

EXECUTIVE ACTION FOR UNAUTHORIZED IMMIGRANTS: ESTIMATES OF THE POPULATIONS THAT COULD RECEIVE RELIEF



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Migration Policy Institute
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Logistics

- The report is available at: <http://bit.ly/MPIExAc>
- Slides and audio will be available on our website at: <http://bit.ly/9-4ExActWeb>
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Presenters



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Three Areas for Executive Action

1. Expansions of current DACA program eligibility rules.
2. Creation of new DACA-like programs for immediate family members of U.S. citizens, lawful permanent residents, and/or DACA beneficiaries.
3. Narrowing ICE's enforcement priorities so that fewer people are deported.

Expansion of DACA Eligibility

Estimated Additional Unauthorized Youth Eligible for DACA, with Possible Changes to Eligibility Criteria (thousands), 2012

Program Change	Estimated Eligible Population	Additional Eligible Population
No change (currently eligible for DACA)	1,240	0
Change year of arrival from 2007 to 2009	1,290	50
Change year of arrival from 2007 to 2011	1,330	90
Change age at arrival from under 16 to under 18	1,420	180
Eliminate maximum age of 30	1,440	200
Eliminate high school education or equivalent, school enrollment requirement	1,670	430
Eliminate maximum age <i>and</i> change year of arrival to 2011	1,540	300
Eliminate maximum age <i>and</i> change age at arrival	1,760	520
Eliminate maximum age, change age at arrival, <i>and</i> change year of arrival to 2011	1,930	690
Eliminate maximum age, change age at arrival, change year of arrival, <i>and</i> eliminate education requirement	3,130	1,860

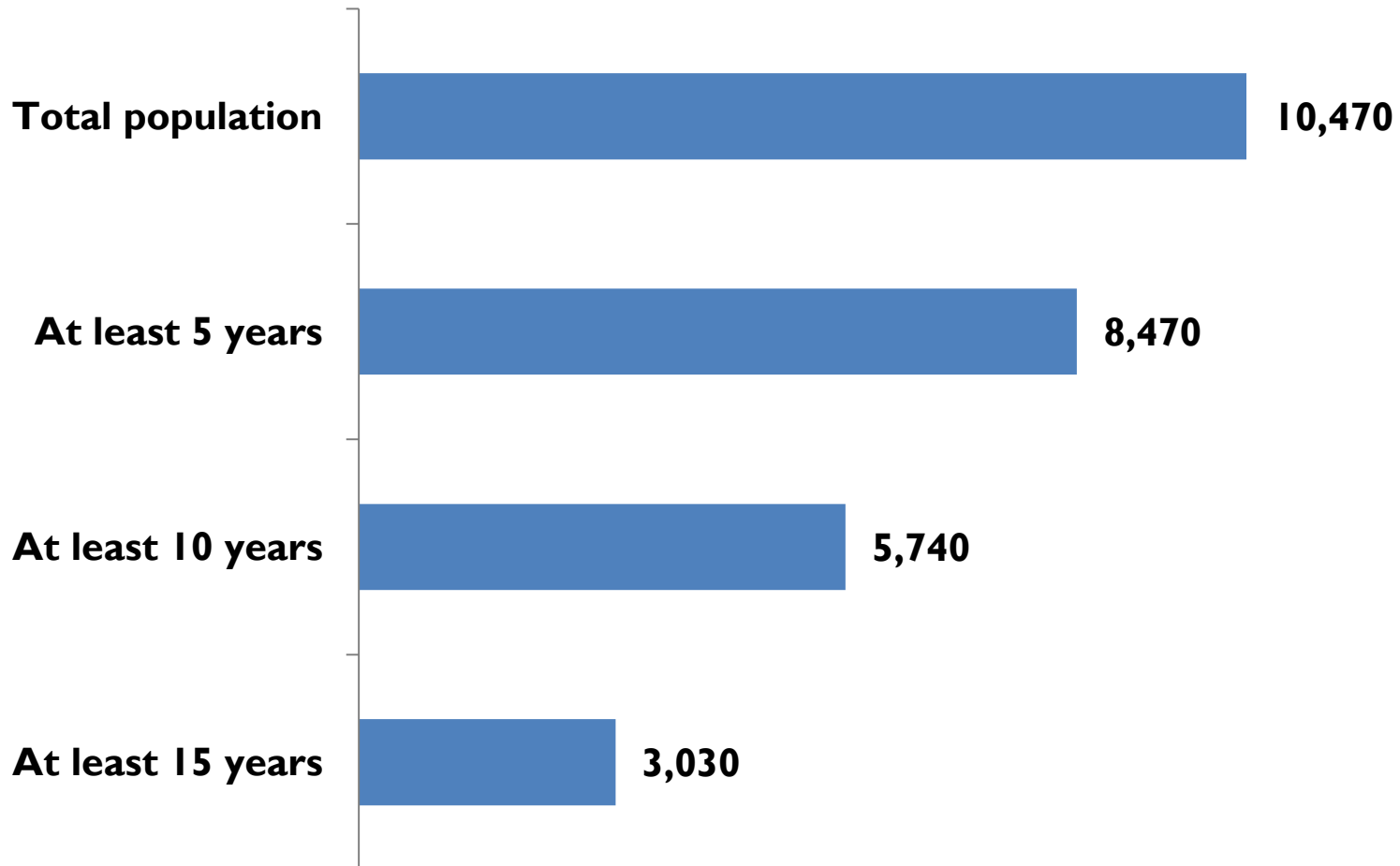


Creation of New Deferred Action Programs for the Unauthorized

- Could be restricted by time in the U.S.
 - DACA requires 5 years of U.S. residence.
- Could focus on family members (parents and spouses of U.S. citizens, lawful permanent residents, and/or DACA beneficiaries).
- Could focus on people already eligible for permanent residency, were it not for 3- and 10-year bars on admissibility:
 - Spouses of U.S. citizens and parents of U.S. citizens ages 21 and over would be potentially eligible for immediate relative visas were it not for the bars.

Potentially Eligible Population Declines Rapidly as U.S. Residence Increases

Unauthorized Immigrants Currently Ineligible for DACA, by Length of U.S. Residence (thousands), 2012



New Programs for Spouses/Parents

Estimated Additional Unauthorized Individuals Eligible for Deferred Action, with Major New Eligibility Expansions (thousands), 2012

	<u>Estimated Eligible Population by Years of U.S. Residence</u>			
	<u>Total</u>	<u>At Least 5</u>	<u>At Least 10</u>	<u>At Least 15</u>
<u>Total unauthorized population</u>	11,700	9,696	6,638	3,415
<u>Total unauthorized population not eligible for DACA</u>	10,470	8,470	5,740	3,030
<u>Unauthorized parents of minor children (under age 18)</u>				
Parents of U.S. citizens	3,450	3,220	2,350	1,290
Parents of U.S. citizens or LPRs	3,600	3,330	2,540	1,370
Parents of U.S. citizens or LPRs or DACA eligible	3,680	3,410	2,580	1,380
<u>Unauthorized spouses</u>				
Spouses of U.S. citizens	770	610	460	290
Spouses of U.S. citizens or LPRs	1,460	1,210	910	540
Spouses of U.S. citizens or LPRs or DACA eligible	1,500	1,250	940	550
<u>Unauthorized parents of minor children or spouses</u>				
Parents or spouses of U.S. citizens	3,760	3,450	2,260	1,250
Parents or spouses of U.S. citizens or LPRs	4,170	3,760	2,850	1,570
Parents or spouses of U.S. citizens or LPRs or DACA eligible	4,250	3,840	2,890	1,580



New Programs for Immediate Family Members

- **800,000** unauthorized spouses of U.S. citizens would potentially be eligible for immediate relative visas.
- **600,000** unauthorized parents of adult children (ages 21 and over) born in the U.S. could be eligible.
- Subtracting the overlap in these two groups, up to **1.3 million** could potentially be eligible for deferred action.

Narrowing ICE's Enforcement Priorities

Estimated Reductions in Removals by ICE with More Restricted Enforcement Priorities, Fiscal Years 2003-2013 (thousands)

Change in Enforcement Priorities	Estimated Removals	Change from Actual Removals
No change (actual removals)	2,858	0
Projected removals based on strict adherence to current priorities	2,667	- 191
Projected removals if enforcement priorities no longer emphasized individuals...		
Convicted exclusively of traffic crimes	2,653	- 206
Convicted exclusively of non-violent crimes	2,425	- 433
"Recent entries" present in U.S. more than one year	2,626	- 232
People with 10-year-old removal orders	2,654	- 203
Convicted exclusively of traffic crimes, or "recent entries" present more than one year	2,610	-248
Convicted exclusively of traffic crimes, or people with 10-year-old removal orders	2,648	-210
Convicted exclusively of traffic crimes, "recent entries" present more than one year, or people with 10-year-old removal orders	2,594	-264
Convicted exclusively of non-violent crimes, "recent entries" present more than one year, or people with 10-year-old removal orders	2,320	-538



Conclusions

- Expanding the current DACA program's eligibility rules would affect up to 700,000 – 1.9 million.
- Deferred action could be expanded to a broad group of parents and spouses of USCs, LPRs, and DACA recipients.
 - This group numbers 1.6 million to 4.3 million individuals.
 - The number declines rapidly with 10 years + residence.
 - Spouses of USCs and parents of USCs over age 21 who could qualify for immediate relative green cards but may be ineligible due to their current unauthorized presence number about 1.3 million.
- Re-focusing and strictly adhering to enforcement priorities would have resulted in 190,000 to 540,000 fewer deportations in last 11 years.



Q & A

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For information on immigrant populations including the DACA-eligible population at the state and local levels, see MPI's Data Hub at:

www.migrationpolicy.org/datahub