2A Evidence: DACA Fix

By "Coach Vance" Trefethen

***Resolved:* *The United States federal government should substantially reduce its restrictions on legal immigration to the United States.***

Deferred Action for Childhood Arrivals was a program started by Pres. Obama without Congressional approval that was intended to manage the problem of illegal immigrants who were brought to the U.S. as children, through no fault of their own. It enabled them temporarily to legally work in the U.S. and be protected from deportation. These immigrants for the most part have no other experience than life in the U.S. and have been raised here most of their lives. Unfortunately, by bypassing Congress, the temporary protections afforded to them by Obama are not on a sure legal foundation and are being challenged by Pres. Trump and Congress today. Pres. Trump allowed DACA to expire in March 2018, but a federal court extended them. No one knows how long the extension will last or whether another federal court will overrule the extension. (In fact, you should research this carefully before running this case, since it can change at any time). Everyone believes some kind of resolution is needed because the DACA recipients (also known as "Dreamers") need to order their lives based on some kind of legal certainty. They need to either be told that they will be deported or be given a pathway to legalization and citizenship. This plan argues that the best solution for our country and for the Dreamers is to give law-abiding Dreamers legal protections and a pathway to citizenship, grounded in clear legislation passed by Congress

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2A Evidence: DACA Fix

DEFINITIONS & BACKGROUND

Text of the Recognizing America's Children Act HR 1468

<https://www.govtrack.us/congress/bills/115/hr1468/text>

Text of the bill is at this link. Print it out and bring it with you to the debate round.

Deferred Action for Childhood Arrivals or DACA

CNN 2018. (journalist Tal Kopan) "What is DACA and why is it ending?" 2 Jan 2018 https://www.cnn.com/2018/01/02/politics/daca-explained/index.html

DACA was an executive action taken by President Barack Obama that allowed undocumented immigrants who came to the US under the age of 16 to apply for protection from deportation. After a background check, those individuals were able to get renewable two-year permits to work and study in the US, as well. Since it went into effect in 2012, roughly 800,000 people were protected by the program, and roughly 700,000 had active DACA protections in September, when the Trump administration announced its end. To be eligible, applicantshad to have arrived in the US before age 16 and have lived there since June 15, 2007. They could not have been older than 30 when the Department of Homeland Security enacted the policy in 2012.

INHERENCY

Uncertain future for DACA recipients as Congress fails to act and federal courts could rule in any direction any day

CNN 2018. (journalist Tal Kopan) 22 Mar 2018 "DACA left out of omnibus, limbo continues" <https://www.cnn.com/2018/03/22/politics/daca-left-out-omnibus-whats-next/index.html>

The roughly 700,000 immigrants who had been protected by DACA in September, when Trump decided to end the program, have been unsure of their future in the US for months. But an attempt to protect the immigrants, most of whom have known no other home country besides the US, failed to get enough votes in the Senate last month, under siege from a campaign by the administration to promote only its proposed bill -- which fell short of even 40 votes in the 100-member Senate. While court rulings have blocked the Trump administration from ending the program for now, and have ordered the Department of Homeland Security to resume renewing DACA permits, those actions can always be overturned by a higher court as litigation works its way through the system.

HARMS / SIGNIFICANCE

Employers reluctant to hire DACA recipients: Too much uncertainty about legal status

Rafael Bernal 2018 (journalist) 29 Mar 2018 "DACA recipients face uncertainty after court decision" THE HILL <http://thehill.com/latino/380720-daca-recipients-face-uncertainty-after-court-decision>

Karla Monterroso, acting CEO of Code2040, an organization that connects black and Hispanic applicants to tech jobs, said some companies in the industry are reluctant to hire DACA recipients. "I’ve heard a variety of things,” she said. "Everything from 'ICE has threatened to do away with them if they hire DACA students’ to ‘If a student doesn’t have papers, they are up for penalties should they hire them, and they are unsure of how long a student will have status.’"

DACA/Dreamers are from Mexico, El Salvador, Guatemala and Honduras

CNN 2017. (journalists Catherine Shoichet, Susannah Cullinanae and Tal Kopan) 26 Oct 2017 " US immigration: DACA and Dreamers explained" <https://www.cnn.com/2017/09/04/politics/daca-dreamers-immigration-program/index.html>

To be eligible, applicantshad to have arrived in the US before age 16 and have lived there since June 15, 2007. They could not have been older than 30 when the Department of Homeland Security enacted the policy in 2012. Among the accepted applicants, Mexico is by far the biggest country of origin, followed by El Salvador, Guatemala and Honduras.

Over 78% of DACA recipients are Mexican

Lisa Madigan 2017 (Illinois State Attorney General) 6 Sept 2017 " **ATTORNEY GENERAL MADIGAN & 15 ATTORNEYS GENERAL SUE TO UPHOLD THE RIGHTS OF DREAMERS"** <http://illinoisattorneygeneral.gov/pressroom/2017_09/20170906.html>

More than 78 percent of DACA grantees are of Mexican origin, which is more than double the percentage of people of Mexican origin that comprise of the overall foreign-born population (29 percent) of the United States. Ending DACA, whose participants are mostly of Mexican origin, is a culmination of President’s Trump’s oft-stated commitments—whether personally held, stated to appease some portion of his constituency, or some combination thereof—to punish and disparage people with Mexican roots.

DACA workers have big economic benefit to the US economy

Lisa Madigan 2017 (Illinois State Attorney General) 6 Sept 2017 " **ATTORNEY GENERAL MADIGAN & 15 ATTORNEYS GENERAL SUE TO UPHOLD THE RIGHTS OF DREAMERS"** <http://illinoisattorneygeneral.gov/pressroom/2017_09/20170906.html>

Illinois has the third highest number of approved initial DACA applications, trailing only California and Texas. Since 2012, over 42,000 Illinoisans have been accepted to participate in the DACA program. Studies show that Illinois’ economy would suffer an approximate $2.3 billion loss with the elimination of the DACA program, including nearly $55 million in local and state tax revenue. In addition, one expert estimates that rescinding the program will cost Illinois $6.9 billion over the next decade. “To deport DREAMers to countries foreign to them is fundamentally unfair, hurts our state economy and violates the law,” Madigan said. “These are Americans in every way but their birthright. For centuries, our country has benefitted from immigrants who came here and worked hard for a better life. Rescinding DACA is contrary to what makes our country prosper.”

Yes, the US signed (1977) and ratified (1992) the ICCPR, so it is binding on us

UN Office of the High Commissioner for Human Rights 2014. "Ratification of 18 International Human Rights Treaties" <http://indicators.ohchr.org/>



SOLVENCY / ADVOCACY

How RAC works and provides a permanent and fair solution

Sen. Chuck Grassley 2018. (US Senator from Iowa) 12 Feb 2018 " Grassley: Secure and Succeed Act Provides Permanent DACA Fix & Protects the Country" <https://www.grassley.senate.gov/news/news-releases/grassley-secure-and-succeed-act-provides-permanent-daca-fix-protects-country>

Second, our amendment provides a generous and permanent solution for up to 1.8 million DACA or DACA-eligible recipients. Our plan contains an earned path to citizenship for these young people. Provided these young men and women have no criminal record and either serve in the military, attain a college or vocational degree or maintain fulltime employment, they can eventually gain citizenship. This represents a major concessions for many Republicans, including me, but this concession is necessary to provide a permanent and fair solution to this issue.

RAC is the best way to provide sound legal pathway to citizenship

*Jeremy Neufeld 2017 (immigration policy fellow at the libertarian Niskanen Center) 22 May 2017 THE HILL "*Congress should pass the GOP's RAC Act to protect Dreamers" <http://thehill.com/blogs/pundits-blog/immigration/334602-congress-should-pass-the-rac-act-to-protect-dreamers>

In recognition of the urgency of the issue, a group of [pragmatic House Republicans](http://curbelo.house.gov/news/documentsingle.aspx?DocumentID=1368) proposed the [Recognizing America’s Children (RAC) Act](https://www.congress.gov/bill/115th-congress/house-bill/1468), which creates a rigorous but fair process to protect Dreamers who consistently contribute positively to our economy and society by working, studying or serving in the military. Passing the RAC Act is the best way to ensure Dreamers are on a permanent, sound legal footing with a pathway to fully participating in American life.

ADVANTAGES

DACA has important economic and health benefits

[Dr Atheendar S. Venkataramani MD,](https://www.sciencedirect.com/science/article/pii/S2468266717300476#!) Dr. [Sachin J Shah MD,](https://www.sciencedirect.com/science/article/pii/S2468266717300476#!)  Dr [Rourke O'Brien PhD, Prof. Ichiro Kawachi PhD,](https://www.sciencedirect.com/science/article/pii/S2468266717300476#!)  Dr. [Alexander C. Tsai MD](https://www.sciencedirect.com/science/article/pii/S2468266717300476#!) 2017. THE LANCET Apr 2017 "Health consequences of the US Deferred Action for Childhood Arrivals (DACA) immigration programme: a quasi-experimental study" <https://www.sciencedirect.com/science/article/pii/S2468266717300476>

In conclusion, we found that the DACA programme had important, positive effects on mental health outcomes. These benefits have so far been underappreciated and, in conjunction with the reported positive economic benefits,can help to guide ongoing policy debates around the overall benefit of the DACA programme and its future in US immigration policy, as well as around the design of policies towards undocumented migrants in Europe.

DACA = 50-75K jobs and $60-$100 billion to the US economy

Ray Stern 2017 (journalist) ARIZONA NEW TIMES 6 Sept 2017 "Cost to U.S. of Ending DACA: Not So Much; Cost to Affected Workers: Enormous" <http://www.phoenixnewtimes.com/news/total-economic-benefit-of-daca-less-than-you-think-but-impact-enormous-for-affected-workers-9662262>

In fact, according to a 2016 study done by Nolan Pope, now an economics professor at the University of Maryland, DACA increased employment in the United States by about 50,000 to 75,000 jobs. Most of the DACA-eligible young people had jobs before DACA. Many, if not most, would likely find illegal employment after DACA. But those people would earn 10-20 percent less in wages than they did as legal DACA workers, according to [Alex Nowrasteh of the Cato Institute](https://www.cato.org/blog/economic-fiscal-impact-repealing-daca). That brings the estimated fiscal impact down to $60-$100 billion over 10 years.

A/T "Arizona's economy grew after getting tough on immigrants" – But it could grow faster by extending DACA

Ray Stern 2017 (journalist) ARIZONA NEW TIMES 6 Sept 2017 "Cost to U.S. of Ending DACA: Not So Much; Cost to Affected Workers: Enormous" <http://www.phoenixnewtimes.com/news/total-economic-benefit-of-daca-less-than-you-think-but-impact-enormous-for-affected-workers-9662262>

Overall, [Arizona's gross domestic product](https://fred.stlouisfed.org/series/AZNGSP) has risen steadily every year since 2009. But that's not the whole picture, either. The state experienced economic "carnage" from the passage of SB 1070, the anti-illegal-immigrant law signed by Brewer in 2010, and by employer sanctions signed by former Democratic Governor Janet Napolitano, according to a [2012 article by the Cato Institute's Alex Nowrasteh](https://www.forbes.com/sites/alexnowrasteh/2012/10/12/arizona-style-immigration-laws-hurt-the-economy/#6782105115b9). In other words, even if Arizona continues to have long-term gains, the multiplier effects of denying DACA recipients legal jobs or removing them from the country could cause the state to lose money. The bottom line is that the failure of Congress to help DACA recipients stay in the country could hurt Arizona's economy — but it will definitely hurt DACA recipients.