

# Top 5 Ways SUCCEED Fails Immigrant Youth

OCTOBER 13, 2017

THERE IS AN URGENCY TO PROVIDE a permanent legislative solution for the 800,000 immigrant youth who have been left in a state of limbo and uncertainty following the ending of the DACA program on September 5. Both major parties have introduced bills in both the House and Senate with the intent of providing relief and a permanent pathway to citizenship for so-called “Dreamers.”

While the National Immigration Law Center continues to support the immediate and clean passage of the bipartisan and bicameral Dream Act, a bill that raises significant concerns for immigrant youth and the larger immigrant community is the SUCCEED Act. Despite its title, this bill falls far short of providing the relief immigrant youth across our country need.

The SUCCEED Act fails immigrant youth in dangerous and unfair ways:

- 1. It requires that immigrant youth wait 15 years before qualifying to apply for citizenship.** This the longest wait period for any DACA-related bill. If we have come together agreeing that Dreamers are American in all ways but their paperwork, we should not make a 16-year-old who knows no other country as home wait until they are 31 to apply for U.S. citizenship. Fifteen years is a lifetime for immigrant youth.
- 2. It severely undermines the due process rights of immigrant youth.** The bill would require applicants to give up nearly all other forms of immigration protection and relief and, additionally, agree to be subject to expedited removal should they not meet certain requirements. Expedited removal is a process by which people are summarily deported from the U.S. without a chance to see an immigration judge. In practical terms, this means that a student who is forced to drop out of school due to extreme circumstances, such as extreme financial hardship or to care for an ailing family member, and therefore cannot meet the bill’s education requirements, could be placed into deportation proceedings. This is not the compassionate legislative approach that any legislative solution for immigrant youth should aim to be. In addition, the bill would exclude from eligibility for relief people convicted of a wide range of offenses, including traffic offences. These are all serious violations of due process.
- 3. It excludes the family members of those it is intended to protect and creates extreme hurdles for young immigrants who must work while pursuing a college education.** The bill would not allow Dreamers to later sponsor their children and spouses once they have obtained lawful permanent residence. This exclusion of family sponsorship would apply only to people in this immigrant demographic and their families. We cannot protect immigrant youth while leaving their families at risk of deportation and family separation. The bill would also bar these young immigrants from support programs proven to help low-income families and students succeed, including the Earned Income Tax Credit (EITC) and the American Opportunity Tax Credit (AOTC). Barring Dreamers from access to these programs is unnecessary and would serve only to make the pathway to citizenship more difficult for Dreamers by making higher education more unaffordable.
- 4. It undermines the due process rights of people who accidentally violate terms of their visa.** The bill would waive any rights to relief for those who accidentally overstay their visa as little as 24 hours or who unintentionally violate a term of their visa. For example, a student who drops just below a full course of study would be forced to waive any rights to relief they would otherwise be eligible for.
- 5. Unrelated to DACA relief efforts, it would restrict the president’s parole authority while also eliminating current humanitarian parole programs.** Existing programs that bring medical professionals to the U.S. and that provide relief to veterans, military families, and other populations deemed as requiring humanitarian protection would be eliminated. Such callous provisions have no place in a bill intended to extend compassion towards a group of people.

**FOR MORE INFORMATION, CONTACT:** Diana Pliego, [pliego@nilc.org](mailto:pliego@nilc.org), 1-213-443-6123

LOS ANGELES (Headquarters)  
3450 Wilshire Blvd. #108 – 62  
Los Angeles, CA 90010  
213 639-3900  
213 639-3911 fax



WASHINGTON, DC  
1121 14th Street, NW, Suite 200  
Washington, DC 20005  
202 216-0261  
202 216-0266 fax