

Bill includes legal dreamers for a pathway to US citizenship, it will help over a lakh Indian children

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A pleasant surprise for the Indian diaspora is contained in the 'American Dream and Promise Act' – the reintroduction of which was announced by Congresswoman Lucille Roybal-Allard on Wednesday. The reason – it promises a pathway to citizenship, not just for 'dreamers' but also for 'legal or documented dreamers' – aka children whose parents immigrated legally to the US, say under the popular H-1B visa program. Earlier legislative bills had ignored the legal dreamers.

David J Bier, Immigration Policy Analyst at Cato Institute, a Washington headquartered think-tank has tweeted, "The Dream and Promise Act has been introduced and it 'includes' most legal dreamers in the US right now. This is a tremendous improvement to the bill that will help nearly 200,000 immigrants who grew up in temporary statuses in the US achieve US citizenship."

He points out that the bill will help everyone in the EB green card backlog, and many L (intra-company) and H-1B visa holders because as soon as these kids get citizenship and are over 21 they can petition for their parents. "It will have a very large positive economic effect," he emphasises.

According to an earlier study done by Bier, the employment-based green card backlog (EB2 and EB3 skilled category) for those from India had reached 7.41 lakh in April 2020, with an expected wait time of 84 years. 1.36 lakh children from Indian families were caught up within this backlog and it was estimated that 84,675 of them (or 62%) would age out without getting a green card.

'Improve The Dream' an organisation led by young immigrants who have grown up in the US was one of the many voices advocating for a change that would permanently end ageing out and provide a path to citizenship for every child who grew up in the US regardless of status (whether undocumented or documented).

Its website points out: Our parents brought us here at an average age of 5 and we have been living here for an average time of over 12 years. But due to various issues in the immigration system, we don't have a clear path to citizenship.

This organisation has tweeted: "Exciting News: Dream and Promise Act of 2021 includes Documented Dreamers! This is a major step forward in ensuring all children who grew up here receive a clear path to citizenship."

Dreamers are currently protected from deportation and are also eligible for work authorisation, but legal dreamers do not enjoy this leeway. TOI has on several occasions covered the plight of children of Indian families. The spouse and dependent children of an H-1B worker hold an H-4 or dependent visa. When these children turn 21 (age out), they can no longer continue with this visa. Either they have to transit to an F-1 visa meant for international students – which has its own challenges such as higher fees and restricted work eligibility, or they have to self deport to

India. The huge employment-based green card backlog for those from India, compounds the problem, as a large majority age out before the green card can be obtained.

This bill and the earlier introduced comprehensive immigration bill, which seeks to prevent the child from aging out of eligibility for a green card, if he or she was under 21 years when the parent filed the green card application or applied for certification have been welcomed by the Indian diaspora.