



Don't Be Confused: Donald Trump Just Ended DACA

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Let's clear up a few things right now.

Attorney General Jeff Sessions's announcement today that the Trump administration will force the expiration of DACA, the program that gives short-term protections to young undocumented immigrants, is not a "delay" that will give Congress an opportunity to find a permanent legislative solution. Nor is the decision to put off immediate revocation of the program for all of its nearly 800,000 recipients a "compromise" on the part of Donald Trump, who, members of his administration have insisted, has been moved by so-called Dreamers. And no, despite Sessions's remarks on Tuesday morning describing the decision as the "compassionate" thing to do for the country, it is not.

Effective today, the Trump administration has ended Deferred Action for Childhood Arrivals, the successful program that has granted nearly 800,000 young undocumented immigrants short-term reprieves from deportation along with access to work permits, driver's licenses, and educational opportunities. A memo released Tuesday by the Department of Homeland Security Acting Secretary Elaine Duke, titled "Memorandum on Rescission of Deferred Action for Childhood Arrivals," says as much.

USCIS, the agency that processes DACA, will stop accepting new applications immediately. It will assess applications it has already received as of today, "on an individual, case-by-case basis." Yes, for a key segment of the DACA population, today's news includes a real benefit. Those whose DACA permits are set to expire within six months (by March 5, 2018) will have one month to file renewal paperwork, and, if they are approved, could theoretically maintain their status until the year 2020. Less than a quarter, or 190,000 young people may be able to apply for renewal before this cutoff, *The Washington Post* reported.

But because every person with DACA applies for and receives their approval on an individual basis, every single day someone's status expires. And those whose DACA is set to expire on or after March 6 will be unable to apply for renewal. According to research from the Cato Institute, nearly 600,000 DACA recipients will see their status expire after that day. That's the vast majority of those who are currently able to live and work in the country under DACA. For them, this six-month delay is no delay at all.

Janet Perez, a 25-year-old DACA recipient, is one of the luckier ones. She lives in the Bronx and has DACA until 2019. But Perez, who organizes with the New York State Youth Leadership Council, an undocumented-led youth organization, doesn't see today's announcement as compassionate. "Whether it's now in the future, either way it's still coming to the same conclusion and it's just prolonging the time frame when it's going to end," Perez said.

Once permits expire, DACA recipients will join the ranks of the undocumented, who have already been targeted by the Trump administration's ramped-up enforcement. Angie Kim, an organizer with the New York City-based immigrant-rights group MinKwon Center for Community Action, said that eventuality is a terrifying prospect for her and others like her. She credits DACA with giving her more than just work authorization.

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"I know what it's like to live in this country without any support or any temporary legal status," Kim said at a press conference on Tuesday. She credited DACA with giving her the courage to become politically active. "So when DACA came out it meant everything. Five years later, I feel like I'm back in that place again."

Kim said that for many young people today the Trump administration's decision will mean lots of hard conversations with family "about making plans if they lose their jobs. Thinking about whether they should self-deport before they're deported by this [government]. It's very scary conversations," Kim said.

In a tweet this morning, Trump said he'd now refer the issue to Congress to fix. So let's play this out. The six-month delay ostensibly buys the president and lawmakers time to figure out a long-term, legislative solution. It is true that DACA, which existed only at the discretion of the Obama, and now Trump, administrations, has never been a permanent solution for the nation's young undocumented immigrants (let alone the 11 million undocumented immigrants, total, who are living in the United States). It has never conferred actual legal status on a so-called Dreamer. Those with DACA often described themselves as "DACA-mented." It was their cheeky acknowledgement that DACA has always been provisional, temporary, and revocable.

If the problem is how to offer young undocumented immigrants who were raised in the United States, who are committed to building their lives in this country, and who have squeaky-clean records some avenue to pursue their educations and careers without fear of deportation and even, possibly, with the potential for legal status, Congress is absolutely the best venue for lasting change.

Options are already on the table. There's the BRIDGE Act, introduced by Senators Lindsey Graham and Dick Durbin in April. It would extend DACA protections for three years to those who already qualify by conferring "provisional protected presence" to those who have DACA. It would not offer recipients any opportunity to get temporary legal status or a pathway to citizenship, as immigration reform bills have historically done. It would in practice look very similar to DACA, but, because it'd be passed by Congress, it would be law, and therefore protected from the whims of the president.

There's more. Republican Representative Carlos Curbelo and nine other House Republicans introduced the Recognizing America's Children Act in March, which would grant those who fulfill DACA-like requirements access to something called a "conditional permanent resident status," a five-year DACA-like protection. After those five years, if they enlist in the military, graduate from college, or can prove that they've worked for four years of the five-year status they'd been granted, they'd become eligible for legal permanent residence, or a green card.

And there's even the DREAM Act, the bill that started it all. Originally introduced in 2000 by Durbin, the bill would grant those who've immigrated to the United States before they turned 18

and who are long-time US residents and who clear a host of hurdles (passing background checks, enlisting in the military, or graduating from college, and having a nearly spotless criminal record), the opportunity to become eligible for a green card. Durbin and Graham reintroduced the bill in July in anticipation of the Trump administration's moves this week.

So there are options. But the one that the Trump administration has floated is frightening. According to a late August [report from McClatchy](#), Trump could hold Dreamers hostage by attaching a proposal to protect them to a border-wall funding proposal or, worse yet, the RAISE Act. The RAISE Act is Trump's attempt to slash the rates of *legal* immigration into the United States by drastically lowering immigration quotas and removing a major path for immigration. It is the Trump administration's version of comprehensive immigration reform—and should properly be understood as a desperate (and far too late) attempt to beat back the inevitable demographic changes that will make white people a minority in the United States in just a few decades' time.

Some young undocumented immigrants have already rejected such a deal. “From the beginning we've been saying we do not want to further criminalize our communities,” says Perez of the NYSYLC.

All of these legislative options assume one thing: that Congress is in functioning order. The legislative branch is not exactly known these days for successfully tackling ambitious legislation. And immigration is a famously hot-button issue. The closest Congress has come to passing major immigration legislation was when the Senate passed a major immigration-reform package in 2013. It turned out to be a non-starter in the House. In 2010, the DREAM Act passed the House and narrowly fell in the Senate. And that was seven years ago. Today immigration is akin to a cultural issue—as divisive as gun control or abortion.

While young undocumented activists are a political force to be reckoned with—it was their fearless activism, after all, that led to the creation of DACA in the first place in 2012—the next six months promise to be fraught.

Already, activists have taken to the streets. On Tuesday afternoon, 31 people, including nine DACA recipients, were arrested protesting outside Trump Tower.

“We cannot wait for Congress to act,” Maria Fernanda Cabello, a DACA recipient who was arrested in today's action, said in a statement. “The only way we will be able to win permanent protection is if we come out in mass numbers.”