

7,000 Indian American Children in Jeopardy as DACA Faces Repeal by President Trump

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The Deferred Action for Childhood Arrivals program – an Obama-era initiative providing relief from deportation to more than 800,000 undocumented young people, including more than 7,000 Indian Americans – could be repealed by President Donald Trump as early as this week.

The repeal of DACA could make recipients of the program immediately eligible for **deportation**. It could also strip them of their work permits and rescind in-state tuition for undocumented college students. The program also allowed its recipients to obtain social security numbers.

A study issued in January by the CATO Institute – a libertarian think tank – estimated that deporting all 800,000 DACA recipients – also known as DREAMERS – would cost the federal government \$60 billion, and reduce economic growth by \$280 billion over the next 10 years.

“These are American children,” said Rep. Joe Crowley, D-New York, in an impassioned press call with reporters Aug. 31. “Eighty percent of Americans support DACA, and keeping these DREAMERS right here where they belong,” he said, noting that Trump has promised compassion for undocumented children on several occasions after he was elected to office.

“They’re not here for hand-outs, they’re not here to harm, they’re here to contribute to our country,” said the congressman, who represents the Queens and Bronx neighborhoods of New York, both which host a large immigrant population.

Asked by **India-West** if litigation would ensue should Trump repeal DACA, Crowley responded: “We will exhaust every legal avenue. But the president could show his compassion by not prosecuting or persecuting DACA kids, and give peace of mind to these young people.”

“We cannot send these children back to the country of their birth,” he said, noting that many DREAMERS arrived as young children, and do not know the language of their native countries.

Last December, Trump told Time magazine in an interview that he would “work something out” for DACA beneficiaries. “They got brought here at a very young age, they’ve worked here, they’ve gone to school here. And they’re in never-never land because they don’t know what’s going to happen.”

In February, Trump said the DACA executive order was one of the most difficult issues he has had to grapple with. “You have some absolutely incredible kids, I would say mostly,” hedging his remarks by noting that some were drug dealers and gang members.

But the president is under deadline to repeal Obama's executive order: a June 29 letter sent by Texas Attorney General Ken Paxton to Attorney General Jeff Sessions threatens to sue the administration if DACA is not repealed by Sept. 5. The attorney generals of eight other states – Alabama, Arkansas, Kansas, Louisiana, Nebraska, South Carolina, Tennessee, and West Virginia – and Gov. Butch Otter of Idaho were co-signatories to the letter.

At a White House briefing Aug. 25, Press Secretary Sarah Huckabee Sanders said the administration has made no decision about the fate of DACA. “The administration has indicated several times before that the DACA program is under review. It continues to be under review, and when we have an announcement on it, we'll let you guys know,” she said.

Asked by a reporter if the decision was imminent, Sanders responded: Again, once we have an announcement on that, we'll let you know.”

According to U.S. Citizenship and Immigration Services latest statistics – collected until March 31 – an estimated 7,028 undocumented Indian American students are DACA recipients, many who arrived as young children with their parents and have never been able to return to the land of their birth. India ranks 11 amongst the top countries of origin for DACA students; 7,881 have applied for the program. More than 17,000 are eligible, according to data from the Migration Policy Institute.

Pakistan ranks 22nd in countries of origin for DACA recipients: USCIS reports that 3,476 applications have been accepted to date.

Speaking at a press conference in San Francisco Aug. 30 – organized by New America Media – Sally Kinoshita, deputy director of the Immigrant Legal Center, said that should Trump repeal DACA, work permits would likely remain valid until they expire. Social Security numbers obtained through the program are valid for life, she noted.

People's rights under the Fourth and Fifth Amendment – which protect residents of the country against unlawful search and seizures, and the right to due process – are valid regardless of the person's legal status, said Kinoshita, noting that immigrants facing deportation have the right not to let Immigration and Customs Enforcement into their homes, and also have the right to ask ICE for a warrant before allowing them in.

Hong Mei Pang, immigration rights program manager at Chinese for Affirmation Action, characterized Trump's possible repeal of DACA as a “full frontal attack on all immigrants, regardless of what your status is. This is a systemic attack on our communities predicated by xenophobia. Neo-conservatives are pushing their agenda,” she said.

Mohan Kanungo, director of programs and engagement at Mission Asset Funds, told reporters at the briefing that MAF provides emergency loans to people facing deportation of up to \$1,500 with zero interest, with a matching grant of \$1,000.