H.R. 6: The American Dream and Promise Act of 2021

If history is precedent, this resuscitated mass amnesty bill is guaranteed to spur additional illegal immigration to the United States. Instead of maintaining the status quo of lawlessness and exacerbating a border crisis, Congress should reject this legislation and begin to prioritize the interests of American citizens. Integrity and credibility of U.S. immigration law requires strong enforcement efforts and the enactment of legislation that focuses on protecting the both the American worker and overall public safety. Mass amnesty bills – such as H.R. 6 – only reward lawless behavior while jeopardizing employment and education opportunities for Americans.

The "Dream" Provisions

I. **Mass Amnesty**
- Provides a path to citizenship for more than 3 million illegal aliens
- Goes <u>well beyond</u> around 700,000 current DACA recipients
- Contains no enforcement provisions to address the current crisis on the southern border

II. **Amnesty Eligibility Requirements**
- Have been continuously physically present in the U.S. on or before January 1, 2021
- Pursuing education, or at least earned a high school degree or GED
- Younger than 18 when they entered the U.S. and has resided in U.S. since then

III. **Grounds for Ineligibility**
- 1 felony offense
- 3 or more misdemeanor offenses
- 1 misdemeanor if related to domestic violence

IV. **Additional Notable Provisions**
- Applicants can bring administrative and judicial challenges to the government if their application is denied

- *A de facto amnesty for gang members* – under "authority to conduct secondary review," the Secretary of Homeland Security cannot delegate his or her authority to deny applications based on gang membership
- *Limitation on removal* – aliens who meet the standards for relief cannot be removed until they have gone through the administrative and judicial review process

V. **Noteworthy Amendments Rejected by Democrats in the Markup Last Congress**
- Misdemeanor firearm offenses
    - Rep. Matt Gaetz (R-FL): Would have prevented illegal aliens with a single firearm-related misdemeanor from receiving amnesty
- Gang membership
    - Rep. Louie Gohmert (R-TX): Would have prevented illegal aliens with known criminal gang ties from receiving amnesty
- DUI protections
    - Rep. Steve Chabot (R-OH): Would have prevented illegal aliens with two or more DUI convictions, or a single DUI conviction that caused serious bodily injury or the death of another person from receiving amnesty

The "Promise" Provisions

I. **More Amnesty**
- This bill would place nearly 400,000 aliens with active Temporary Protected Status (TPS) – including those eligible – before January 2017 on a pathway to citizenship
- It would do the same for those under the Deferred Enforced Departure (DED) program, a similar but different program from TPS
- Children of guest workers who arrived in the U.S. at the age of 18 or younger and were continuously present in the U.S. since January 1, 2021 are also eligible

II. **Additional Notable Provisions**
- Applicants can bring administrative and judicial challenges to the government if their application is denied

III. **Noteworthy Amendments Rejected by Democrats in the Markup Last Congress**
- Rep. Ben Cline (R-VA): Would have excluded all countries added to the TPS program since 2010, ensuring that only "legacy" TPS recipients (1998-2001) are put on a pathway to citizenship

Important Takeaways

- Large-scale amnesty for illegal aliens would be bad policy, even under the best of circumstances. Amnesty in the midst of a full-blown crisis is an affront to commonsense and the American people.
- This bill does not acknowledge the crisis at the border or the abuse of our asylum process, much less offer any steps to remedy the situation. It offers a clear indication that amnesty and virtually unchecked migration are now the lone priorities of House Democrats on immigration.
- The only crisis, as far as House Democrats are concerned, is the lack of amnesty for illegal aliens already here, and this bill aims to "fix" that problem.