



Statement for the Record

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For a Hearing of the United States Senate Committee on the Judiciary

Dream Deferred: The Urgent Need to Protect Immigrant Youth
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I am pleased to submit this statement for the record on behalf of Immigrants Rising. For over 15 years, Immigrants Rising has been proud to provide resources, training and financial support to undocumented students and entrepreneurs and advocate for greater access to education and capital on their behalf in California and nationally. Immigrants Rising’s higher education and career resources and entrepreneurship learning hub have helped to build a foundation for undocumented young people to unleash their potential and contribute to their families, communities, states and cities, and the country. Importantly, Immigrants Rising respectfully urges Congress to ensure relief for undocumented young people is not arbitrarily limited by encounters with the criminal justice system.

Americans overwhelmingly support permanent relief for undocumented young people.¹ We are encouraged by Chair Durbin and Ranking Member Graham’s reintroduction of the Dream Act and related legislation in the House of Representatives in the 118th Congress.² Legislative relief is needed now with litigation having already prevented the approval of new applications for Deferred Action for Childhood Arrivals (“DACA”) and threatening the viability of its protections for existing recipients.³ Immigrants Rising was proud to support the filing of an amicus brief in support of DACA as the United States Court of Appeals for the Fifth Circuit considers Judge Hanen’s most recent ruling.⁴

¹ Michelle Hackman & Aaron Zitner, *Americans Want the Immigration Bill Congress Won’t Pass*, *WSJ Poll Shows*, Wall St. J. (Mar. 7, 2024), www.wsj.com/politics/policy/americans-want-the-immigration-bill-congress-wont-pass-wsj-poll-shows-227b9bb8.

² Dream Act of 2023, S. 365, 118th Cong. (2023); American Dream and Promise Act of 2023, H.R. 16, 118th Cong. (2023).

³ DACA Updates, Immigrants Rising (last updated Sept. 14, 2023), www.immigrantsrising.org/daca.

⁴ Brief of the Presidents’ Alliance on Higher Education and Immigration as Amicus Curiae Supporting Defendants-Appellants at 4, *Texas v. United States*, No. 23-40653 (5th Cir. Feb. 1, 2024), www.presidentsalliance.org/state-of-texas-v-united-states-amicus-brief.

Supporting Access to Higher Education

Legislative relief for undocumented young people would eliminate their primary obstacle to accessing higher education, ineligibility for federal and most state-based financial aid.⁵ U.S. college and university campuses host more than 408,000 undocumented students as of 2021, with 141,000 undocumented students eligible for DACA or receiving DACA.⁶

Sally Alcocer Medina, DACA Recipient from California. “My pursuit of higher education took me to the University of California, Irvine, where I double-majored in psychology and biological sciences, all while maintaining three jobs and contributing to neurobiology research. Today, as a clinical research coordinator at UCI Health, I am on the cusp of furthering my career with aspirations of becoming a physician assistant—a role chosen to address the healthcare disparities faced by communities like mine. This ambition is paralleled by my entrepreneurial venture into real estate, aiming to build generational wealth and a legacy for my family. As a DACA recipient, my narrative intertwines with the fabric of this nation, a testament to the resilience and contributions of immigrants who dream of a fair chance to continue enriching the country they call home.”

Karen Gonzalez, DACA recipient from California. “I have wanted to be a teacher ever since I could remember. And because of DACA I have been able to pursue my dream career for the past seven years. I began working immediately after college as a teacher at a charter school in San Jose, California. I joined Teach For America and I got my teaching credential through Loyola Marymount as well as my Masters in Educational Policy and Administration. I have cleared multiple subject credentials with a bilingual teaching authorization. I am currently working to become a National Board Certified teacher. My hopes for the future is to be able to own a home and be able to have enough financial stability to support my parents and help them age with dignity.”

Sophia Henry, DACA recipient from Pennsylvania.⁷ “After several years and so many obstacles, I enrolled in a small affordable online school, and then once I received DACA, I transferred to a university online to complete my degree. I currently work for one of the biggest banks in the country in an operational role. I have been with the company for almost 8 years now, and I've educated myself in project management and am working on obtaining a role within the industry. I heavily engage in DEI initiatives for the company and am an employee resource network leader. I hope to eventually get citizenship so I can have some real stability and not have to worry about any changes coming or paying any fees to renew documents. I just renewed my DACA this year so it just buys some time until 2026, but I hope for a change for the better for all of us in this limbo stage and can't plan more than 2 years in the future.”

⁵ See Overview of Undocumented Students, Immigrants Rising (last updated Oct. 2023), www.immigrantsrising.org/resource/overview-of-undocumented-students.

⁶ Steven Hubbard & Miriam Feldblum, Undocumented Students in Higher Education: How Many Students Are in U.S. Colleges and Universities, and Who Are They? 3 (Aug. 2023), www.higheredimmigrationportal.org/wp-content/uploads/2023/08/07.23-Undocumented-Students_v3.pdf.

⁷ Pseudonym

Only a quarter of undocumented students studying at colleges and universities are estimated to be eligible for DACA.⁸ Immigrants Rising's home state of California is home to the largest share of this population, 83,000 undocumented students enrolled in postsecondary education.⁹ Each year, approximately 98,000 undocumented students graduate from high school.¹⁰ Only a quarter are estimated to qualify for DACA, a figure likely to continually decline because of the processing of initial DACA applications is enjoined.¹¹

States that have extended in-state tuition and limited state-assistance to undocumented students have seen their workforces strengthened and postsecondary enrollment increased.¹² Access to federal student aid would multiply these benefits.

Supporting Immigrant Entrepreneurs

Legislative relief for young undocumented individuals would bolster the success of immigrant entrepreneurs by ensuring access to federal and state business-related benefits and incentives that come with lawful status and citizenship, including Small Business Administration Loans. Already over 12,000 DACA recipients own and run businesses, in turn employing other members of their communities.¹³ They form part of a larger corps of undocumented entrepreneurs, an estimated 820,000 in strength.¹⁴ Millennials and young people have contributed most to the increase in immigrant entrepreneurs.¹⁵ As DACA remains unavailable to increasing numbers of undocumented youth, many will have to turn to entrepreneurship to support themselves.¹⁶

Immigrants Rising has seen first hand the transformational impact undocumented entrepreneurs have on their families and communities.¹⁷ Through its SEED Initiative, Immigrants Rising distributed almost \$5.5 million in state-funded grants to immigrant entrepreneurs in 2023 and 2024.¹⁸ This financial support was especially critical during a time of economic instability as a result of the COVID-19 pandemic.

⁸ Steven Hubbard & Miriam Feldblum, *supra* note 6.

⁹ *Id.* at 6.

¹⁰ Overview of Undocumented Students, Immigrants Rising (last updated Oct. 2023), www.immigrantsrising.org/resource/overview-of-undocumented-students.

¹¹ See Steven Hubbard & Miriam Feldblum, *supra* note 6 at 3.

¹² *Id.* at 11.

¹³ Rosa Barrientos-Ferrer, Silva Mathema & Trinh Q. Truong, *Despite Barriers, DACA Entrepreneurs Contribute To Their Communities*, Ctr. for Am. Progress (Jan 25, 2024), www.americanprogress.org/article/despite-barriers-daca-entrepreneurs-contribute-to-their-communities.

¹⁴ Cindy Carcamo, *Shut Out of DACA, and Traditional Jobs, Young Immigrants Start Businesses to Get Ahead*, L.A. Times (Sept. 15, 2022), www.latimes.com/california/story/2022-09-15/10-years-ago-this-immigrant-didnt-qualify-for-daca-protecti-on-now-hes-an-entrepreneur.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Spark Powered by Immigrants Rising (last visited May 15, 2024), www.spark.immigrantsrising.org.

¹⁸ SEED Grant, Immigrants Rising (last visited May 15, 2024), www.immigrantsrising.org/seed-grant.

Many of Immigrants Rising's SEED grantees turned to entrepreneurship after losing employment. Ronald Paraiso opened his online shop, Rolly's Native Bags, after he was discriminated against and fired as a caregiver. With his business acumen, Mr. Paraiso identified a niche market with a demand for sustainable handbags on online platforms such as Poshmark and Offerup. He is relying on the SEED grant to help him restock and operate his business.

With more financial and general business development support from resources like SEED, immigrant businesses can grow. The Oakland restaurant, La Guerrera's Kitchen, has benefited from local resources like La Cocina, one of our SEED partners. Owner Reyna Maldonado shared that La Cocina helped her family formalize their street vending business into a brick-and-mortar restaurant with 6 employees who serve traditional Mexican food to the local community. A rent increase forced them to move to a new location, for which they will use the SEED funding. Similarly, the restaurant Daol Tofu, lost nearly 67% of sales due to COVID-19 closures. The owner, Sunny, shared that language barriers make it difficult for her to apply for business grants.¹⁹ With the support of Immigrants Rising, Sunny successfully applied for SEED funding and used the funds for marketing, overhead, and post-COVID-19 expenses. La Guerrera's Kitchen and Daol Tofu demonstrate how immigrant businesses can thrive and contribute to the economy with the support of essential resources like SEED.

Supporting Equitable Access to Legislative Relief

Legislative relief for undocumented young people needs to be equitable, without arbitrary bars to eligibility based on interactions with the criminal justice system. Immigrants Rising collected unique data regarding the intersection of immigrant youth, the criminal justice system, and the subsequent impact on availability of relief under legislative proposals, specifically, H.R. 6, the American Dream and Promise Act of 2021.²⁰ Immigrants Rising collected nationwide survey responses from over 2,900 undocumented young people, with sample sizes of at least 1,500 for the following data.²¹

Over 90% of survey respondents were likely eligible for H.R. 6, with bars on eligibility for misdemeanors, traffic violations, or mere arrests reducing that figure.²² Immigrants who are people of color are subject to higher rates of racial profiling, including being detained and arrested by police.²³ This represents a consequence of these policies and counsels against bars to eligibility for arrest-related conduct absent a conviction.

¹⁹ Pseudonym

²⁰ American Dream and Promise Act of 2021, H.R. 6, 117th Cong. (2021).

²¹ See Immigrants Rising, How Can I Get My Papers? Lessons From A Decade Of Online Legal Intakes For Undocumented Immigrants 3, 23 (Dec. 2019), www.immigrantsrising.org/wp-content/uploads/Immigrants-Rising_How-Can-I-Get-My-Papers.pdf.

²² *Id.* at 15-16.

²³ See Nazgol Ghandnoosh & Celeste Barry, The Sentencing Project, One in Five: Disparities in Crime and Policing (Nov. 2, 2023), www.sentencingproject.org/reports/one-in-five-disparities-in-crime-and-policing.

Immigrants Rising strongly supports equitable legislative relief for undocumented young people that in turn will promote access to higher education and support immigrant entrepreneurs. Thank you for the opportunity to submit this statement. For further information, please contact communications@immigrantsrising.org.