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**Civics 101**

**Episode 100: DACA**

**Virginia Prescott:** [00:00:00] I'm Virginia Prescott and this is Civics 101, the podcast refresher course on the basics of how our democracy works. On March 5th, an immigration program known as DACA, short for Deferred Action for Childhood Arrivals, will officially expire. President Trump announced his decision to end DACA in September of last year and called on Congress to vote on a bill to reinstate the program before it expires. Sara Gonzales is catching us up on the program and what its cancellation could mean for U.S. immigration. She covers youth and families For WNYC in New York, and Sara, a hearty welcome to Civics 101.

**Sarah Gonzalez:** [00:01:00] Thank you.

**Virginia Prescott:** [00:01:00] So first of all what is DACA and how does it work?

**Sarah Gonzalez:** [00:01:04] So DACA is an acronym. It stands for Deferred Action for Childhood Arrivals. So basically back in 2012 the Obama administration said that it would temporarily defer the deportation of certain undocumented young people who were brought to the United States by their parents when they were young children. So it applied to teens who arrived in the U.S. under the age of 16. They had to have lived in the U.S. for at least five years at the time when Obama made that announcement. They had to be in school or high school graduates or military veterans in good standing and they can't have a criminal record. So at the time you also couldn't be over the age of 30 if you qualify. But Obama later lifted that age cap. But the idea was basically that these young people were brought to the U.S. by their parents when they were really young, like three months old or four years old, or 7 or 13 years old. And Obama said you know we shouldn't punish these young people who didn't have a say in how they got here. So he said that these kids would no longer face deportation temporarily for two years at a time until Congress passed real immigration reform.

[00:02:11] So the most significant thing that DACA offered these young people who are known as Dreamers by the way is a work permit. DACA gave them a two year work permit that they could renew every two years, and they could get a driver's license or an ID and they could travel abroad so they could leave the country and be guaranteed admission back into the United States even if they're undocumented.

**Virginia Prescott:** [00:02:35] You said a couple of key things there that we'll dig into... executive action and "dreamers"... is DACA the same as the Dream Act?

**Sarah Gonzalez:** [00:02:44] So DACA kind of stems from the DREAM Act. So let's start back in 2001. In 2001, that was the first time that this thing called the DREAM Act was introduced. It was a bipartisan bill that was going to create a path to citizenship or a path to some form of legal status for kids that we're talking about these kids who were brought to the United States by their parents. So the DREAM Act is also an acronym and it stands for the Development Relief and Education for Alien Minors Act. And this has been reintroduced a couple of times but it has repeatedly failed. So let's fast forward to 2008. As a presidential candidate Obama promised that he was going to introduce comprehensive immigration reform in his first year in office. But then he didn't introduce this legislation. He focused instead on health care and the economy which you know at the time we were right at the height of the recession. So in 2010 Democrats lost control of Congress and Senate Democrats were five votes short of the 60 that they needed to pass the DREAM Act. And when that happened that's sort of when, people referred to that time as the end of comprehensive immigration reform that's when it felt like it was dead for a very long time. So then after that Obama decides you know he's going to introduce, he's going to use his power, his executive action power, to kind of keep his promise. I guess that he made on the campaign trail, to provide these young people with some kind of path to citizenship.

[00:04:18] And so that's when he introduces deferred action - DACA - at the time about 740,000 young people were going to be eligible as of today about 800,000 young people have benefited from this program. DACA is sort of the temporary fix to the DREAM Act which still has not passed.

**Virginia Prescott:** [00:04:38] All right. So you mentioned you have to be under 16 when you arrived in the U.S., clean criminal record must be in high school college or military. Do you know where, do we know where most people are coming from who are now eligible for DACA.

**Sarah Gonzalez:** [00:04:53] Yes. So as far as where they are and where they're coming from the biggest percentage of DACA recipients live in California. It's about 30 percent live in California. Texas is the next biggest or the next biggest group. About 15 percent live in Texas. And then after that it's Illinois and New York. Those are the the biggest states with DACA recipients in terms of where they're coming from. Most of them were born in Mexico or Central or South America. So about 650,000 of them come from that area. But then there's like 18,000 who were born in Asia and 5,000 who were born in Europe. So they come from all over the place, the Caribbean Africa.

[00:05:34] And in terms of what they do. You know DACA recipients are teachers, they're public school teachers, they're paramedics who, you know help save people's lives. Their lawyers, they're sort of everyone and they're everywhere they have work permits so they can work in any field. And this by the way is the big point of contention among Republicans, not necessarily Republican lawmakers, but Republican voters. Many don't want young people to be able to work lawfully in the United States. Groups that have that want tighter control on illegal and legal immigration, they want DACA because that will take away their work permits. That's their big thing. And you know usually when I interview some of these conservative groups and think tanks and voters, if you ask, "why? Why do you care so much that young people lose their work permits. The answer is sort of. They're undocumented and they shouldn't be allowed to work here. But the thinking is really that if they lose their work permits all of these people will voluntarily leave the United States.

**Virginia Prescott:** [00:06:38] Well let me let me ask you about that because the attorney general Jeff Sessions said in September that DACA recipients take jobs from people in the U.S. What kind of data did he have to back that up?

**Sarah Gonzalez:** [00:06:49] I guess it's easy to if you hear that immigrants, undocumented immigrants are able to work in the United States, the natural thing to think I think is that they must be taking American jobs, but economists say that there isn't really evidence to back up that that has happened that they're taking these American jobs en masse. I think you have to keep in mind that the young people who have DACA permit tend to be pretty well educated so they're kind of, a way to think about it is that they're kind of closer in line to people from other countries who come to the U.S. as high skilled workers on immigrant visas, that are called H1B visas, so those visas go to people from other countries because we don't have enough people with the skills that they have here at home.

**Virginia Prescott:** [00:07:35] What effects do economists think that DACA will have on the future of the American economy?

[00:07:41] As far as I can tell you know the DACA program is pretty popular among most Americans including economists. There is no evidence as far as I can tell that this has hurt the economy and in fact there is a real concern that if for some reason all of these young people were who were you know educated in the United States and have been benefiting to our economy that if they left we we've sort of be missing out.

[00:08:07] I think one of the misconceptions is that these young people that undocumented immigrants have been like taking, you know so many public resources. But the reality is is that you know they were getting free public education if they were in the public school system, but they couldn't apply for health insurance or social security or Medicaid or Medicare. You know people think that they're getting all of these things and the reality is is that they're not they're not allowed to. You need a social security number in order to reap Social Security benefits. And so what DACA did is it made these young people who or allowed these young people who were maybe like working under the table to pay taxes and pay for health insurance.

**Virginia Prescott:** [00:08:53] Sarah, you mentioned initially that this is about deferring deportation, and giving them a reprieve for two years. So do people have to go and sign up every two years and be on the record?

**Sarah Gonzalez:** [00:09:04] Yes. So every two years they have to renew. I mean it could be less than that but that's the average and the government just sort of checks in on them makes sure they're you know still law abiding people. And when Obama left office and Trump came into office there was this real concern that you know the federal government had all of these people, has all of these people's information they know where they live where they work where they go to school they know where their parents live and work or go to school. I mean they have all of their information. And originally when Obama introduced deferred action you know people were scared to come forward. They were going to have to raise their hand and tell the government hey I'm here undocumented. And one of the promises was that the federal government would not use their information to deport them. And so slowly people started signing up for it. And then when Trump gets in office there was this real fear that that immigration agents were going to start issuing letters of deportation to all of these people.

**Virginia Prescott:** [00:10:08] Is there a path to citizenship for DACA recipients.

**Sarah Gonzalez:** [00:10:12] No. No it is, so all it does is say you can live in the United States without fear of being deported unless you commit a crime in which case you absolutely will get deported. And you can work legally.

**Virginia Prescott:** [00:10:27] Does this program as it stands give people confidence about building a future here or does it just buy them some time?

**Sarah Gonzalez:** [00:10:36] It bought them time. That's that's the main thing that it did. It bought them time and it helped it enabled them to as Obama said you know come out of the shadows. They started at least I guess admitting that they were undocumented because they knew that they wouldn't be. They didn't have to be fearful of deportation. One of the things you know when I interview families who are in this situation and a lot of these families are have mixed status right like the dad will be undocumented. The mom will be a U.S. citizen or a legal permanent resident. One of the daughters will have DACA, deferred action. And then one of the sons was born and raised in the United States and is a U.S. citizen. You know these are like really hard conversations for families because the parents feel really guilty like they did this to their kids. They brought them into the United States. And I spoke to one dad recently and he said you know I feel like I cut off my daughter's wings. You know she's on her second masters and she's fearful that you know she might not be able to ever use it in the United States if this program goes away.

**Virginia Prescott:** [00:11:42] You talk a little bit about the Republican opposition to this program, have they proposed an alternative?

**Sarah Gonzalez:** [00:11:48] I think everyone, Republicans and Democrats seem to agree at this point that they do want a path to citizenship for young people. But the issue is what do they give up in exchange for this path to citizenship. So Republicans say you know, they're willing to give the dreamers the DACA recipients this path to status only if this is what Trump wants. Only if taxpayers pay for Trump's border wall. If Congress approves the border wall which Homeland Security says that would cost twenty one billion dollars. A study by MIT says that could cost closer to thirty eight billion dollars.

[00:12:27] So they're sort of using this border wall as a bargaining chip and they say in addition to that they want more money for enforcement efforts to remove undocumented people from the United States, create more immigration detention centers with more beds to house more undocumented people, and the dreamers, the DACA recipients, they're sort of like do not use us as a bargaining chip. You know they don't want to deport their parents and their aunts and uncles in exchange for them to get a path to citizenship. And so that was that was one of the problems they had with the original Dream Act. And so what they're asking Democratic lawmakers for right now is for what they call a clean Dream Act which is a path to citizenship that doesn't result in you know the deportation of their parents. And that doesn't result in a border wall.

**Virginia Prescott:** [00:13:19] Polls do show that DACA is popular among most Americans. Will dreamers be forced to leave if DACA ends?

**Sarah Gonzalez:** [00:13:29] Whether they'll be forced to leave is is I think kind of a complicated question.

[00:13:34] I mean I think dreamers believe that immigration agents aren't going to show up at their door and deport them. I think some of them are definitely fearful of that. The older ones I think understand the legal system a little bit more and I mean it takes a lot of resources. I think it's it takes like ten thousand dollars to deport one person. Something like that. So what's more likely to happen is that they would get a letter in the mail that says your deportation proceedings have now opened or you are now ordered to to leave the country. And so at that point they just kind of returned to the status they used to have, where they have to kind of live in the shadows and they they can't work anymore. So they lose their jobs and kids lose their teacher patients lose their nurse and things like that. So it's more that they would be kind of forced back into the underground than been physically removed.

[00:14:29] SARAH GONZALES She reports on Youth and Families for WNYC Radio in New York City. Sarah thank you so much for speaking with us.

[00:14:38] Of course. Thank you.