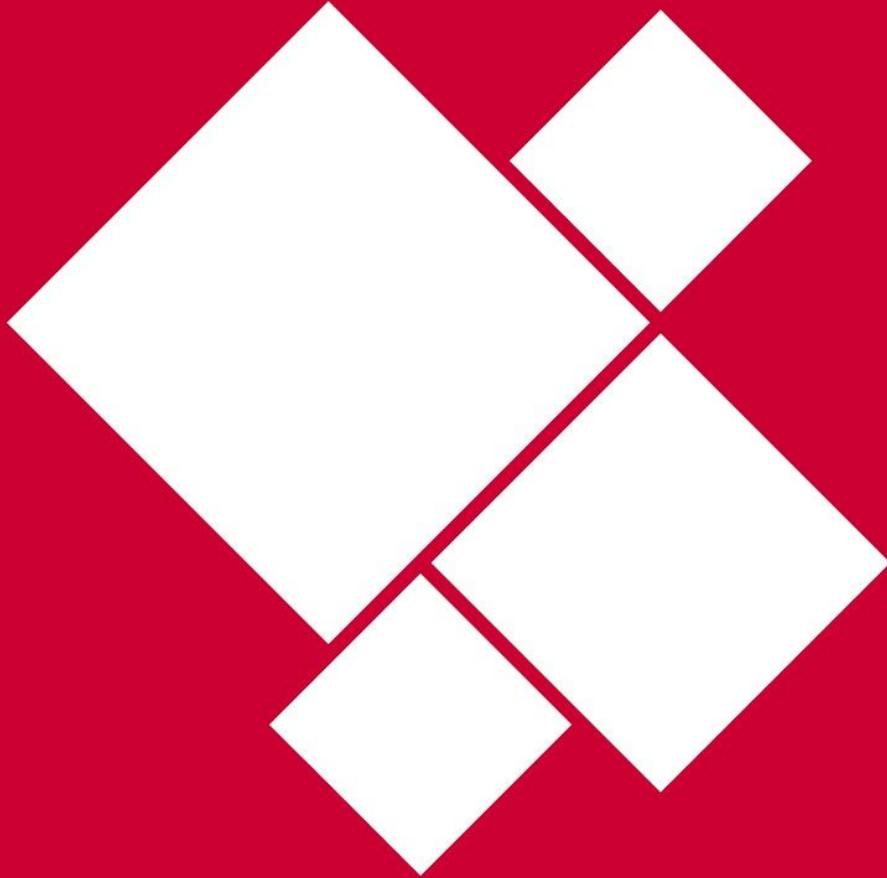


RUTGERS

Senator Walter Rand Institute
for Public Affairs



December 2017

Regional Issue Brief

◆◆ What the End of DACA Means for New Jersey.



What the End of DACA Means for New Jersey

DACA, or Deferred Action for Childhood Arrivals, is a program the Obama administration enacted in August of 2012. DACA recipients are undocumented, or unauthorized, immigrants whose removal has been deferred for a two-year term.

In September of 2017, President Trump announced the end of the DACA program, promising to shut it down on March 5, 2018. Congress is working toward that deadline to find a solution for 154,000 undocumented immigrants that includes not just amnesty, but also border security.¹ The majority of Americans that want to remove or reimagine DACA favor allowing current DACA recipients to stay in the U.S. to continue working and contributing to the economy. Many of the groups advocating for the end of DACA are more specifically asking for a legislative solution as opposed to an executive decision, and an even more strenuous background check process for current and future immigrants entering the U.S.²

What is the public response?

The majority of Americans do not support the deportation of all unauthorized immigrants; fewer support the deportation of DACA recipients (also known as the “Dreamers”). In a February 2017 poll by Quinnipiac University, only 19% of respondents supported mass deportation.³ A second study in April 2017 found that 78% of American



voters wanted to give Dreamers the chance to stay permanently in the United States, including 73% of those who voted for President Trump. Additionally, only 14% of all voters and 23% of the President’s supporters believe that Dreamers should be deported.⁴ President Trump announced the end of DACA after five states threatened a lawsuit, arguing that DACA is unconstitutional and an abuse of executive privilege. However, since the President’s announcement, there have been several more lawsuits filed against his administration from various states, colleges, and groups of DACA recipients, all arguing that ending DACA is a due process violation and is discriminatory based on race.

¹ Hing, Julianne. “Trump’s ‘Cruel’ DACA Deadline.” The Nation. October 5, 2017. Accessed October 6, 2017.

² Kumar, Anita and Franco Ordonez. “Trump expected to halt Obama’s program but allow some Dreams to stay temporarily.” McClatchy Washington Bureau. August 31, 2017.

³ Quinnipiac University poll. <https://poll.qu.edu/national/release-detail?ReleaseID=2432>

⁴ Morning Consult and Politico, Morning Consult National Tracking Poll #170409, April 20-24, 2017.



How many DACA recipients will this affect?

Due to President Trump’s six-month delay, 12%, or 2700, New Jersey DACA recipients could renew their permits; however, most New Jersey DACA beneficiaries (61%) will lose their status and work permits between October 2018 and June 2019.⁵ As of the October 5, 2017 deadline, 36,000 recipients nationwide who would have been eligible for renewal did not reapply, either for fear of deportation or for lack of awareness that the program was ending.⁶

Cumulatively, the United States Citizen and Immigration Services (USCIS), a branch of the Department of Homeland Security (DHS), has authorized the acceptance of 1.8 million DACA applications since the program began in mid-2012.⁷ New Jersey has accepted 26,143 initial DACA applications and 32,315 DACA renewals as of June 30, 2017. Since the program’s inception, New Jersey has become the current home of 22,000 young people who have been able to live and work legally through the DACA program.⁸ In 2014, New Jersey was ranked fifth in the country for the highest percentage of unauthorized immigrants residing in its borders at 5.4% of the state’s total population.⁹

What is the economic cost of DACA ending?

Undocumented immigrants enter the labor force in large numbers and work in nearly every industry. Nationally, 87% of DACA recipients were employed as of 2016 and an additional 8% were in school, but not working.¹⁰ Of those working, average hourly wages increased by 42% since becoming DACA-approved, moving from \$9.83 to \$13.96 per hour.¹¹ Some estimates predict that repealing DACA would cut New Jersey’s GDP by \$1.6 billion per year.⁵ National estimates suggest that ending DACA and deporting DACA recipients would cost the U.S. \$433.4 billion in GDP over the next decade.¹² With 7 million U.S.-born individuals expected to leave the labor force in the next several years, many



⁵ Nava, Erika J. “Fast Facts: DACA Directive Dims the Future of Thousands of Young New Jersey Immigrants.” NJPP.org. September 19, 2017. Accessed October 10, 2017.

⁶ Hing, Julianne. “Trump’s ‘Cruel’ DACA Deadline.” The Nation. October 5, 2017. Accessed October 6, 2017.

⁷ U.S. Citizenship and Immigration Services, Number of Form I-821D, Consideration of Deferred Action for Childhood Arrivals, by Fiscal Year, Quarter, Intake, Biometrics and Case Status Fiscal Year 2012-2017 (U.S. Department of Homeland Security, 2017).

⁸ Ibid.

⁹ Pewhispanic.org. Interactive.

¹⁰ Wong, Tom. American Progress. Largest study to date of DACA recipients with a sample size of 3,063 respondents in 46 states as well as D.C.

¹¹ Ibid.

¹² American Progress. “Facts of Immigration Today 2017.” Immigration Report. 2017.



economists view the entry of immigrants and their children into the workforce as important for the economy, compounding their concerns about the impact of removing DACA.¹³

Additionally, the undocumented population is responsible for creating a surplus in Social Security and Medicare each year. In 2010, unauthorized immigrants paid \$13 billion into Social Security and received only \$1 billion in services. From 2000 to 2011, unauthorized immigrants paid \$35.1 billion more into Medicare than they withdrew.¹⁴ In New Jersey, if DACA is fully repealed, state and local tax payments by undocumented immigrants could drop by 32 percent, at a cost of more than \$21 million per year.¹⁵ Conversely, if legal status is granted to all unauthorized immigrants nationally, their tax contributions could amount to an additional \$2.2 billion per year.¹⁶

Sanctuary Cities: What do they mean for undocumented immigrants?

U.S. Immigration and Customs Enforcement (ICE) has been deporting an average of 942 undocumented immigrants a day since 2009. Since October 2016, about 800 undocumented immigrants have been arrested in New Jersey, roughly 150 more than last year.¹⁷ Some counties, cities, and universities have declared themselves or been labeled “sanctuaries” for these immigrants by not cooperating with ICE detainer requests. Some argue that making New Jersey a sanctuary area for unauthorized immigrants could be economically and socially beneficial to the region. Currently, counties have disparate approaches. County officers in Bergen, Passaic, and Hudson counties are cooperative with ICE officials. Middlesex, Union, Camden, Mercer, and Somerset counties have released undocumented immigrants despite detainers.¹⁸ Making the official list for sanctuary counties and cities in New Jersey are: Middlesex County, Newark, Ocean County, and Union County.¹⁹ A recent study found that on average, sanctuary counties are economically stronger and experience 35.5 fewer crimes per 10,000 people, have higher median household incomes, lower poverty rates, and lower unemployment.²⁰ President

¹³ Blau and Mackie, eds. “The Economic and Fiscal Consequences of Immigration.”

¹⁴ Zallman, Leah et al. “Unauthorized Immigrants Prolong the Life of Medicare’s Trust Fund.” *Journal of General Internal Medicine*. 2015.

¹⁵ Raychaudhuri, Disha. “These are the 22,000 N.J. ‘Dreamers’ who Trump could deport.” *NJ Advance Media*. September 5, 2017. Accessed October 10, 2017.

¹⁶ American Progress. “Facts of Immigration Today 2017.” *Immigration Report*. 2017.

¹⁷ Trethan, Phaedra. “Undocumented in South Jersey: ‘We want them to feel safe at school.’” *App*. June 9, 2017. Accessed October 17, 2017.

¹⁸ Alvarado, Monsy. “Undocumented immigrant arrests up 20 percent in NJ; deportations up 30 percent.” *App*. May 21, 2017. Accessed October 17, 2017.

¹⁹ Griffith, Bryan and Jessica Vaughan. “Maps: Sanctuary Cities, Counties, and States.” *Center for Immigration Studies*. July 27, 2017. Accessed October 27, 2017.

²⁰ American Progress. “The Effects of Sanctuary Policies on Crime and the Economy.” *Immigration Report*. 2017.



Trump has announced plans to crack down on sanctuary cities and offer less funding to areas that do not comply with ICE officials.²¹

What does the end of DACA mean for New Jersey?

Since New Jersey is the home to nearly 500,000 unauthorized immigrants,²² 22,000 of whom were DACA recipients, the question of what will become of these young people is critical. If DACA is removed and not replaced, the United States will lose billions of dollars in Social Security, Medicare, tax revenue, and GDP. By some predictions, New Jersey would suffer a nearly \$26 billion loss in GDP and experience decline in industries, such as finance, agriculture, retail, professional services, hospitality, and manufacturing. Mount Holly in Burlington County alone would lose approximately 600 DACA recipients and 1,100 DACA-eligible recipients, which by one estimate would cost the county economy \$42.5 million annually.²³

The state would change culturally as well. DACA recipients in New Jersey hail from all parts of the world, including Mexico, South Korea, Bangladesh, Colombia, Ecuador, Peru, Brazil, the Dominican Republic, Guatemala, and El Salvador.²⁴ Most New Jersey DACA recipients are between the ages of 19 and 21, have at least a ninth grade education, and speak Spanish, English, Korean, Hindi, or Portuguese.²⁵

New Jersey would suffer an economic loss and a cultural shift if DACA recipients are not able to maintain legal presence in the U.S.

What legislative solutions has Congress proposed?

While the future of DACA is uncertain, the President gave Congress six months to come up with a solution and pass comprehensive immigration reform legislation. There are three major proposed bills at this time: the SUCCEED (Solutions for Undocumented Children through Careers, Employment, Education, and Defending our nation) Act,²⁶ the RAC (Recognizing America's Children) Act,²⁷ and the

²¹ Kopan, Tal. "Trump administration again pressures sanctuary cities." CNN. July 25, 2017. Accessed October 27, 2017.

²² Migration Policy Institute. "Profile of the Unauthorized Population: New Jersey." N.D. Accessed October 6, 2017.

²³ Yu His Lee, Esther. "Repealing DACA is pretty costly for the hometowns of the most anti-immigrant politicians." Think Progress. October 17, 2017. Accessed October 17, 2017.

²⁴ Alvarado, Monsy. "DACA program: How the repeal affects New Jersey." North Jersey.com. September 5, 2017. Accessed October 10, 2017.

²⁵ Raychaudhuri, Disha. "These are the 22,000 N.J. 'Dreamers' who Trump could deport." NJ Advance Media. September 5, 2017. Accessed October 10, 2017.

²⁶ Tillet, Emily. "New DACA bill proposed by Republicans." CBS News. September 25, 2017. Accessed September 27, 2017.

²⁷ Rep. Curbelo, Carlos. "H.R. 1468—115th Congress (2017-2018)." March 9, 2017. Accessed October 25, 2017.



latest version of the DREAM (Development, Relief, and Education for Alien Minors) Act.²⁸ Most lawmakers are hoping that the end of DACA will not be the end for the Dreamers, but will instead create an opportunity to enact legislation that will provide a pathway toward citizenship.

The SUCCEED Act was introduced by Senators Thom Tillis (R-NC) and James Lankford (R-OK), and would provide undocumented children with the ability to earn and keep legal status if they pass a background check and follow one of three merit-based tracks (employment, education, or military). The SUCCEED Act has four core principles: compassion, merit, prevention, and fairness.²⁹

The RAC Act was introduced in the House on March 9, 2017 by Carlos Curbelo (R-FL) and authorizes the Department of Homeland Security to not remove or adjust certain undocumented immigrants for an initial five-year period. To be eligible, the applicant must: be younger than 16 upon entry to the United States; be a person of “good moral character;” have earned a high school diploma, GED, or have been admitted into an institution of higher education or have a valid work authorization; be registered for the draft if required; have had a medical examination; be able to pass background checks; and have submitted biometric and biographic data.³⁰

The Dream Act of 2017 is sponsored by Senators Lindsey Graham (R-SC), Dick Durbin (D-IL), Jeff Flake (R-AZ), and Chuck Schumer (D-NY). This is the only bipartisan bill currently proposed. While the Dream Act has, in some capacity, been in the works since 2001, there have been substantial changes over the last sixteen years. The 2017 Dream Act proposes changes to the current law by granting current DACA beneficiaries permanent resident status, permitting conditional permanent residents to obtain lawful permanent resident status if they go to college, work for a specific number of years, or serve in the U.S. military, providing a pathway to U.S. citizenship for people with permanent resident status after a set number of years, and improving college affordability to undocumented youth by allowing in-state tuition and federal college loans.³¹

What’s next for DACA?

While it is unclear which of these bills, if any, will be passed by both the House of Representatives and Senate by the March 5, 2018 deadline, it is certain that DACA, as it is currently known, will no longer exist. This may mean a large economic and cultural shift in the near future, not just for New Jersey, but for the U.S. as a whole. It is uncertain if President Trump will extend the DACA timeline if Congress does not pass legislation by the March deadline, but on that date DACA recipients begin losing their

²⁸ Congress.gov. S. 1615. 115th Congress. Dream Act of 2017. July 20, 2017.

²⁹ Tillis, Thom and Lankford, James. “The SUCCEED Act.” N.D. Accessed October 25, 2017.

³⁰ Rep. Curbelo, Carlos. “H.R. 1468—115th Congress (2017-2018).” March 9, 2017. Accessed October 25, 2017.

³¹ National Immigration Law Center. “DREAM Act 2017 Summary and Answers to Frequently Asked Questions.” July 24, 2017. Accessed October 25, 2017.



work authorizations. The fate of DACA recipients and undocumented immigrants lies in the hands of Congress to find a real solution in comprehensive, bipartisan immigration reform.

Authored by Jocelyn Mosman, J.D. Candidate, Rutgers Law School and Research Assistant at WRI; edited by Paul L. Smith, Research Project Coordinator at WRI. Please visit our website at rand.camden.rutgers.edu to learn more about the Institute. If you have any questions or comments on this brief or our work contact Darren Spielman, Ph.D., Executive Director of WRI at darren.spielman@rutgers.edu.