November 1, 2017

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Paul Ryan
Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Chuck Schumer
Minority Leader
United States Senate
Washington, D.C. 20510

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

Dear Majority Leader McConnell, Minority Leader Schumer, Speaker Ryan, and Minority Leader Pelosi:

I am writing to add the voice of the American Bar Association (ABA) and its over 400,000 members nationwide to the overwhelming majority of Americans who support congressional action to address the plight of the young persons impacted by the Administration’s decision to terminate the Deferred Action for Childhood Arrivals (DACA) program.

As you know, the DACA program, established in 2012, provided work authorization and temporary protection against deportation for nearly 800,000 young persons. These individuals, often referred to as “Dreamers,” have been working, attending college, and serving in the military. Unless Congress acts, starting on March 5, 2018, an average of 30,000 Dreamers per month will begin to lose their DACA status and be subject to deportation. To force these young people to return to the shadows, unable to contribute to our society and our economy, or worse, to spend our limited immigration enforcement resources to deport them, is unconscionable and against our national interests.

Bipartisan legislation has been introduced in both the House and the Senate – the Dream Act of 2017 – that would provide DACA recipients and other deserving young persons an opportunity to earn legal residence and citizenship by fulfilling specific educational, work, or military service requirements. “Earn” is the key word. The Dream Act would not automatically grant legal status to anyone. It is narrowly tailored with strict eligibility requirements and only applies to individuals who have been in the United States for at least four years at the time of enactment. Those who believe they may qualify will have to go through a rigorous application process, including a security and criminal background check.
The Dream Act is consistent with American ideals of fairness and opportunity. Children should not be punished for the acts of their parents. Most of the young people who would be eligible to pursue legal status under the Dream Act were brought to this country as children by family members, through no choice of their own. They have grown up here, gone to school, and been active in their communities; for many, it is the only home they have ever known. The Dream Act will give these young people the opportunity to earn permanent legal status and become fully contributing members of our society.

The Dream Act has been endorsed by a lengthy list of government officials, military leaders, and educational institutions and associations, as well as business, civil rights, and religious groups. Several recent national surveys have demonstrated strong and broad public support for Dreamers that cuts across both geographic and political party lines. For example, a Fox News poll released in late September shows that, of those surveyed, 86% support granting work authorization and 79% support granting U.S. citizenship to undocumented immigrants brought into the country as children. Overall, survey respondents ranked passing legislation to address Dreamers as more important than either health care or tax reform legislation.

While there is no question that major reforms are needed to our immigration system, the impending DACA deadline necessitates that Congress move quickly to pass the Dream Act and avoid getting entangled in a broader debate over more controversial immigration measures. The lengthy list of immigration principles recently issued by the Administration contain many divisive proposals that almost certainly would prevent any bipartisan agreement to address DACA/Dreamers. The ABA is particularly concerned about proposals that would undermine legal and other protections for vulnerable populations such as unaccompanied children and asylum-seekers. Legislation to provide relief to one deserving group of immigrant youth should not come at the expense of others desperately in need of protection.

Congress should pass the Dream Act as soon as possible and then turn its attention to working toward comprehensive immigration reform that fairly and realistically addresses the U.S. undocumented population, the need for immigrant labor, the value of family reunification, and an effective and humane immigration enforcement strategy that respects our fundamental principles of due process and the rule of law.

Sincerely,

Hilarie Bass