh restrictions or income criteria, for Dreamers

¹ *Founding Statement*, Presidents' Alliance on Higher Education and Immigration (last accessed March 3, 2019), <https://www.presidentsimmigrationalliance.org/about/statement/>.

² Tom K. Wong et al., *Amid Legal and Political Uncertainty, DACA Remains More Important Than Ever*, Center for American Progress, Aug. 15, 2018, <https://www.americanprogress.org/issues/immigration/news/2018/08/15/454731/amid-legal-political-uncertainty-daca-remains-important-ever/>.

³ Zuzana Cepla, *Fact Sheet: Temporary Protected Status*, National Immigration Forum, March 1, 2019, <https://immigrationforum.org/article/fact-sheet-temporary-protected-status/>.

PRESIDENTS' ALLIANCE ON HIGHER EDUCATION STATEMENT FOR THE RECORD | 2

and TPS recipients would be an important achievement and a good faith start to future immigration reform discussions.

Since the rescission of DACA by the administration in September of 2017, we have been heartened by the bipartisan support expressed for DACA and Dreamers by both Democrats and Republicans in Congress, even as it has fallen short of the goal of enacting legislation that protects immigrant youth and young adults from deportation and puts them on a roadmap to citizenship. Our country's Dreamers and TPS holders remain in limbo. Only Congress can pass legislation that is needed so that these young people—Americans in all but status—may fulfill their human potential and contribute to our campuses, communities and country.

Our campuses and communities have also benefited directly from the thousands of TPS recipients who are our valued colleagues on campuses across the country. They and their children (often U.S. citizens) are our employees, students, neighbors, and friends. They too live with great uncertainty, at risk of losing their status and work authorization and being forced to leave the United States, where many have been living, raising families, and working for decades.

For us, protecting Dreamers and TPS holders is a moral issue that goes to the heart of being a country that is just, wise, and compassionate enough to create a roadmap toward full citizenship for those who, through their long presence, have put down roots and made a life here as contributing members of our communities. We see in our classrooms and labs, among our alumni and workers, the drive, accomplishments, and potential of these individuals and are convinced that a legislative solution to their predicament is not only the right thing to do by them, but in the best interests of our country. Protecting DACA recipients and TPS holders and providing Dreamers with a roadmap to citizenship are not partisan issues. These are broadly held American priorities. In poll after poll, the majority of Americans, including majorities on a bipartisan basis, support legislation to protect DACA recipients and create a permanent pathway.

II. BACKGROUND

The most likely and imminent vehicle for immigration relief is the forthcoming Dream and Promise Act of 2019 (Dream 2019), which would establish a roadmap to citizenship for immigrant youth and young adults who are commonly known as Dreamers and to TPS holders. The former category contains many individuals who currently hold or held DACA. Upon introduction, Dream 2019 will represent the 116th Congress' inaugural effort to provide relief to these populations.

The Presidents' Alliance exists at the intersection of immigration and higher education. The college and university presidents that make up the Presidents' Alliance have a unique perspective on the higher education provisions on any immigration legislation providing relief to Dreamers and TPS holders. With that in mind, the Presidents' Alliance shares some of the key higher education principles we encourage Congress to adopt in any future legislative effort.

Historically, Dream Act-related legislation touched upon higher education related issues in two key ways: (a) repealing Section 505 of IIRIRA, which establishes barriers for states seeking to offer in-state tuition to undocumented students; and (b) extending eligibility for federal financial aid programs to undocumented students. The new Congress has an opportunity to reframe the debate in regard to higher education and incorporate new, inclusive, and educationally appropriate provisions that would establish Dream 2019 as the benchmark for higher education access for Dreamers and TPS holders.

A. STATE AND LOCAL EDUCATION EQUITY

Equity in Admissions, Enrollment, and Tuition. Currently, immigrant students face a vastly inconsistent patchwork of state tuition access laws. A minority of states have enacted policies that bar undocumented students from applying for admission, enrolling, or being eligible for in-state tuition.⁴ Access to higher education, especially for first generation immigrant students, is critical for long-term success and should be contingent on students' merits—not their immigration status. Congress should incorporate a flexible provision that would enable public institutions to allow undocumented students who otherwise meet a state's residency requirements to apply for admission, enroll, and receive in-state tuition.

American Dream Grants. Federal funding is often used to encourage states and educational institutions to engage in conduct that would expand access to education. Federal funding is not currently tied to the availability of in-state tuition and financial aid for immigrant students, with many states: (a) failing to enact policies that would expand access; or (b) enacting policies that would explicitly bar students from these educational benefits. To encourage states to offer in-state tuition and financial aid to undocumented immigrant students, we recommend that Dream 2019 establish a grant program conditioned on states expanding access to in-state tuition and financial aid to immigrant students, similar to previous versions of the Higher Education Affordability Act.⁵

B. FEDERAL EDUCATION EQUITY

Access to Federal Financial Aid. For first generation students, especially immigrant youth and adult learners, lack of funding can represent one of the largest obstacles to obtaining a higher education. Yet, under federal law, undocumented students are ineligible for all forms of federal financial aid, including grants, loans, services, work-study, access to work force programs, and

⁴ Approximately ten states enacted legislation or provisions that bar undocumented students from applying for admission, enrolling, or being eligible for in-state tuition; while 23 states have no explicit state legislation (though in some states, the Board of Regents or system governing Boards, or individual institutions have enacted more inclusive policies, or the state's Attorney General have determined that DACA recipients, who meet the state's residency requirements, are eligible for enrollment or in-state tuition). Eighteen states enacted inclusive legislation granting undocumented students who meet a state's residency requirement to access in-state tuition. *Policy Environment*, University Leaders for Educational Access and Diversity (last accessed March 1, 2019), <https://uleadnet.org>.

⁵ Higher Education Affordability Act, S. 2954 § 415 113th Cong. (2014).

other educational and financial support programs.⁶ Previous versions of the Dream Act provided varying levels of access to federal financial aid, but often excluded access to federal Pell grants. We recommend that Dream 2019 ensure that applicants who receive conditional permanent resident status are eligible for all forms of federal financial aid, including grants, loans, services, work-study, access to work force programs, and other educational and financial support programs.

Restoration of State Option for In-State Tuition. As previously mentioned, federal law, specifically Section 505 of IIRIRA,⁷ establishes certain barriers to discourage states from offering in-state tuition based on residency. While some states have been able to offer in-state tuition regardless, the continued existence of this provision limits the flexibility of states in this area. We recommend that Dream 2019 follow the path of previous Dream Acts and retroactively repeal Section 505 (e.g. enact a repeal as if that repeal had taken effect when the law was initially passed).

Expand Access to ROTC Scholarships, Military Commissioning Programs, and Service Academies. ROTC scholarships, military commissioning programs, and service academies provide vitally important ways for young people to serve our country while pursuing their education. The five service academies operated by different branches of the Armed Forces serve as higher education institutions that fully fund a student's education. Noncitizens, including conditional and lawful permanent residents, are ineligible for these academies, ROTC scholarships and military commissioning programs (with few exceptions) under federal law. Yet, studies show that many of these immigrant students who are "citizens in waiting" have skills and training sought by the military, including expertise in languages, STEM fields, and the health sciences. We recommend that Dream 2019 expand access to ROTC scholarships, military commissioning programs, and service academies for immigrant youth and young adults with lawful or conditional permanent resident status, DACA and TPS.

C. ACCESS AND EXPANSION OF RELIEF

Provide Relief Regardless of Immigration Status to Deported Youth. Legislation providing relief to immigrant youth has sometimes required that, to qualify for relief, an applicant must lack or have entered without legal status. This requirement unfairly and disproportionately negatively affects immigrant youth who have resided in the United States for extended periods of time under other forms of immigration status (e.g. TPS, Deferred Enforcement Departure, dependent visas, etc.) and consider themselves Dreamers. Moreover, many individuals who would qualify for relief were deported under this administration's harsh enforcement policies and the bill should provide relief for this population. We recommend that Dream 2019 not

⁶ Congress should explore the possibility of also expanding collateral federal benefits, including funding to support financial literacy, tax filing, loan counseling, and similar services.

⁷ 8 U.S.C. § 1623 (West 2019).

require applicants to lack or have entered the country without legal status to be eligible for relief. Additionally, we also recommend that Dream 2019 provide relief to immigrant youth and young adults who were previously deported and otherwise meet all of the bill's provisions but for the physical presence and continuous residence requirements.

Expand Criteria for Stay of Removals. Previous versions of the Dream Act provided stays of removal for immigrant youth who did not yet graduate from high school, thus allowing applicants to remain in the country while they worked toward meeting the initial threshold requirement for relief. These stays of removal, however, required regular attendance in school, and did not apply to students that, due to family issues, mental health issues, homelessness, economic issues, or other exigent circumstances temporarily unenrolled from school. We recommend that Dream 2019 expand stays of removal by not requiring immigrant youth to be enrolled in school to qualify for a stay of removal.

Establish of Grant Program for NGOs. Providing relief to upwards of three million immigrant youth and young adults, which include many students and adult learners in the post-secondary educational system, represents an enormous undertaking that will require the collaboration of legal service providers, educational institutions, and community groups. Funding to provide legal representation to those seeking relief, especially those with complex cases; to provide mental health services to applicants; and that can be re-granted to assist applicants in paying filing fees is essential. The Senate immigration bill in 2013 contained a similar grant program that could be used as a model.⁸ We recommend that Dream 2019 establish a grant program to provide funding for non-profit organizations serving immigrant youth seeking relief under the bill, including law school clinics and undocumented student resource centers connected to universities and colleges; these grants should fund legal representation, mental health access, and assist applicants in paying filing fees.

D. COLLATERAL AND RELATED BENEFITS

Expand Access to Professional Licenses. Under federal law, the federal government cannot issue non-qualified immigrants professional, commercial, or business licenses; and, unless a state passes an affirmative law or policy, neither can the state. Almost 25 percent of all workers need an employment license for their job, ranging from nail salon technicians to attorneys.⁹ A recent survey by TheDream.US revealed that 66 percent of DACA and TPS scholars planned on entering a profession that requires a license.¹⁰ Access to licenses are particularly important for students attending higher education institutions and studying in an educational field that will

⁸ Border Security, Economic Opportunity, and Immigration Modernization Act. S. 744 § 2106 113th Cong. (2013).

⁹ Ryan Nunn, Occupational licensing and American Workers, Brookings, June 21, 2016, <https://www.brookings.edu/research/occupational-licensing-and-the-american-worker/>.

¹⁰ *In Their Own Words - Higher Education, DACA, and TPS 8*, TheDream.US, Oct. 2018, available at <https://www.thedream.us/wp-content/uploads/2018/10/TheDream.US-In-Their-Own-Words-Report-Oct-2018-1-2.pdf>.

require subsequent licensing. Importantly, access to licenses are critical for immigrant youth to earn the economic resources to support themselves and their families so they can afford to apply for conditional permanent resident status. We recommend that Dream 2019 update federal law so that individuals with an employment authorization document cannot be denied a license based on their immigration status.

Restore Advance Parole for DACA. Advance parole allows DACA recipients to leave and return to the United States for educational, employment, and humanitarian reasons. Unfortunately, with the rescission of DACA, the ability of DACA recipients to travel with advance parole was curtailed; with the subsequent injunction failed to restore advance parole. Travel with advance parole is valuable for students required to travel abroad for their educational degree, attend study abroad classes, and who need to travel for employment purposes (and to continue to fund their higher education). We recommend that Dream 2019 restore the ability of DACA recipients to apply for advance parole during the period before they obtain conditional permanent resident status.

III. CONCLUSION

Immigrant students across the nation face many obstacles and lack of consistency in terms of access to higher education, in-state tuition, and financial aid. Immigrant students, who have attended and graduated from high schools in the United States, are integral members of our communities deserving of dignity, respect, and the opportunity to realize their full human potential. Immigrant students able to pursue their academic and professional dreams can far better contribute, socially and economically, to our communities and nation. Uniform access to higher education is essential to ensure that these students will help meet the challenges that lie before us, just as generations of immigrants have done before them.

Legislation providing relief to Dreamers and TPS recipients should prioritize the establishment of a roadmap to citizenship. We recommend that this priority be complemented with legislative provisions that help ensure immigrant student access and equity in higher education. Congress can provide the vital foundation for the educational, professional, and economic future of those who obtain this relief. The principles enumerated in this statement would accomplish this goal. With Congress providing permanent protection and relief to Dreamers and TPS holders, we can fully welcome these aspiring Americans into the fabric of our nation and continue to benefit from their contributions, hard work, and talent for generations to come.

PRESIDENTS' ALLIANCE | ON HIGHER EDUCATION
AND IMMIGRATION

MEMORANDUM

DATE: March 1, 2019
To: Congressional Staff
FROM: Miriam Feldblum, Executive Director and Jose Magaña-Salgado, Director of Policy Advocacy and Communications, Presidents' Alliance¹
SUBJECT: Presidents' Alliance Recommendations for Dream and Promise Act of 2019

The Dream and Promise Act of 2019 (Dream 2019) would establish a roadmap to citizenship to immigrant youth commonly known as "Dreamers" and Temporary Protected Status (TPS) holders. The former category contains many individuals who currently hold or held Deferred Action for Childhood Arrivals (DACA). Dream 2019 represents the 116th Congress' inaugural effort to provide relief to these populations. The Presidents' Alliance on Higher Education and Immigration (Presidents' Alliance) urges Members to consider improvements to the bill during the legislative process, including through: (a) changes in the bill text before introduction in the House; (b) a manager's substitute amendment during the markup; (c) bicameral negotiations for the Senate introduction; and (d) any subsequent conference committee.

DACA allowed approximately 800,000 undocumented youth to access more affordable higher education, work opportunities, driver's licenses, bank accounts, professional and occupational licenses (in some states), and more. For students, alumni, staff, faculty, and their families and who rely on it, loss of DACA would be devastating for individuals as well as across campuses and across the entire country. TPS, a form of humanitarian protection provided to individuals who cannot return to their home countries due to violent conflict or natural disaster, provides recipients temporary refuge in the United States, along with work authorization. The federal government currently provides TPS for over 300,000 foreign nationals. Many TPS recipients have been in the country for a decade or more. They are a crucial part of the workforce, including at many colleges and universities and have U.S. citizen children in the higher education system. This memorandum provides recommendations to improve Dream 2019 and meet the needs of immigrant youth and higher education community.

I. BACKGROUND

A. WHO WE ARE

The non-partisan Presidents' Alliance on Higher Education and Immigration brings together college and university leaders committed to increasing public understanding of how immigration policies and practices impact our students, campuses and communities, supporting policies that create a welcoming environment for immigrant, undocumented, and international students on our campuses; and identifying and sharing best practices. The Presidents' Alliance is comprised of over 420 presidents and chancellors of public and private colleges and universities, enrolling over four million students in 41 states, Washington D.C. and Puerto Rico. The Presidents' Alliance collaborates with congressional offices to engage in higher education

¹ For questions regarding these recommendations, please contact Jose Magaña-Salgado at jose@masadc.com or Miriam Feldblum at mfeldblum@presidentsimmigrationalliance.org.

and immigration related advocacy, including providing technical and substantive recommendations to staff and engaging in oversight.

II. RECOMMENDATIONS

A. STATE AND LOCAL EDUCATION EQUITY

1. Equity in Admissions, Enrollment, and Tuition. Currently, immigrant students face a vastly inconsistent patchwork of state tuition access laws. A minority of states have enacted policies that bar undocumented students from applying for admission, enrolling, or being eligible for in-state tuition.² Access to higher education, especially for first generation immigrant students, is critical for long-term success and should be contingent on students' merits—not their immigration status.

Recommendation. We recommend that Dream 2019 adopt a provision that would enable public institutions to allow undocumented students, who otherwise meet a state's residency requirements, to apply for admission, enroll, and receive in-state tuition. This provision also could contain a two-year grace period to allow state legislatures or the appropriate state educational body time to update corresponding policies.

2. American Dream Grants. Federal funding is often used to encourage states and educational institutions to engage in conduct that would expand access to education. Federal funding is not currently tied to the availability of in-state tuition and financial aid for immigrant students, with many states: (a) failing to enact policies that would expand access; or (b) that would explicitly bar students from these educational benefits.

Recommendation. To encourage states to offer in-state tuition and financial aid to undocumented immigrant students, we recommend that Dream 2019 establish a grant program conditioned on states expanding access to in-state tuition and financial aid to immigrant students, similar to previous versions of the Higher Education Act.³

B. FEDERAL EDUCATION EQUITY

3. Access to Federal Financial Aid. For first generation students, especially immigrant youth, lack of funding can represent one of the largest obstacles to obtaining a higher education. Yet, under federal law, undocumented students are ineligible for all forms of federal financial aid, including grants, loans, services, work-study, access to work force programs, and other

² Approximately ten states enacted legislation or provisions that bar undocumented students from applying for admission, enrolling, or being eligible for in-state tuition; while 23 states have no explicit state legislation (though in some of those states, the Board of Regents or system governing Boards, or individual institutions have enacted more inclusive policies, or the states Attorney General have determined that DACA recipients, who meet the state's residency requirements, are eligible for enrollment or in-state tuition). Eighteen states enacted inclusive legislation granting undocumented students who meet a state's residency requirement to access in-state tuition. *Policy Environment*, University Leaders for Educational Access and Diversity (last accessed March 1, 2019), <https://uleadnet.org>.

³ Higher Education Affordability Act, S. 2954 § 415 113th Cong. (2014).

educational and financial support programs.⁴ Previous versions of the Dream Act provided varying levels of access to federal financial aid, but often excluded access to federal Pell grants.

Recommendation. We recommend that Dream 2019 ensure that applicants who receive conditional permanent resident status are eligible for all forms of federal financial aid, including grants, loans, services, work-study, access to work force programs, and other educational and financial support programs.

4. Restoration of State Option for In-State Tuition. Federal law, specifically Section 505 of IIRIRA,⁵ establishes certain barriers to discourage states from offering in-state tuition based on residency. While some states have been able to offer in-state tuition regardless, the continued existence of this provision limits the flexibility of states in this area.

Recommendation. We recommend that Dream 2019 retroactively repeal Section 505 (e.g. enact a repeal as if that repeal had taken effect when the law was initially passed), similar to previous versions of the Dream Act.

5. Expanding Access to ROTC Scholarships, Military Commissioning Programs, and Service Academics. The federal government operates five Service Academics, military academies operated by different branches of the Armed Forces. These academies represent higher education institutions that fully fund a student's education. Noncitizens, including conditional and lawful permanent residents are ineligible for these academies under federal law.

Recommendation. We recommend that Dream 2019 expand access to ROTC scholarships, military commissioning programs, and service academics for immigrant youth with DACA, TPS, or conditional permanent resident status.

C. ACCESS AND EXPANSION OF RELIEF

6. Provide Relief Regardless of Immigration Status and to Deported Youth. Legislation providing relief to immigrant youth has sometimes required that, to qualify for relief, an applicant must lack or have entered without legal status. This requirement unfairly and disproportionately negatively affects immigrant youth who have resided in the United States for extended periods of time under other forms of immigration status (e.g. TPS, DED, dependent visas, etc.) and consider themselves Dreamers. Moreover, many individuals who would qualify for relief were deported under this administration's harsh enforcement policies and the bill should provide relief for this population.

Recommendation. We recommend that Dream 2019 not require applicants to lack or have entered the country without legal status to be eligible for relief.

⁴ Congress should explore the possibility of also expanding collateral federal benefits, including funding to support financial literacy, tax filing, loan counseling, and similar services.

⁵ 8 U.S.C. § 1623 (West 2019).

Recommendation. We recommend that Dream 2019 provide relief to individuals who were previously deported but would meet all of the bill's provisions but for the physical presence and continuous residence requirements.

7. Expanding Criteria for Stay of Removals. Previous versions of the Dream Act provided stays of removal for immigrant youth who did not yet graduate from high school, thus allowing applicants to remain in the country while they worked toward meeting the initial threshold requirement for relief. These stays of removal, however, required regular attendance in school, and did not apply to students that, due to family issues, mental health issues, homelessness, economic issues, or other exigent circumstances temporarily unenrolled from school.

Recommendation. We recommend that Dream 2019 expand stays of removal by not requiring immigrant youth to be enrolled in school to qualify for a stay of removal.

8. Establishment of Grant Program for NGOs. Providing relief to upwards of three million immigrant youth represents an enormous undertaking that will require the collaboration of legal service providers, educational institutions, and community groups. Funding to provide legal representation to those seeking relief, especially those with complex cases; to provide mental health services to applicants; and that can be re-granted to assist applicants in paying filing fees is essential. The Senate immigration bill in 2013 contained a similar grant program that could be used as a model.⁶

Recommendation. We recommend that Dream 2019 establish a grant program to provide funding for non-profit organizations serving immigrant youth seeking relief under the bill, including law school clinics and undocumented student resource centers connected to universities and colleges; these grants should fund legal representation, mental health access, and assisting applicants in paying filing fees.

D. COLLATERAL AND RELATED BENEFITS

9. Expand Access to Professional Licenses. Under federal law, the federal government cannot issue non-qualified immigrants professional, commercial, or business licenses; and, unless a state passes an affirmative law or policy, neither can the state. Almost 25 percent of all workers need an employment license for their job, ranging from nail salon technicians to attorneys.⁷ A recent survey by TheDream.US revealed that 66 percent of DACA and TPS scholars planned on entering a profession that requires a license.⁸ Access to licenses are particularly important for students attending higher education institutions and studying in an educational field that will require subsequent licensing. Importantly, access to licenses are critical for immigrant youth to earn the economic resources to support themselves and their families so they can afford to apply for conditional permanent resident status.

⁶ Border Security, Economic Opportunity, and Immigration Modernization Act. S. 744 § 2106 113th Cong. (2013).

⁷ Ryan Nunn, Occupational licensing and American workers, June 21, 2016, <https://www.brookings.edu/research/occupational-licensing-and-the-american-worker/>.

⁸ *In Their Own Words - Higher Education, DACA, and TPS*, TheDream.US 8, Oct. 2018, available at <https://www.thedream.us/wp-content/uploads/2018/10/TheDream.US-In-Their-Own-Words-Report-Oct-2018-1-2.pdf>.

Recommendation. We recommend that Dream 2019 update federal law so that individuals with an employment authorization document cannot be denied a license based on their immigration status.

10. Restore Advance Parole for DACA. Advance parole allows DACA recipients to leave and return to the United States for educational, employment, and humanitarian reasons. Unfortunately, with the rescission of DACA, the ability of DACA recipients to travel with advance parole was curtailed; with the subsequent injunction failed to restore advance parole. Travel with advance parole is valuable for students required to travel abroad for their educational degree, attend study abroad classes, and who need to travel for employment purposes (and to continue to fund their higher education).

Recommendation. We recommend that Dream 2019 restore the ability of DACA recipients to apply for advance parole during the period before they obtain conditional permanent resident status.

READ: Obama's full statement on DACA

Updated 3:56 PM ET, Tue September 5, 2017

Immigration can be a controversial topic. We all want safe, secure borders and a dynamic economy, and people of goodwill can have legitimate disagreements about how to fix our immigration system so that everybody plays by the rules.

But that's not what the action that the White House took today is about. This is about young people who grew up in America -- kids who study in our schools, young adults who are starting careers, patriots who pledge allegiance to our flag. These Dreamers are Americans in their hearts, in their minds, in every single way but one: on paper. They were brought to this country by their parents, sometimes even as infants. They may not know a country besides ours. They may not even know a language besides English. They often have no idea they're undocumented until they apply for a job, or college, or a driver's license.

Over the years, politicians of both parties have worked together to write legislation that would have told these young people -- our young people -- that if your parents brought you here as a child, if you've been here a certain number of years, and if you're willing to go to college or serve in our military, then you'll get a chance to stay and earn your citizenship. And for years while I was President, I asked Congress to send me such a bill.

That bill never came. And because it made no sense to expel talented, driven, patriotic young people from the only country they know solely because of the actions of their parents, my administration acted to lift the shadow of deportation from these young people, so that they could continue to contribute to our communities and our country. We did so based on the well-established legal principle of prosecutorial discretion, deployed by Democratic and Republican presidents alike, because our immigration enforcement agencies have limited resources, and it makes sense to focus those resources on those who come illegally to this country to do us harm. Deportations of criminals went up. Some 800,000 young people stepped forward, met rigorous requirements, and went through background checks. And America grew stronger as a result.

But today, that shadow has been cast over some of our best and brightest young people once again. To target these young people is wrong -- because they have done nothing wrong. It is self-defeating -- because they want to start new businesses, staff our labs, serve in our military, and otherwise contribute to the country we love. And it is cruel. What if our kid's science teacher, or our friendly neighbor turns out to be a Dreamer? Where are we supposed to send her? To a country she doesn't know or remember, with a language she may not even speak?

Let's be clear: the action taken today isn't required legally. It's a political decision, and a moral question. Whatever concerns or complaints Americans may have about immigration in general, we shouldn't threaten the future of this group of young people who are here through no fault of their own, who pose no threat, who are not taking away anything from the rest of us. They are that pitcher on our kid's softball team, that first responder who helps out his community after a disaster, that cadet in ROTC who wants nothing more than to wear the uniform of the country that gave him a chance. Kicking them out won't lower the unemployment rate, or lighten anyone's taxes, or raise anybody's wages.

It is precisely because this action is contrary to our spirit, and to common sense, that business leaders, faith leaders, economists, and Americans of all political stripes called on the administration not to do what it did today. And now that the White House has shifted its responsibility for these young people to Congress, it's up to Members of Congress to protect these young people and our future. I'm heartened by those who've suggested that they should. And I join my voice with the majority of Americans who hope they step up and do it with a sense of moral urgency that matches the urgency these young people feel.

Ultimately, this is about basic decency. This is about whether we are a people who kick hopeful young strivers out of America, or whether we treat them the way we'd want our own kids to be treated. It's about who we are as a people -- and who we want to be.

What makes us American is not a question of what we look like, or where our names come from, or the way we pray. What makes us American is our fidelity to a set of ideals -- that all of us are created equal; that all of us deserve the chance to make of our lives what we will; that all of us share an obligation to stand up, speak out, and secure our most cherished values for the next generation. That's how America has traveled this far. That's how, if we keep at it, we will ultimately reach that more perfect union.

Chairman NADLER. I want to thank all our witnesses for attending. I want to thank the members who stuck it out to the bitter end.

I hope we'll be able to do something intelligent and compassionate here.

This concludes today's hearing. Without objection, all members will have five legislative days to submit additional written questions for the witnesses or additional materials for the record.

The meeting is adjourned.

[Whereupon, at 3:10 p.m., the hearing was adjourned.]

APPENDIX

MATERIALS SUBMITTED FOR THE HEARING RECORD



HATEWATCH

More Than An Occasional Crank: 2,012 Times the Center for Immigration Studies Circulated White Nationalist Content

May 23, 2017

by Stephen Piggott and Alex Amend

Center for Immigration Studies (CIS) executive director Mark Krikorian badly wants respect.

The surprising Electoral College victory of President Donald Trump has been like winning the lottery for nativist extremists and other fringe groups. For Krikorian, he's been making the most of it by arguing in the mainstream press that his group, long attacked from across the political spectrum for its connections to eugenics-friendly white nationalists and shoddy research, doesn't deserve to be labeled a hate group.

The Southern Poverty Law Center listed CIS as a hate group for the first time when our annual count was published in February of this year. The designation resulted primarily from their move to start publishing the work of discredited race scientist Jason Richwine (who was once forced to resign from the arch-conservative Heritage Foundation) and their shocking circulation of an article from one of America's most prominent white nationalist websites and another written by a fringe Holocaust-denier in their weekly newsletter.

On the question of the CIS newsletter, Krikorian attempted to play down its significance and the racists included in it, arguing in the *Washington Post* that it is "trivial" for SPLC to criticize CIS for "occasionally includ[ing] pieces by writers who turned out to be cranks." In a May 3 appearance on NPR, Krikorian doubled down, saying that "it doesn't even pass the laugh test" for SPLC to criticize CIS for circulating the work of a known Holocaust-denier like John Friend.

The SPLC decided to conduct a more thorough investigation into CIS's weekly immigration commentary email roundup, with the help of the civil rights group Center for New Community (CNC). Our findings reveal that on far more than a few occasions CIS has circulated materials from white nationalists and anti-Semites, prominent racist thinkers whose "crank" status is well known (in many cases for decades). Rather than reflecting an interest in a range of debatable viewpoints, as Krikorian also likes to point out that CIS circulates *New York Times* articles, CIS' newsletter reveals an organization with a sophisticated grasp of the nativist extremist and white nationalist movement. The evidence, from the ideology of CIS' founder to its publishing of Richwine, shows that this fluency is because the group is cut from the same cloth.

SPLC and CNC examined approximately 450 of CIS's weekly emails dating back almost 10 years and found that CIS circulated over 1,700 articles from VDARE.com, an average of over three VDARE articles in every weekly immigration roundup it sends out.

VDARE is a blatantly racist website and a hub for white nationalists and anti-Semites who are opposed to non-white immigration. VDARE's founder is Peter Brimelow, one of the high priests of the "Alt-Right," the latest rebranding of white nationalism. Krikorian is quite familiar with Brimelow, and wrote a review of Brimelow's infamous anti-immigrant book *Alien Nation*, calling it a "flawed jewel." CIS also published Brimelow in a 1998 colloquy titled "What, Then, Is the American, This New Man?"

In total, CIS has circulated 51 articles penned by Brimelow, the majority of them republished from VDARE.

A further 27 were authored by John Derbyshire, a white nationalist Brimelow hired after the former was fired by the *National Review* in one of the magazine's periodic purgings of racist contributors for a screed he wrote titled, "The Talk: Non-Black Version." The article included lines like, "A small cohort of blacks — in my experience, around five percent — is ferociously hostile to whites and will go to great lengths to inconvenience or harm us," as well as handy tips like, "If planning a trip to a beach or amusement park at some date, find out whether it is likely to be swamped with blacks on that date."

Other white nationalist contributors to VDARE CIS has circulated include F. Roger Devlin, an author and regular on the white nationalist speaking

circuit, and Virginia Abernethy, a woman who describes herself as an “ethnic separatist” who also once ran as a VP candidate for the white nationalist political party American Freedom Party (AFP), then known as the American Third Position (A3P).

CIS also circulated three articles from the white nationalist website American Renaissance, headed by Jared Taylor, one of the most prominent white nationalists of the past quarter century, and one Taylor article published at VDARE. Taylor organizes a yearly conference, which is among the most well attended white nationalist gatherings.

Following Hurricane Katrina in 2005, Taylor wrote, “Blacks and whites are different. When blacks are left entirely to their own devices, Western civilization — any kind of civilization — disappears.” This sentiment resonates with one of Krikorian’s most infamous remarks made after the devastating 2010 earthquake in Haiti. In the ensuing debate around accepting Haitian refugees, Krikorian said, “My guess is that Haiti’s so screwed up because it wasn’t colonized *long enough*” (his emphasis).

CIS distributed eight articles penned by Marcus Epstein, a white nationalist who pled guilty to drunkenly assaulting a black woman in Washington, D.C. in 2007. Epstein was a key member of the now-defunct white nationalist student group Youth for Western Civilization (YWC). CIS also circulated three articles from the YWC website.

Six articles written by the notorious Norwegian anti-Muslim blogger Peder Are Nøstvold Jensen who writes under the name “Fjordman,” were also circulated by CIS in its weekly emails. Fjordman was cited over 100 times in the manifesto of racist mass murderer Anders Behring Breivik, who killed 77 people in Norway in 2011.

In 2008, CIS circulated an article in *Taki’s Magazine* from white nationalist Richard Spencer — the face of the alt-right movement — and two pieces from Spencer’s old white nationalist website AlternativeRight.com. CIS also distributed one piece by William Regnery, the founder of the National Policy Institute (NPI) the white nationalist think tank Spencer now runs. Regnery also founded the Charles Martel Society, the publisher of the racist and anti-Semitic journal *The Occidental Quarterly*.

Our study further found that CIS shared material with its readers written by anti-Semites and Holocaust deniers and published on some of the most prominent anti-Semitic websites. CIS circulated two articles from the

American Free Press (AFP), which carries stories on Zionism, secret "New World Order" conspiracies, and thinly veiled vilification of American Jews and Israel.

CIS picked up four pieces authored by prominent anti-Semite Kevin MacDonald, a former psychology professor at California State University, Long Beach who published a trilogy that supposedly "proves" that Jews are genetically driven to destroy Western societies. MacDonald also serves as the editor to the aforementioned *Occidental Quarterly*.

Yet another article authored by a white nationalist writer with anti-Semitic tendencies was circulated by CIS. Peter Gemma spent years as the head of design, marketing, and advertising for the racist tabloid of the Council of Conservative Citizens (CCC). Gemma once reviewed a book by British denier David Irving, organized a 2005 speaking event for Irving and gave a speech at the denialist Institute for Historical Review, according to the Institute for Research on Education & Human Rights. In 2000, Gemma appeared with David Duke and Don Black, both former leaders of the Knights of the Ku Klux Klan, at an event meant to raise money for the white nationalist British National Party, according to the same report.

CIS also sent out a piece from Iran's notoriously anti-Semitic Press TV. Holocaust-deniers and anti-Semites including David Duke are regular guests on the Tehran based TV channel.

One article CIS circulated was authored by Holocaust-denier John Friend. Friend has described the Holocaust as a "manufactured narrative, chock full of a wide variety of ridiculous claims and impossible events, all to advance the Jewish agenda of world domination and subjugation." Another piece CIS circulated is from Rense.com, a site full of Holocaust-denial material which published a birthday ode to Adolf Hitler in 2015 including lines like, "You NEVER built Jewish gas chambers," and "You removed Jews and their Zionist agenda from positions of power in banking, media and politics, but only after World Zionism declared World War on Germany In 1933 and proved their hatred for the German people." The piece circulated by CIS refers to Jews as "predators" and includes lines like, "How come that the Jews are so rich? Only Jews are offended by the question because they are too arrogant and insecure to recognize [sic] that every stranger, not necessarily a Jew, is being asked from time to time who is he and what makes him tick."

As our analysis shows, CIS has a long track record of disseminating articles from white nationalist, and anti-Semitic websites for a reason. That reason is that CIS, founded in part by white nationalist John Tanton, is not some sober think tank pushing numbers, as Krikorian would very much like mainstream press outlets to believe.

It's a hate group.

22.

Immigration Crisis Accelerates

By John Friend

American Free Press, June 6, 2016

With the influx of foreigners, many of whom lack basic skills and have almost no education, Western nations have seen increasing crime rates and a total failure of the integration process. So-called refugees are committing rape and other horrific crimes against European women and men in increasing numbers, while European governments and police agencies offer excuses for their violent, criminal behavior. Wages have been suppressed, workers have been displaced, and entire communities have been transformed as a result of the immigration crisis in both Europe and America.

The native ethnic stock that founded and built Western Europe and the U.S. is systematically being replaced through massive Third World immigration, which is facilitated and encouraged by Western governments. In times past, foreign armies had to fight and sacrifice to conquer foreign lands and nations. In the modern era, Western governments give up their lands without a fight in the name of "tolerance," "diversity," and "humanitarianism."

For the traditional peoples of Europe and America, time is running out and decisive action must be taken if they are to have a future in the lands their ancestors founded and developed.

^ CIS circulated an article from the anti-Semitic "American Free Press" authored by well-known Holocaust denier John Friend.

The New York Times

U.S.

The Anti-Immigration Crusader

By JASON DePARLE APRIL 17, 2011

See how this article appeared when it was originally published on NYTimes.com

WASHINGTON — Three decades ago, a middle-aged doctor sat outside his northern Michigan home and saw a patch of endangered paradise.

A beekeeper and amateur naturalist of prodigious energy, John Tanton had spent two decades planting trees, cleaning creeks and suing developers, but population growth put ever more pressure on the land. Though fertility rates had fallen, he saw a new threat emerging: soaring rates of immigration.

Time and again, Dr. Tanton urged liberal colleagues in groups like Planned Parenthood and the Sierra Club to seek immigration restraints, only to meet blank looks and awkward silences.

“I finally concluded that if anything was going to happen, I would have to do it myself,” he said.

Improbably, he did. From the resort town of Petoskey, Mich., Dr. Tanton helped start all three major national groups fighting to reduce immigration, legal and illegal, and molded one of the most powerful grass-roots forces in politics. The immigration-control movement surged to new influence in last fall’s elections and now holds near veto power over efforts to legalize any of the 11 million illegal immigrants in the United States.

One group that Dr. Tanton nurtured, Numbers USA, doomed President George W. Bush’s legalization plan four years ago by overwhelming Congress with protest calls. Another, the Federation for American Immigration Reform, or FAIR, helped draft

the Arizona law last year to give the police new power to identify and detain illegal immigrants.

A third organization, the Center for Immigration Studies, joined the others in December in defeating the Dream Act, which sought to legalize some people brought to the United States illegally as children.

Rarely has one person done so much to structure a major cause, or done it so far from the public eye. Dr. Tanton has raised millions of dollars, groomed protégés and bequeathed institutions, all while running an ophthalmology practice nearly 800 miles from Capitol Hill.

“He is the most influential unknown man in America,” said Linda Chavez, a former aide to President Ronald Reagan who once led a Tanton group that promoted English-only laws.

While Dr. Tanton’s influence has been extraordinary, so has his evolution — from apostle of centrist restraint to ally of angry populists and a man who increasingly saw immigration through a racial lens.

Mindful that the early-20th-century fight to reduce immigration had been marred by bigotry, Dr. Tanton initially emphasized FAIR’s identity as a “centrist group” and made arguments aimed at liberals and minorities. He allowed few local FAIR chapters, warning that a stray demagogue might “go off half-cocked and spoil the whole effort.”

When a member of FAIR wrote that Hispanic immigrants should be shot — because they “multiply like a bunch of rats” — a staff member offered to refund his dues. Early supporters included Senator Eugene McCarthy of Minnesota and Warren E. Buffett.

Now FAIR’s signature event is an annual gathering of talk radio hosts, where earnest policy pitches share time with the kind of battle cries Dr. Tanton once feared. This year’s event mixed discussion of job losses among minorities with calls to use Tomahawk missiles on Tijuana drug lords, while a doubter of President Obama’s birth certificate referred to “the undocumented worker” in the White House. Leading

allies include Sheriff Joe Arpaio of Maricopa County, whose sweeps of Latino neighborhoods around Phoenix have prompted a federal investigation.

While the whole movement grew more vehement as illegal immigration increased, Dr. Tanton seemed especially open to provocative allies and ideas. He set off a storm of protests two decades ago with a memorandum filled with dark warnings about the “Latin onslaught.” Word soon followed that FAIR was taking money from the Pioneer Fund, a foundation that promoted theories of the genetic superiority of whites.

Dr. Tanton, who remains on the FAIR board, denied charges of racial bias and donated his papers to the University of Michigan to show that he and colleagues “are not the unsavory types sometimes alleged.” They include hundreds of private letters, some outlining his interest in genetic differences between the races and concerns about the country’s changing ethnic mix.

Reeling from their recent defeats, supporters of immigrant rights are mining those files as part of a fierce — critics say unfair — campaign to label him a racist and discredit his broader cause. Some have gone as far as calling FAIR a “hate group.”

But accusations of bigotry could alienate moderates the immigrant rights groups need. Allies of Dr. Tanton say their accusers are discrediting themselves with a guilt-by-association campaign that twists his ideas and projects them onto groups where, they say, his influence long ago waned. Still, few of those allies are willing to defend all the views he expresses in his files.

Dr. Tanton, 77, declined interview requests, citing problems from Parkinson’s disease. That leaves his files to speak for themselves. Is he an embodiment of his powerful movement or an embarrassment to it?

A Pledge of Centrism

Petoskey, population 6,000, hugs Lake Michigan in a forested area known for sailboats and summer homes. Dr. Tanton has spent most of his adult life there, chopping wood, keeping bees and growing kale. Even as late as 2000, the surrounding county was 94 percent white.

Regretting what he saw as the limits of his rural education, Dr. Tanton compensated with autodidactic zest. He started a Great Books Club, read up on macroeconomics and polished his foreign language skills by subscribing to a German newspaper. The results included a wide-ranging mind and at times a tone deafness. He is a former farm boy who calls colleagues “chaps.”

Dr. Tanton founded local chapters of Planned Parenthood and the Sierra Club and became the national president of Zero Population Growth. Unable to interest colleagues in fighting immigration, he formed FAIR in 1979, pledging in his proposal to make it “centrist/liberal in political orientation.” The first director, Roger Conner, had made his mark as a liberal environmental advocate.

Otis L. Graham Jr., a founding board member, wrote, “A leading concern for me is to bring into FAIR strong representation from people in groups of liberal, progressive disposition.”

Then, as today, there were serious liberal arguments for lower immigration. FAIR hoped to enlist unions concerned about wage erosion, environmentalists concerned about pollution and sprawl, and blacks concerned about competition for housing, jobs and schools.

A few prominent Democrats lent support, including Senator McCarthy. But most liberal groups saw immigrants, even illegal ones, as minorities to be protected, rather than economic rivals. Unions saw potential members; Democrats saw voters.

“We didn’t convince anybody,” Mr. Graham said in an interview.

Worried that it was losing the war of ideas, FAIR in 1985 spun off a free-standing research group, the Center for Immigration Studies, intended “to make the restriction of immigration a legitimate position for thinking people,” as Dr. Tanton put it.

The next year FAIR faced a defining fight over the first major immigration bill in more than 20 years. It created penalties for employers who hired illegal workers but legalized several million people already here. With FAIR sharply split, Dr. Tanton

pushed it to support the compromise, but the penalties proved ineffective and the amnesty was marred by fraud.

No one at FAIR would think of compromising on legalization again.

Challenging Taboos

FAIR was founded on complaints about the immigrants' numbers, not their culture. But Dr. Tanton feared that they were failing to assimilate. He formed a new group, U.S. English, to oppose bilingual education and demand that government agencies use English alone. By 1988, Dr. Tanton had a high-profile director in Ms. Chavez and ballot measures pending in three states.

Then The Arizona Republic revealed the contents of a memorandum he had sent to friends before a brainstorming session. "Will Latin-American migrants bring with them the tradition of the mordida (bribe)?" he asked. "As whites see their power and control over their lives declining, will they simply go quietly into the night? Or will there be an explosion?"

Latino fertility rates caused him special alarm: "those with their pants up are going to get caught by those with their pants down!"

Soon followed the news that FAIR had received grants from the Pioneer Fund, whose most famous grantee was William B. Shockley, the Nobel-winning physicist who argued that for genetic reasons, blacks are intellectually inferior to whites.

Ms. Chavez resigned, Mr. Buffett stopped supporting FAIR, and any hope of significant liberal support vanished.

Some colleagues never forgave him.

"The fear was that one ugly person could tar the larger movement, and sadly, ironically, it turned out that person was John Tanton," said Patrick Burns, who was then FAIR's deputy director.

But if anything, Dr. Tanton grew more emboldened to challenge taboos. He increasingly made his case against immigration in racial terms.

“One of my prime concerns,” he wrote to a large donor, “is about the decline of folks who look like you and me.” He warned a friend that “for European-American society and culture to persist requires a European-American majority, and a clear one at that.”

Dr. Tanton acknowledged the shift from his earlier, colorblind arguments, but the “uncomfortable truth,” he wrote, was that those arguments had failed. With a million or more immigrants coming each year — perhaps a third illegally — he warned, “The end may be nearer than we think.”

He corresponded with Sam G. Dickson, a Georgia lawyer for the Ku Klux Klan, who sits on the board of *The Barnes Review*, a magazine that, among other things, questions “the so-called Holocaust.” Dr. Tanton promoted the work of Jared Taylor, whose magazine, *American Renaissance*, warned: “America is an increasingly dangerous and disagreeable place because of growing numbers of blacks and Hispanics.” (To Mr. Taylor, Dr. Tanton wrote, “You are saying a lot of things that need to be said.”)

Beyond immigration, he revived an old interest in eugenics, another field trailed by a history of racial and class prejudice.

“Do we leave it to individuals to decide that they are the intelligent ones who should have more kids?” he wrote. “And more troublesome, what about the less intelligent, who logically should have less. Who is going to break the bad news to them?”

Still, few friends confronted him.

“My biggest regret is I looked at what he was doing, rolled my eyes and said, ‘That’s John,’” said Mr. Conner, the first FAIR director, who praised Dr. Tanton’s great “decency and his generosity on a personal level” and his selfless devotion to his cause. Those qualities are “so profound that the people around him disregarded things that we should have called him on,” he added.

Power in the Ballot

Dr. Tanton argued that the public was incensed by illegal immigration, but that elites ignored “hoi polloi,” who bore such costs as rising crime and overcrowded schools.

FAIR first glimpsed the power of populist action with the passage of Proposition 187, the 1994 ballot initiative in California barring illegal residents from virtually all social services. But victories came slower on Capitol Hill, where immigrant groups stood with business lobbies eager for foreign labor. The anger that shook California was slow to make the Capitol switchboard buzz.

The man who most changed that was Roy Beck, who spent several years as Washington editor of *The Social Contract*, Dr. Tanton’s journal. Mr. Beck formed Numbers USA in 1997 to help pipe the growing populist anger into Congressional offices. Dr. Tanton helped him raise money and housed the group for four years under his umbrella organization, U.S. Inc.

Mr. Beck mobilized a database of supporters with what was then a novel technology, the Internet fax. Prompted by a well-timed alert, his followers could register outrage with a few mouse clicks — or call. They did, in attention-grabbing numbers.

A folksy entrant to a fiery debate, Mr. Beck appeared to share little with the white nationalist element in Dr. Tanton’s broad circle. He calls himself a racial liberal and argues that lower immigration would raise the wages of native-born blacks. He put a picture of Barbara Jordan, a black civil rights leader and politician he considered an ally, on the Numbers USA Web site.

Yet at *The Social Contract*, he was part of a journal that often criticized immigration on racial grounds, and Dr. Tanton once dubbed Mr. Beck his “heir apparent.”

“He’s just like any friend — there are lots of issues I don’t agree with him on,” Mr. Beck said.

Numbers USA showed its force in 2002 when Republican leaders of the House backed a bill that would have allowed some illegal immigrants to remain in the

United States while seeking legal status. Numbers USA set the phones on fire, and a majority of Republicans opposed it.

“I had people come up to me on the floor of the House saying, ‘O.K., O.K., call off the dogs’ — meaning Numbers USA,” said former Representative Tom Tancredo, a Colorado Republican who fought the bill.

The big war broke out in 2007, after Mr. Bush proposed a systemic overhaul including a path to citizenship for most illegal immigrants. Supporters said it would free millions of people from fear and exploitation; opponents argued that it would reward lawbreakers and encourage more illegal immigration.

FAIR rallied talk show hosts. The Center for Immigration Studies churned out studies of the bill’s perceived flaws. Numbers USA jammed the Capitol’s phones.

Their success became the stuff of lore. They “lit up the switchboard for weeks,” said Senator Mitch McConnell of Kentucky, the Republican leader, explaining his decision to oppose the bill. “And to every one of them, I say today: ‘Your voice was heard.’ ”

Becoming a Target

For supporters of granting legal status, the vote was a total rout. “Let’s face it, they kicked our butt,” said Frank Sharry, who led a business-immigrant group for the bill. A new network formed of loosely affiliated liberal groups with a more confrontational bent. It seized on two words: John Tanton.

In December 2007, the Southern Poverty Law Center dubbed FAIR a “hate group.” In Chicago, the Center for New Community tracked “Tanton’s empire of fear and prejudice.”

Mr. Sharry’s new group, America’s Voice, placed newspaper advertisements warning Congress not to meet “with extremist groups like FAIR.” Its online video combines pictures of Dr. Tanton and Mr. Beck with images of Klan members and Nazis.

Mr. Sharry acknowledges that he used to warn colleagues that charges of racism would backfire. But he said the 2007 debate convinced him of his opponents' ill will. "I've gone from saying they're part of the process to seeing them as extremists who want to expel millions of people," he said. While they started with a liberal gloss, "their juice became culturally conservative Republicans who don't like brown people."

Despite such attacks, the groups remain influential. Georgia legislators passed a bill last week much like the Arizona measure that FAIR helped draft. Its main sponsor, State Representative Matt Ramsey, a Republican, asked FAIR to review an early draft and credited Numbers USA with helping to mobilize local supporters.

"That grass-roots program they have is incredibly effective," he said.

Dan Stein, the president of FAIR, said opponents were suddenly focusing on Dr. Tanton — now in his 32nd year on the board — to silence a policy debate they had lost.

"Is FAIR responsible for everything he said in his private correspondence? No," he said. "I love John, but he's had no significant control over FAIR for years." Citing antidiscrimination language on FAIR's Web site, he added, "We've always said you should not discriminate on the basis of race."

Mr. Beck said the charges of bigotry were especially unfair and let a reporter hear a tape of his 1970 wedding ceremony, which included a song he wrote pledging to fight "race hate." He deliberately lives in integrated neighborhoods, he said, and sent his children to integrated schools, including one in a mostly black housing project.

"What kind of racist does that?" he said. "They've never accused us of doing anything that's racist or white nationalist. It's only that Numbers U.S.A. 'has ties' " to Dr. Tanton.

He added: "Even if there were some mild strain of white nationalism in John, the fact is that the results of everything he is pushing in immigration policy would disproportionately help black and Hispanic Americans."

The Center for Immigration Studies, where Dr. Tanton played a lesser role, has come closest to criticizing him, writing last year that he had a “tin ear for the sensitivities of immigration.” (A blogger then attacked the center as undermining “the patriotic struggle.”)

Mr. Sharry said the groups’ reluctance to criticize Dr. Tanton showed tacit agreement. But Mr. Conner, the former FAIR director, called it politeness toward a beleaguered friend. “It’s been perfectly clear that people have not been willing to defend John,” he said.

Mr. Burns, his former FAIR colleague, said the groups’ silence was harming an honorable cause. “The immigration reform movement has to say what it is and what it’s not, and it has to say it’s not John Tanton,” he said.

Correction: May 1, 2011

A picture caption on April 17 with the continuation of an article about John Tanton, who helped start all three major national groups that are fighting to reduce immigration to the United States, misstated the mission of Numbers USA, a group founded by Roy Beck. It seeks to reduce legal and illegal immigration alike, not “to give voice to anger about illegal immigration.”

Kitty Bennett contributed research.

A version of this article appears in print on April 17, 2011, on Page A1 of the New York edition with the headline: The Anti-Immigration Crusader.



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**Statement of Adhikaar
Committee to the United States House Committee on the Judiciary
Hearing on “Protecting Dreamers and Temporary Protected Status Recipients”**

March 6, 2019

Adhikaar is the only women-led worker and community center organizing the Nepali-speaking community on workers rights, immigrants rights and access to healthcare. Adhikaar has worked on Temporary Protected Status (TPS) since 2015 when we originally campaigned for Nepal’s designation. As the lead organization working to protect and advocate for Nepali TPS holders, we write this for the nearly 15,000 Nepali TPS holders in almost every state throughout the country. As one of the 13 countries with TPS or Deferred Enforcement Departure (DED), our members with TPS are in a perilous situation as their status will run out on June 24 of this year, not even three months away, following the Trump Administration’s decision to eliminate TPS for Nepal last April. Liberia and Nepal are the next countries whose TPS/DED will expire.

If TPS runs out for TPS holder from Nepal on June 24th without any legislative or legal solution, it will cause irreparable harm to TPS holders and their surrounding communities. TPS holders’ status is tied to work permits, health insurance, business/home/car ownership, and basic protections that undocumented members of our society are unable to access. Many Nepali TPS holders have been in the U.S. for decades, their homes are in every state represented in this committee and throughout this country.

Adhikaar has supported over 1,500 TPS recipients throughout the U.S. A vast majority of them consider the U.S. home. The Chettri family from Dallas, Texas has lived in the U.S. for seventeen years. The husband, Suresh Chhetri, came to the U.S. 17 years ago and finished his Associates, Bachelor, and two Masters degrees from Texas colleges. They have a five year old daughter who is a U.S. citizen and knows nothing but Texas as her home. The family has two cars, owns a small business, and pays their taxes. They contribute to the economy and are waiting on permanent residency to buy a home to grow their family in the great state of Texas. Another family from Minnesota, Sumnima Thapa and her citizen child who is 10, are two of the plaintiffs in the *Bhattacharai vs Nielson* litigation¹. The Chettri’s and Thapa’s are two of hundreds of families with TPS from Nepal whose lives are on the line.

Adhikaar’s office is located in Queens, NY where a majority of the estimated 2,577 TPS holders in New York are based. A majority of our members are domestic workers, nail salon workers, drivers, restaurant workers and others who work in informal economies throughout the tri-state area. TPS holders we organize throughout the country span from the IT industry in high tech jobs to owners of small business

¹ Bhattacharai vs Nielson: <https://www.aclusocal.org/sites/default/files/tps-nepal-honduras.pdf>

and students who are working in “gig” economies to fulfill their dreams. TPS designation allows people to apply for work permits but the authorization is tied to status. As the deadline looms and the future status is uncertain, Adhikaar members have reported that they’ve been discriminated against, not able to find good jobs, or have even been threatened by employers that they will lose their job. Our domestic worker members are even more vulnerable, working in unique conditions in private homes of employers who are not traditionally accessible through employer engagement efforts. A majority of TPS holders have regularly retained employment, but at times were unable to maintain jobs due to their temporary status, and those in informal economies may not be able to verify employment.

Ramba Regmi came to the U.S. 18 years ago and worked at nail salons for 17 years. After receiving TPS, she opened a small nail salon in New York and is a proud entrepreneur. Ramba calls our office every week to get updates as she can’t sleep at night thinking about what will happen to her, her business and livelihood. TPS holders who own small businesses, especially women and minority led businesses, have reached out to us as they are in a difficult situation where they are forced to decide if they should sell their business with their TPS running out. These small business owners are also extremely vulnerable to coercion and fraud, as they are in desperate situations looking to find some way out while still maintaining their livelihoods. Permanent residency would allow business owners to keep their small business and help them thrive, contributing vastly to their local economies.

TPS holders from Nepal are diverse. Some of have non-violent convictions as a result of either injustice faced within the criminal justice system or mistakes they have already paid for. One of our member leaders, Amod Sharma (pseudonym), has lived in the U.S. for 29 years and has grown his family in the U.S. Ten years ago he was involved in an incident on the highway and was booked for “criminal mischief,” which is a misdemeanor, though the charges were dropped to disorderly conduct with probation. Since then he has been living in fear that he may be targeted by ICE. When we received TPS, his life became more secure, he was able to go back to finish his Masters degree from CUNY and get advance parole to visit Nepal. Last year he visited Nepal and realized that Nepal is a foreign land to him - it is not his home, New York is. People like Amod and others with convictions deserve the same pathway to permanent residency as other TPS/DED holders.

We urge the House Judiciary Committee to ensure all TPS and DED holders be covered by any DREAM/TPS legislation, including the nearly 15,000 TPS holders from Nepal who have qualified for TPS since the massive and devastating 2015 Gorkha Earthquake. We believe Nepal should have been designated for TPS as Nepal is still recovering from the earthquake², however, now we are faced with potential forced deportation of nearly 15,000 people who could lose status on June 24, 2019. The Committee must ensure that clean TPS/DED and DREAM legislation creates a path to permanent residency without increased spending for immigration enforcement or a border wall.

² <https://cliniclegal.org/sites/default/files/advocacy/Nepal-TPS-Report-Rebuilding-from-Rubble.pdf>



Written Statement of Asian Americans Advancing Justice

House Judiciary Committee

Hearing on “Protecting Dreamers and TPS Recipients”

March 6, 2019

Asian Americans Advancing Justice (Advancing Justice) is a national partnership of five non-profit, non-partisan organizations that work to advance the human and civil rights of Asian Americans and Pacific Islanders (AAPIs) through advocacy, public policy, public education, and litigation. We are based in Washington, D.C., Atlanta, Chicago, Los Angeles, and San Francisco.

We appreciate this opportunity to submit a statement for the record for today’s hearing on protecting Dreamers and TPS recipients. One and a half years ago, the administration announced the end of the Deferred Action for Childhood Arrivals (DACA) program, creating a crisis for the 800,000 young people in the program and many others who were or would have become eligible for relief. Of the 1.2 million immigrants who were eligible for DACA, over 120,000 were Asian.¹ Furthermore, since 2017, the administration has announced the termination of the Temporary Protected Status (TPS) program for 98 percent of recipients, totaling over 400,000 individuals.² With the administration’s decision last year to terminate TPS for Nepal, nearly 9,000 Nepalis face the risk of deportation when the current designation expires in June 2019.³ Furthermore, Arab, Middle Eastern, Muslim, and South Asian (AMEMSA) communities account for one out of every 20 TPS recipients in the United States, including 7,000 recipients from Syria⁴ and over 1,000 recipients from Yemen.⁵

While court injunctions have allowed renewals for DACA recipients and some TPS recipients, a permanent legislative solution is necessary to end the state of limbo in which over a million immigrants, all of whom arrived in the U.S. as children or were given safe haven from natural disasters or violent conflicts in their home countries, continue to live.

¹ Gregg Orton & John Yang, “DACA Has a Significant Impact on the Asian American Community,” (April 2018), available at <http://www.insightintodiversity.com/daca-has-a-significant-impact-on-the-asian-american-community/>.

² Alan Gomez, *Trump Administration Ends Special Immigration Protections for 57,000 Hondurans*, USA Today (May 4, 2018, 4:20 pm ET), <https://www.usatoday.com/story/news/world/2018/05/04/trump-administration-ends-protections57-k-hondurans/572528002/>.

³ Extension of the Designation of Nepal for Temporary Protected Status, 81 Fed. Reg. 74470, (Oct. 26, 2016), <https://www.federalregister.gov/documents/2016/10/26/2016-25907/extension-of-the-designation-of-nepal-for-temporary-protected-status>.

⁴ Extension of the Designation of Syria for Temporary Protected Status, 83 Fed. Reg. 9329, (Mar. 5, 2018), <https://www.federalregister.gov/documents/2018/03/05/2018-04454/extension-of-the-designation-of-syria-for-temporary-protected-status>.

⁵ Extension and Redesignation of the Republic of Yemen for Temporary Protected Status, 82 Fed. Reg. 859, (Jan. 4, 2017), <https://www.federalregister.gov/documents/2017/01/04/2016-31003/extension-and-redesignation-of-the-republic-of-yemen-for-temporary-protected-status>.



Dreamers and TPS recipients have been part of our communities for decades. With the DACA program, hundreds of thousands of Dreamers were able to attend college, become professionals, including teachers and doctors, and support their families and communities. TPS recipients were able to start businesses, become homeowners, and raise their children in the U.S. In fact, there is significant overlap between Dreamers and TPS recipients – 30 percent of TPS recipients are Dreamers who came to the U.S. as children, and many Dreamers have family members with TPS. As such, we call on Congress to provide permanent protection and a path to citizenship for both Dreamers and individuals with TPS.

The stories of Dreamers and TPS recipients illustrate how they are an integral part of our nation, working hard and contributing to their communities in pursuit of the American dream. Dreamers and TPS recipients are also part of the diverse social fabric of America – helping to build up our country into the culturally rich and vibrant nation that it is today. Marcela Zhou Huang was born and raised in a Mexican border town to Chinese immigrants, and she felt the weight of her undocumented status while living on the other side of the border in Calexico, California. In spite of her academic accomplishments and potential, she lacked basic forms of identification, such as a Social Security number, that rendered her invisible and limited her ability to contribute meaningfully to her community. Marcela eventually obtained DACA, which gave her “access to many luxuries: a driver’s license, a credit card, and most importantly, a relief from the constant fear and depression [she had experienced] for a long time.” In addition to bolstering her sense of security and confidence, her new status allowed her to pursue her dream of becoming a physician committed to “[improving] health conditions for the underserved” and, ultimately, to strengthen her community.

Similarly, TPS has transformed the lives of thousands of TPS recipients, allowing them to gain socioeconomic stability while continuing to contribute to our country. Bibek, a TPS recipient from Nepal, came to the United States in 2014, and when Nepal was hit by a devastating earthquake the following year, he found himself unable to return home. As a TPS recipient, Bibek was able to secure a stable, good-paying job as a sushi chef in Manhattan, and support his wife and two young children back home as Nepal struggles to rebuild from the earthquake. Without TPS, Bibek fears that the “dreams and the life [he is] building towards will be gone” and that he will lose his home, health insurance, and means of supporting his family. He prays for a permanent solution that would allow him “to continue building a fruitful and productive life here in the U.S.”

Community members like Marcela and Bibek represent the cornerstone of American values and help our country thrive and advance. As members of families and of larger communities, Dreamers and TPS recipients have existed as part of the fabric of America for decades – ignoring how their contributions have enriched our society is both unwise and unjust. Therefore, we call upon our Members of Congress to show moral leadership and to do what the administration has failed to do. In order to preserve the promise of the American Dream, they must enact a permanent legislative solution that will place Dreamers and TPS recipients on a pathway to citizenship and protect them once and for all. Further, we urge Congress to pass clean legislation



– a legislative solution that does not attack our immigrant families. Adding additional immigration enforcement measures that put families at risk for detention or deportation will only further harm our Dreamers and TPS recipients.



**Statement for the Record
Immigrant Legal Resource Center
House Judiciary Committee
Hearing on Protecting Dreamers and TPS Recipients
March 6, 2019**

Members of the Committee, the Immigrant Legal Resource Center (ILRC), submits this statement for inclusion in the record for this week's hearing on Protecting Dreamers and TPS Recipients. The mission of the ILRC is to work with and educate immigrants, community organizations and the legal sector to continue to build a democratic society that values diversity and the rights of all people. To that end, we train attorneys, paralegals and community-based advocates who work with immigrants around the country, inform the media, elected officials and policy makers and the public to shape effective and just immigration policy and law, and work with grassroots immigrant organizations to promote civic engagement and social change.

The ILRC works closely with leaders and allies in the immigrant rights movement to end inhumane immigration enforcement policies that tear apart American families and communities. The ILRC supports communities across the country fighting to encourage better policing practices by disentangling local policing from federal immigration enforcement. The ILRC stands strongly with leaders in the immigrant rights and criminal justice movements challenging prevailing systems that criminalize the activities and everyday lives of immigrants and people of color as well as policies that seek to discard individuals who have had criminal legal system contact from our communities.

Protections for "Dreamers" and Young Immigrants

The Deferred Action for Childhood Arrivals (DACA) program was first launched in 2012 by the Obama Administration. It has provided protection to more than 800,000 "Dreamers," or young immigrants, who live across the United States. This protection was disrupted in 2017 when the Trump Administration abruptly terminated the program, leaving more than 600,000 current DACA recipients in limbo. Though the program has partially continued through court injunctions, its future is uncertain and there is no path toward a more permanent solution for these individuals. As the House begins its conversation on a potential bill that will impact current and future generations of undocumented immigrants, it is crucial to discuss the necessity for legislation that will be expansive, inclusive, and not further criminalize vital members of our communities and country.

DACA has had a profound effect on the lives of those it has protected. The program has protected more than 800,000 individuals from deportation for two-year periods and provided them the opportunity to gain work authorization. This in turn has allowed many to finish school,

get jobs, buy houses, and even create businesses. The program fundamentally enhances the lives of DACA recipients, their families, and communities and allows recipients to share their talents and contributions with the American economy.¹

Even though the program enrolled people from different backgrounds, it had strict education guidelines and excluded applicants based on certain criminal bars. Individuals who have successfully completed a secondary education and contributed to their communities have been excluded from the DACA program for criminal legal system contact, regardless of the equities they are able to present in their favor. This has had a devastating impact not only on individuals but on the communities in which they live. These criminal bars have left young immigrants without legal protection, and created an unfortunate legacy of protections for young immigrants that are not truly inclusive. Immigrant communities need legislation that disrupts that legacy and offers inclusive protections that do not disqualify individuals for contact with the criminal legal system.

Any future legislative solution needs an inclusive and expansive path to citizenship, regardless of education level or contact with the criminal legal system. Given our country's history and current state of law enforcement practices which disproportionately impact people of color, it is time to dismantle the false binary that exists in the public mind regarding what makes an individual "deserving" of immigration relief. We call on Members of this Committee, and Congress, to act with courage and take the steps required to recognize the humanity of the individual, including those with criminal legal system contact.

Protections for TPS and DED

At the beginning of the Trump Administration, eleven countries were designated for Temporary Protected Status (TPS) and Deferred Enforced Departure (DED), both forms of immigration protection that provide employment authorization and protection from deportation to individuals who cannot safely return to their countries of nationality. Today, only four countries retain these forms of protection as Donald Trump has systematically stripped away status from over 300,000 people. Many individuals living in the United States with TPS and DED have been here for decades, starting families, contributing to our economy, and supporting our communities. They are our neighbors, our co-workers, and parents to thousands of U.S. citizen children.

California, where the ILRC is headquartered, is home to many TPS recipients, including 55,000 people from El Salvador, Honduras, and Haiti.² Approximately 54,700 U.S.-born children who call California home have parents from El Salvador, Honduras, and Haiti.³ Additionally,

¹ *Amid Legal and Political Uncertainty, DACA Remains more Important Than Ever*, Center for American Progress available at: <https://www.americanprogress.org/issues/immigration/news/2018/08/15/454731/amid-legal-political-uncertainty-daca-remains-important-ever/>.

² *TPS Holders in California*, Center for American Progress at https://cdn.americanprogress.org/content/uploads/2017/10/19/125817/101717_TPSFactsheet-CA.pdf

³ *Id.*

California is home to thriving Nepali, Nicaraguan, and Somali communities. TPS holders are integral to a number of industries and work difficult, much-needed jobs in construction, the service industry, and as childcare providers. TPS and DED recipients have supported the growth of our families, neighborhoods and communities for years and legislation to protect immigrants must be include them. We call on Members of this Committee, and in Congress, to uphold our decades-long commitment to protect these communities from deportation and disrupt Trump's agenda to needlessly tear apart thousands of families who have deep roots in the United States.

Any legislation that offers this population permanent immigration relief must be broad and inclusive. We oppose efforts to limit participation by enacting eligibility bars that purport to weed out criminals and terrorists, but in reality create insurmountable barriers for individuals with considerable equities in their favor. People of color, including immigrants, are regularly criminalized by policies and practices that carry the stain of our country's continuing history of racism and are disproportionately impacted by the criminal legal system. Members of Congress must acknowledge the lived experiences of immigrants when drafting legislation. An immigration system that fails to include all immigrants is not just, but rather complicit in compounding the effects of criminalization.

In conclusion, the ILRC applauds this Committee's efforts to investigate protections for Dreamers and TPS recipients by conducting this week's hearing. Given our decades of experience providing legal support and technical expertise in service to immigrant communities, we understand the urgent need for legislative and permanent solutions. We call on Members of this Committee, and throughout Congress, to enact legislation that boldly rejects false assumptions that immigrants who have had contact with the criminal legal system should be excluded from immigration relief, and urge legislation that provides broad protection for young immigrants, TPS holders and DED recipients. Congress must take this first step in addressing our flawed immigration system; the Committee should also expand its focus on immigration to consider legislative solutions that provide relief to all members of immigrant communities and shrink the Trump enforcement machine by narrowing the ways in which our criminal legal system funnels individuals into immigration detention and deportation.



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March 5, 2019

NAKASEC Statement On the House Judiciary Committee Hearing, “Protecting Dreamers and TPS Recipients”

The National Korean American Service & Education Consortium (NAKASEC) and its affiliates – the HANA Center in Illinois, the Korean Resource Center in California, and NAKASEC VA in Virginia – submit this statement in support of clean legislation that creates a pathway to citizenship for undocumented youth, TPS and DED holders. This step is in the right direction and takes us closer to citizenship for all.

At its most basic level, “citizenship for all” entails claiming every human being as a whole person, deserving of a dignified life and opportunity to fully participate in our society. As a practice, full citizenship means having full equality; access to all of the human rights and responsibilities of being an American, which include quality food, water, housing, education, health care, jobs, communications, transportation and voice in our democracy. It also means living each day without the fear of deportation and/or separation from family members.

Nearly one in 10 Asian Americans & Pacific Islanders are undocumented. Countless more have family members or loved ones who are undocumented.

Our undocumented Korean and Asian American community members are working towards permanent solutions that will protect all Dreamers, including their undocumented parents, friends and family members who were never eligible for DACA, and inter-country adoptees without citizenship.

NAKASEC’s mission is to organize Korean and Asian Americans to achieve social, economic, and racial justice.



March 6, 2019

The Honorable Jerrold Nadler
Chairman, House Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Nadler,

The National Roofing Contractors Association (NRCA) commends you for holding a hearing entitled "Protecting Dreamers and TPS Recipients" and requests this letter be included in the hearing record. NRCA urges lawmakers to work on a bipartisan basis to craft immigration reform that addresses our security and economic needs, including a permanent solution for employees now working legally in the U.S. under Temporary Protected Status (TPS).

Established in 1886, NRCA is one of the nation's oldest trade associations and the voice of professional roofing industry employers worldwide. NRCA's 3,600 member companies represent all segments of the industry, including contractors, manufacturers, distributors, consultants and other employers who employ over 250,000 workers in all 50 states. NRCA members are typically small, privately held companies with the average member employing 45 people and attaining sales of about \$4.5 million per year.

A chronic shortage of qualified workers is the most significant limitation on the ability of roofing industry employers to grow their businesses in today's economy. Most contractors indicate they could be doing 10 to 20 percent or more work if they could only fill vacant positions, which translates to an estimated \$3.6 billion to \$7.2 billion in lost economic activity annually. The ongoing workforce shortage will become even more acute in the future due to an aging workforce and other demographic trends, as well as ongoing rebuilding efforts resulting from recent hurricanes and other disasters across the nation. This situation persists despite the well-paying, family-sustaining jobs offered in our industry (the 2017 mean hourly wage for roofers was \$20.57 according to the Bureau of Labor Statistics).

Given the chronic workforce shortage already confronting the roofing industry, it is highly counterproductive to end TPS designations for the estimated 325,000 employees working legally in the U.S. The Trump administration's decision to rescind TPS will exacerbate the workforce shortage now facing employers, thus making it even more difficult for entrepreneurs to grow their businesses and contribute to increased economic growth. This is especially true in the construction industry, in which approximately 51,700 TPS individuals are now legally employed. This will cause severe disruption for many hard-working individuals and families who have been contributing to their community for many years.

NATIONAL ROOFING CONTRACTORS ASSOCIATION | WASHINGTON OFFICE

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Given the rapidly approaching deadlines specified in the Trump administration's decision to rescind TPS for individuals from various countries, Congress should act expeditiously to provide a permanent solution for TPS recipients. During the 115th Congress, NRCA supported bipartisan legislation to allow certain TPS individuals who have been working legally in the U.S. for many years to adjust to permanent legal resident status, so they may continue supporting their families, contributing to their communities and strengthening the economy.

NRCA urges lawmakers to address this urgent issue in a bipartisan manner by approving legislation that allows TPS workers who have a demonstrated track record of working legally in the U.S. and meet other criteria to adjust to permanent legal resident status. This will benefit not only individuals with TPS and their families but also their employers and the communities in which they have been working for many years. It also will help contribute to stronger economic growth across the U.S.

Tackling this most urgent issue along with a permanent solution to individuals eligible for the Deferred Action for Childhood Arrivals (DACA) program, which NRCA also supports, will provide a template for further bipartisan cooperation on efforts to address other components of our broken immigration system. Indeed, further action by Congress to address the long-term workforce needs of the roofing industry by providing for sufficient levels of legal immigration is critical. We urge the committee to also hold a hearing on this issue and consider legislation to address it, such as the Workforce for and Expanding Economy Act (H.R. 6536 from the 115th Congress) or similar legislation.

Thank you for your consideration of NRCA's views and we look forward to working with you and other lawmakers to develop bipartisan solutions to immigration reform during the 116th Congress. For more information, please contact Duane Musser in NRCA's Washington, DC, office at 202-546-7584 or dmusser@nrca.net.

Sincerely,



Reid Ribble
Chief Executive Officer



National Task Force to End Sexual & Domestic Violence

The National Task Force to End Sexual and Domestic Violence (NTF) urges Congress to provide legal status and a permanent pathway to citizenship for the hundreds of thousands of undocumented immigrants who came here as children with their families and now call the United States home as well as thousands of individuals who risk the loss of Temporary Protected Status and Deferred Enforced Departure. The NTF is comprised of national, state, tribal, territorial and local leadership organizations working to end domestic violence and sexual assault and is committed to ensuring all people are protected from violence and exploitation.

Without congressional action to protect DACA, TPS and DED recipients, these individuals will be forced to live their lives in constant fear that they will be deported at any moment and be separated from their families and communities. Immigrant victims are much more afraid to seek help for violence and at greater risk for violence and exploitation without status. The NTF calls on our policymakers to work together to forge a bi-partisan, humane national immigration policy that provides immigration protections that prevent future abuse and exploitation, promotes public trust, and makes communities safer. Congress will put thousands of immigrant adults and children at increased risk for domestic and sexual violence by not acting.

Since its inception in 2012, DACA has provided nearly 800,000 young people in the United States the opportunity to pursue an education, obtain work authorization, start small businesses, serve in the military, and make significant contributions to their communities. In order to be granted DACA, these young people passed extensive background checks and were required to be enrolled in school, graduate from high school, or serve in the armed forces for our country. DACA recipients are fully integrated and essential members of our communities and are contributing to the health and vitality of American society.

TPS and DED have also served to provide safety and stability to thousands of individuals, including survivors of domestic violence and sexual assault. For example, many TPS holders, such as those from the Northern Triangle of Central America,¹ or from Sudan or Haiti,² are from nations where women are fleeing epidemic levels of violence, including gender-based violence. Current TPS holders have become important members of our communities, raising families, paying taxes, and playing a critical role in the economy. In particular, those from El Salvador, Sudan, and Nicaragua have been in the United States for over a decade, and some for over twenty years. If forced to return to their countries, current TPS holders and their U.S. citizen

¹ "Women on the Run: First Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras and Mexico," United Nations High Commission for Refugees (2015). Available at <http://www.unhcr.org/56fc31a37.pdf>

² USAID "Haiti: Women and Gender Fact Sheet March 2017" Available at: https://www.usaid.gov/sites/default/files/documents/1862/FINAL_Women_and_Gender_Fact_Sheet_March_2017.pdf. See also United Nations Development Program "Vulnerable to Violence: Empowering women in South Sudan" (2017). Available at: <http://www.undp.org/content/undp/en/home/news-centre/news/2017/06/22/vulnerable-to-violence-empowering-women-in-south-sudan.html>

children are likely to face extortion, sexual violence, human trafficking, kidnapping, exploitation by gangs, and possibly murder.

Advocates for survivors of sexual assault and domestic violence have reported that DACA, TPS, DED, and other forms of immigration relief are critical to protecting our communities and helping survivors feel secure and stable so that they can rebuild their lives and be economically self-sufficient.³ Recent surveys show that the myriad policy changes to immigration enforcement practices during this Administration have led to a climate wherein immigrant victims of sexual and domestic violence “are now less likely to call the police for help or go to court to protect themselves and their children from abuse and violence.”⁴ Safeguarding DACA, TPS, DED, and other immigration relief will protect individuals from deportation and allow survivors and witnesses of crimes like domestic violence, sexual assault, and human trafficking to feel safe to report crimes to police without fear that seeking justice will put them at risk of being deported.

Access to work authorization, driver’s licenses, and education—opportunities available through DACA, TPS, and DED, also increase a survivor’s economic independence. In one survey, three-quarters of women in abusive relationships reported staying with their partner for economic reasons.⁵ A driver’s license provides a means of access to employment, vocational programs, and other educational opportunities, and decreases the ability of abusers to control and exploit immigrant survivors. Employment authorization increases immigrant survivors’ economic security and independence, helps survivors support their families, and helps strengthen the safety of the workplace. Low wages and wage theft, as well as unsafe working conditions—including sexual harassment and violence and human trafficking—are rife in many low-wage industries that employ high numbers of undocumented immigrants.

It is long past time for Congress to protect and defend young people and TPS/ DED recipients who have contributed to and made the United States their home. Rather than risk pushing over a million individuals back into the shadows, vulnerable to abuse and exploitation, and undermining the health and well-being of families and communities, we urge Congress to enact policies that strengthen families and communities. We also urge you to continue to work in a bipartisan manner to reform our nation’s immigration laws and provide a just, common sense, and humane solution to the current crisis.

For more information, please contact:

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Grace Huang, Asian Pacific Institute on Gender-Based Violence at ghuang@api-gbv.org; or
Archi Pyati, Tahirih Justice Center, at archip@tahirih.org.

³ National Latin@ Network Casa de Esperanza, “Testimonies From the Field: Benefits of DACA for Survivors of Domestic and Sexual Violence,” available at https://nationallatinonetwork.org/images/files/Quote_Sheet_for_Hill_Visits_2.pdf

⁴ “2017 Advocate and Legal Service Survey Regarding Immigrant Survivors”, available at <https://bit.ly/2TKthrl>

⁵ Mary Kay Foundation, “Truth About Abuse Survey Report”, 2012, available at <http://content2.marykayintouch.com/Public/MKACF/Documents/2012survey.pdf>



**NETWORK Lobby for Catholic Social Justice Calls for a
Pathway to Citizenship for Dreamers, TPS, and DED Recipients**

Testimony Submitted for Protecting Dreamers and TPS Recipients Hearing on 03/06/2019

NETWORK Lobby for Catholic Social Justice educates, organizes, and lobbies for economic and social justice. We have a 46-year track record of lobbying for critical federal programs that support people at the margins of our society and prioritize the common good. Inspired by our founding Catholic Sisters and the leadership of the women who followed, we faithfully embody Gospel justice as we work for change. We are rooted in Catholic Social Justice and open to all who share our passion. NETWORK Lobby has over 100,000 members in every congressional district across the country.

Catholic Social Justice teaches that all people are made in the image and likeness of God and possess an equal and inalienable worth. Because of this essential dignity, each person has a right to what is necessary to reach their full potential as intended by God. On March 6, TPS and DED holders, as well as Dreamers, testify before the House Judiciary Committee urging Congress to pass legislation that will give them a pathway to citizenship and recognize them as citizens of the United States. They currently find themselves in a situation where they could lose their immigration status and become undocumented unless Congress acts. NETWORK believes Congress needs to create a pathway to citizenship for TPS and DED recipients, as well as our nation's Dreamers.

Dreamers, TPS, and DED holders have lived in the United States for years. They are an integral part of our society. For example, in 1990, Salvadorans were given TPS and many have lived in the United States since then. Individuals from other countries were also given similar protection in response to emergency conditions in countries impacted by war, famine, or natural disaster. Likewise, Dreamers have lived the majority of their lives in the U.S. and some have been protected by DACA since 2012. DACA, TPS, and DED programs have allowed these immigrants to work in the U.S. and be shielded from deportation. In return, they have contributed billions to our economy, started American families, and integrated into American culture.

More than 320,000 people from 11 different countries have TPS. The majority of TPS holders are Salvadorans, who make up 60% of the 320,000 TPS population have contributed over \$31 billion to our GDP in the last ten years. El Salvador, Honduras, and Haiti have all contributed \$8,249 per year to Social Security. TPS holders have also started families in the U.S. El Salvador, Honduras, and Haiti combined have 273,000 U.S.-born citizen children. TPS holders are the leading workforce in construction, restaurants and other food services, landscaping, child day care services, and grocery stores. Eleven percent of the TPS working force are self-employed. These contributions would be lost if the U.S. were to

NETWORK educates, organizes, and lobbies for social and economic transformation. We are rooted in Catholic Social Justice and open to all who share our passion. We value women's leadership, welcome secular and religious backgrounds, affirm LGBTQ+ identities, and engage in ongoing racial justice work.

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end TPS for El Salvador, Honduras, and Haiti – and imagine how much we would lose if we end TPS for all 11 countries.

DACA recipients are enriching our economy. A report from the American Action Forum determined that 380,000 DACA recipients have contributed nearly \$42 billion annually to our GDP. Further, the DACA program did not apply to all Dreamers, and those left out have not been able to contribute to our economy fully protected from deportation. If all Dreamers were given a pathway to citizenship, they would contribute over \$2 billion in state and local tax. Dreamers call the United States home and many do not even have memories from their birth countries. They attend U.S. schools, worship in our churches, and work in our businesses and non-profits.

NETWORK has been fortunate to have Dreamers on staff for the past three years. Our current Government Relations Associates, Jose, has DACA. He grew up in Cincinnati, Ohio, and remembers very little about the small village in México where he was born. He considers Cincinnati his hometown and proud to be from Ohio. If DACA were eliminated, we would lose the talented young adults who have been able to get an education, start their career, and contribute to their country.

It is long past time for Congress to give Dreamers, TPS, and DED holders a pathway to citizenship. This has been a cornerstone goal of numerous legislative efforts to reform our broken, outdated immigration system. We look forward to the unveiling of legislation this month by Rep. Roybal-Allard, Rep. Velázquez, and Rep. Clarke to remedy this current problem and hope it's passage will ultimately lead to compassionate, comprehensive reform. The Dream-Promise Act will give a pathway to citizenship to Dreamers, TPS, and DED holders. NETWORK urges you to support and pass this legislation. Failing to give Dreamers, TPS and DED holders a pathway to citizenship will mean we are failing to recognize their contributions to our society and their inalienable worth.



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March 6, 2019

Dear Chairman Nadler and Ranking Member Collins:

We at New American Economy write to commend and thank you for bringing together this hearing on the future of two important groups of immigrants, DACA recipients and TPS beneficiaries. Our research has already shown that across America, communities have benefited greatly from the work and entrepreneurship of TPS holders and the DACA-eligible people. Local economies are strengthened by the tens of billions of dollars in economic activity created and sustained by them, and local governments are supported by the billions they pay in taxes. Given the significance of their contributions, we believe that finding a way forward that allows the 1.6 million TPS holders and DACA-eligible individuals to continue to live and work in America is in the national interest.

Knowing the contributions of TPS holders and the DACA-eligible people also tells us what is at stake. The rescission of the DACA program as well as the cancellation of TPS designations would throw the lives of 1.6 million people into uncertainty—not to mention millions more who are their families, employers, and coworkers. To show even more concretely what's at stake, forthcoming research from New American Economy finds:

- **They are productive members of the workforce:** In 2017, 93 percent of DACA-eligible immigrants and 94 percent of TPS beneficiaries are employed.
- **They pay billions in federal income, state, and local taxes:** In 2017, DACA-eligible immigrants paid close to \$4.0 billion in taxes, while TPS holders paid more than \$1.5 billion.
- **They hold significant economic clout:** In 2017, DACA-eligible individuals earned enough to have \$19.4 billion in spending power, while TPS holders earned enough to have \$5.8 billion.
- **Tens of thousands of DACA-eligible people have started their own businesses:** In 2017, There were approximately 43,000 DACA-eligible entrepreneurs.

The message from the data is clear. Deporting such a large number of workers, employers, and family members would be detrimental to our economy and destabilizing for communities across the United States where these immigrants work and live.

While the congressional deadlock on immigration policy of the past decade has been disheartening, we are hopeful that the Committee can work together now to come up with a solution that provides DACA recipients and TPS holders a real and lasting future in the United States. We look forward to working with the members of the Committee to achieve this goal and to foster even more productive, bipartisan cooperation to fix America's broken immigration system.

Sincerely,

John Feinblatt
Chairman, New American Economy



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**United States House Committee on the Judiciary
Hearing on Protecting Dreamers and Temporary Protected Status Recipients**

March 6, 2019

Dear Chairman Jerrold Nadler, Vice-Chair Mary Gay Scanlon, and Committee Members,

I am Lakshmi Sridaran and I serve as the Director of National Policy and Advocacy for South Asian Americans Leading Together (SAALT). We are a national, non-partisan, non-profit organization that fights for racial justice and advocates for the civil rights of all South Asians. Our core policy priorities are in civil rights, immigration, and hate crimes. Along with the National Coalition of South Asian Organizations (NCSO), SAALT advocates for broad immigrant justice principles that address the needs of all South Asian Americans.

With nearly 5.4 million South Asians in the United States, immigrant justice is a top priority for our community. South Asian Americans possess a range of immigration statuses including Dreamers, TPS holders, undocumented immigrants, dependents and temporary workers, refugees and asylum-seekers, lawful permanent residents, and United States citizens. As of 2017, there are 630,000 undocumented Indians alone in the United States, marking a 72% increase in undocumented Indians since 2010. Additionally, as of August 2018, there are approximately 2,550 active Indian DACA recipients. Only 13% of the overall 20,000 DACA eligible Indians have applied and received DACA. There are 1,300 active Pakistani DACA recipients, 470 Bangladeshi recipients, 120 Sri Lankan recipients, and 60 Nepali recipients.

SAALT has worked closely with our partners at the national level, including United We DREAM, UndocuBlack Network, Asian Americans Advancing Justice, and the National Korean American Service and Education Consortium (NAKSEC) to demonstrate the range of communities impacted by the Trump Administration's decision to terminate the Deferred Action for Childhood Arrivals (DACA) program in September, 2017. Below, are the stories of two South Asian American DREAMers, Chirayu Patel and Ruchir, who have traveled to Washington, D.C. to support national efforts to pass a Clean DREAM Act since 2017, participated in press conferences and meetings with House Democratic leadership on Capitol Hill, and bravely shared their stories for wide audiences.

Chirayu Patel arrived in the U.S. on a visa at the age of 11 and has tried to resolve his status since 1994. He has paid his taxes, graduated from college, and received DACA status in 2012. With DACA, he was also able to start an organization that organizes educational conferences for over 1,000 high school students annually and allows him to work at a company that invests in underserved communities of Chicago. He is an outspoken activist and has continually asked policymakers to exercise their power and influence to pass a clean DREAM Act immediately.



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Ruchir has been working in Silicon Valley for over 13 years, at companies large and small, supporting their customers I.T. infrastructure in various capacities and contributing to America's economy. With the protection of DACA, he was able to get a bachelor's degree that has allowed him to provide for his family.

In April 2018, the Department of Homeland Security terminated temporary protected status (TPS) for Nepal, and visas are expected to expire to on June 24, 2019, just three years after granting TPS for Nepal following the devastating Gorkha earthquake. As a result, there are nearly 15,000 Nepali TPS holders who are at risk of losing their immigration status in just three months. Adhikaar, a member of the National Coalition of South Asian Organizations (NCSO), has led the struggle in campaigning for Temporary Protected Status (TPS) renewal for Nepal. In April 2018, Adhikaar successfully hosted a Congressional Briefing, calling on Members of Congress to support renewal of TPS for Nepal. Although the Trump Administration terminated TPS for Nepal, Adhikaar continues to advocate, organize, and fight for a permanent solution for Dreamers and TPS holders.

The Committee must ensure that clean DREAM and TPS legislation covers all TPS and DED holders, including those with the most recent designations like Nepal; creates a path to permanent residency or citizenship; and implements strong worker protections for all without increased enforcement spending. This means no funding for a border wall or increased border security, no smart wall, no funding for interior enforcement, no funding for detention beds or detention centers, and no mandatory e-verify.

We deem this administration's family separation policy and intent to declare a fake national emergency over a racist border wall dangerous and unconstitutional. This administration's larger anti-immigrant agenda is damaging to the safety and security of our communities. We call on the Committee to question the ethics and efficacy of these policies through further oversight hearings. We call on Congress to pass a clean DREAM and TPS Act immediately.