

BOZEMAN DAILY
CHRONICLE

Across America, communities ‘rely on immigrant job creators.’ What happens if the Supreme Court upholds ending DACA?

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November 19, 2019

CHICAGO — David Rodriguez was born in Mexico but has created a life in Chicago, where he is raising a family and running a business. A case in front of the U.S. Supreme Court could upend his American Dream.

Rodriguez, 30, co-owns Whisk, a restaurant in Chicago’s Ukrainian Village neighborhood, with his brother Ricardo, 35. The Rodriguez brothers are among more than 33,000 Chicago-area individuals enrolled in Deferred Action for Childhood Arrivals, or DACA, a program that shields from deportation certain immigrants brought to the country as children.

President Donald Trump has taken a hard-line stance on immigration and tried to phase out DACA two years ago.

Now it’s up to the Supreme Court to decide the fate of thousands of “Dreamers,” the name often used for DACA recipients. The court heard oral arguments last week on whether the Trump administration’s reason for cancelling the program is legally justified. The justices seemed split along political lines, with the majority of conservative jurists hinting they would rule in favor of the president.

Experts say ending DACA could put thousands of immigrants, many of whom have bought homes, earned college degrees or formed their own businesses, at risk of deportation and deal a blow to the economy.

David Rodriguez, of Albany Park, said he is concerned that losing his DACA protection would mean he’d have to leave the country and shut down his restaurant.

For most of his childhood, Rodriguez said his career aspirations were limited. Rodriguez dreamed of being a police officer — something that seemed impossible without proper immigration documents. His parents brought him to the U.S. from Mexico City when he was 2 years old, immigrating without legal permission.

“My parents would always tell us that we weren’t born here, and you have to keep hush-hush,” Rodriguez said of his family’s immigration status. “Things like that really discouraged me from even pursuing some type of higher education.”

Rodriguez said DACA changed his life. The program has not only helped him, but Rodriguez also said he's been able to make an economic impact through tax contributions and employment. He said he employs about 15 workers, many of whom are parents who need a job to provide for their families.

"Now I've found my passion in the kitchen," Rodriguez said. "What a lot of people don't understand is that we pay a whole lot of money in taxes."

In order to keep the restaurant's doors open, Rodriguez said he pays about \$1,000 every year to renew his business license, plus additional taxes the city requires. Rodriguez said his restaurant's impact seems huge and he can't imagine the contribution bigger establishments owned by DACA individuals have in Chicago.

Since its inception, the program has helped nearly 800,000 individuals who were brought to the country illegally as children.

According to a 2019 analysis by the left-leaning Center for American Progress, a Washington, D.C.-based think tank, about 6% of DACA recipients are business owners. Recipients also fill roles in a wide range of occupations, including food service, education and health care, the study found.

Nicole Svajlenka, an immigration senior policy analyst for the organization who worked on the study, said immigrants are entrepreneurial by nature and more likely to start their own companies.

Local communities "rely on immigrant job creators for jobs. We found that ... DACA business owners employ on average about four to five workers," Svajlenka said.

Employers are also concerned about how ending DACA would affect their workforce. A group of more than 140 businesses and trade associations filed a friend-of-the-court brief Oct. 3 in favor of protecting the program. Three Chicago-based firms joined the brief, including energy company Exelon Corp., SpotHero, an online parking reservation service company, and Civis Analytics, a data science company.

Richard Lee, general counsel for Civis Analytics, said his firm's decision to be part of the brief was rooted in the company's culture that diversity, equity and inclusion apply both at work and in society.

"Immigrants make up a huge part of the tech industry," Lee said. "It was important to say where we stand on certain issues."

The U.S. economy could take a hit, losing \$460.3 billion in national gross domestic product over the next decade and collecting \$90 billion less in tax revenue during the same period, the group of businesses said in its brief.

In Illinois, DACA recipients contribute about \$202 million annually in state and local taxes, according to the Center for American Progress.

And the economic impact goes beyond business owners.

“We are just like everyone else. A lot of us buy houses and cars,” said Jose Quiroz, a 24-year-old Palatine resident and DACA recipient. “It would definitely have an impact to the economy if it was taken away.”

Quiroz was brought by his parents from Mexico City when he was 4 years old.

Today Quiroz manages Dream City Team, a real estate firm owned by Diamond Homes Realty that employs two other workers.

He said he has helped 30 DACA recipients achieve the American Dream of becoming homeowners. But Quiroz also said the Trump administration’s crackdown on legal and illegal immigration has dampened interest in homeownership among DACA recipients, who are now less interested in taking on debt given the uncertainty clouding the program’s future.

“Two years ago about 50% of my clients had DACA. Now it’s about 25%. A lot of them were more interested in buying houses back then,” Quiroz said.

Both political parties and the president have expressed sympathy for DACA recipients, but the roots of the program are controversial. Opponents say it was unconstitutional for then-President Barack Obama to establish the program through an executive order.

David Bier, an immigration policy analyst at the Cato Institute, a libertarian think tank, said DACA is a good policy, but it’s Congress’ job to create a solution, not the president’s.

“The president has discretion to end the program,” Bier said. “DACA is good policy regardless of what the president does, but it’s a separate question about whether the president can take it away.”

The Cato Institute filed a brief in support of the Trump administration.

Some other groups, like the Eagle Forum, an Alton, Illinois-based conservative group started by Phyllis Schlafly, have called for DACA’s termination. The organization filed a brief in December last year opposing the program.

Anne Cori, Eagle Forum’s chairman, said the group has opposed DACA since it was first introduced.

“We believe illegal immigrants should not be made legal,” Cori said. “Age is irrelevant ... It’s important for people to follow the law.”

Immigrant advocacy groups say they are prepared to roll out resources in case the court rules against DACA recipients.

“We don’t know exactly what a ruling from the court would mean,” said Fred Tsao, senior policy council for the Illinois Coalition for Immigrant and Refugee Rights. “If a business is incorporated, it could survive the loss of the immigration status of its business owner.”

Tsao said his group has been preparing informational resources, including online presentations and referrals to legal service providers, in case the court rules against DACA. One of the services

helps DACA business owners transfer ownership to a U.S. citizen to run the company on their behalf.

“I’ve been practicing law for over 12 years. They (DACA recipients) need Congress to pass a permanent solution,” said Fiona McEntee, an immigration attorney and managing partner for McEntee Law Group in Chicago.

McEntee, who works on DACA cases, said that stakes are high if recipients lose their DACA protection.

Rodriguez, like many other DACA recipients, is waiting for Congress to propose legislation that would lead to a pathway to citizenship. But so far lawmakers have come up short on agreeing to a solution that works for both parties.

“I’m a Chicago city boy,” Rodriguez said. “I love this country, and I get that people come to this country and don’t contribute anything, but I’m one of many that does. We pay taxes to the city and we are business owners. We’re actually doing good things for this city.”