

Dreamers

By Alejandra Ahern

2021 has marked a distinct shift in the world of politics. On January 20, a chilly winter day, Joseph R. Biden was sworn into the office of the presidency of the United States. This is not Biden's first time working in the White House, but it is the first time that he will be a top office holder with considerable control of the agenda.

"For immigrants who the president is really really matters." said immigration attorney Sarah Ellen Adkins. "The president sets enforcement priorities for ICE and the president now has been able to do these executive orders in recent years."

Adkins is Harvard Law School graduate and a Lexington area immigration attorney. She founded a nonprofit that focuses on providing low or no cost immigration services to needy families.

As a mark of an often-gridlocked Congress, more items have been passed through executive order in recent years. Biden has embraced using this presidential power and has signed twice as many executive orders in his first two weeks in office as former President Trump according to National Public Radio (NPR). This notable particularly because Trump used executive orders more than many previous presidents as well.

Immigration policy will surely be impacted by the shift from a Republican controlled White House to a Democratic controlled one. This area of policy is of increasing public interest. According to the Pew Research Center, immigration was in the top 10 voting issues during the 2020 election with 52 percent of voter identifying it as a very important issue to them.

An aspect of immigration policy that experts are surely waiting to see changes to is the Deferred Action for Childhood Arrivals, popularly known as DACA, a program which began through executive order during the Obama administration.

DACA provides protection to individuals that came to the United States as children who have no lawfully documented status with the government. The Obama administration claims they always intended it to be a temporary program. DACA was instituted following the failure of Congress to pass the DREAM Act.

It's status as an executive order means the program is potentially subject to rapid changes. The Trump administration tried to eliminate the program. However, the Supreme Court barred this from happening citing that the reasoning the Trump administration provided for dissolving the program was not adequate and the proper analysis on the impact of eliminating the program was not considered. However, Chief Justice John Roberts kept the premise of this ruling narrow in scope and thus DACA is still vulnerable to future court challenges according to NPR.

Advocates say one of the best ways to limit illegal immigration is to make the legal pathways more achievable. On the other hand, critics argue that the demand to immigrate to the United States is so high there must be certain measures to help decrease the influx.

Daniel Hernández (not his real name) is an Asbury student and a DACA recipient.

“I didn’t come here by choice,” said Hernández. “My parents brought me... I can’t go back to a country where I don’t know what anything is. I’ve lived here since I was two and now, I’m twenty-one years old. It would be like living in a new world if I where to go back to where I was born.”

Hernández’s family did consider legal options before the immigrated. His uncle applied for and received a green card. But according to Hernández, the legal pathways had dried up before his parents were ready to make the move.

“They didn’t have the money to come legally.” said Hernández. “It was their only option.”

“The majority of people in the United States that are undocumented fell out of status.” said Adkins. “They did have a status at one point and either they could not renew that status because of money or it was not eligible for renewal.”

Hernández reflected on the reason his parents wanted to come to the United States.

“They came here so they could give me a better life than what they had back home,” said Hernández. “They know what the U.S. can give... They didn’t want to see me go through the same things they did at home.”

“If I got my DACA taken away I don’t know what I would do.” said Hernández. “I wouldn’t be able to work or go to school. That would ruin my plans. It would be different to live my life without DACA.”

Immigration reform advocates still say Congressional action is necessary for securing the program in the future. Many also would like to see a pathway to citizenship for recipients of the program. In the meantime, DACA offers some protections for immigrants who would otherwise be in legal limbo.

“DACA students just want to live the American dream,” said Hernández.