

Presbyterian Policy Around Comprehensive Immigration Reform and the DREAM Act, the Spirit of Which Includes DACA

While the Presbyterian Church (U.S.A.) has no policy specific to DACA (Deferred Action for Childhood Arrivals), the church has plenty of policy around DREAMers (Development, Relief and Education for Alien Minors) and Comprehensive Immigration Reform. Since Congress has failed to pass a DREAM Act or Immigration Reform, what relief we would have prayed for through those actions has now been transferred to the more limited forms of relief available through DACA.

DACA and the DREAM Act

The DREAM Act and DACA are similar in that they both grant the same target population relief: young persons who entered the U.S. before age sixteen who are now encountering difficulties as they graduate and cannot get driver's licenses, attend college, or work because of their immigration status. The difference is that, had Congress passed the DREAM Act, young people would be granted permanent relief that would lead to green cards and citizenship. As DACA is not a change in law, rather a change in policy, it can only grant temporary relief from deportation. The church did not contemplate DACA in our policy but have said much about the DREAM Act and DREAMers that can be applied to DACA.

The **218th General Assembly (2008)** in “**On Local Enforcement of National Immigration Laws That Adversely Affect Local Congregations,**” “Calls upon churches, presbyteries, and synods to closely work with youth who are living with a sense of hopelessness due to lack of legal status” (*Minutes*, 2008, Part I, p. 1064).

The **220th General Assembly (2012)** recommended in the resolution “**On the Plight of Immigrant People in our Neighborhoods and Communities of Faith**” that church councils be called to act “To address the plight of students who are undocumented and therefore unable to access many of the benefits of our educational institutions, specifically by advocating for the passage of the DREAM Act” (*Minutes*, 2012, Part I, p. 1159).

The **220th General Assembly (2012)** in “**On Advocating for Comprehensive Immigration Reform**” directed the Office of Public Witness and the Office of Immigration Issues to advocate and “Call on Congress to immediately pass legislation comparable to the DREAM Act that provides a pathway to citizenship for eligible students. Simultaneously, urge the administration to provide temporary legal status for students eligible under the DREAM Act or comparable legislation in the meantime” (*Minutes*, 2012, Part I, p. 1143).

The **220th General Assembly (2012)** in “**On Taking Action Concerning the Place, Plight, and Contributions of Immigrant People [Both Documented and Undocumented] in Our Country, Neighborhoods, and Communities of Faith**” encouraged presbyteries, congregations and individual Presbyterians and their families to partner with religious business and community, and law enforcement leaders for legislative reform at the federal level on “actively advocating for legislation such as the DREAM Act (Development, Relief and Education for Alien Minors) that offers hope for young migrants by providing a pathway to citizenship” (*Minutes*, 2012, Part I, p. 1140).

While it is clear that Presbyterians pray for a pathway to citizenship for young people, it is also clear in these statements that they desire that young people have the ability to go to school and to experience the hope that comes from the lifting of the fear of deportation. The latter is offered, albeit temporarily, by the administrative action that is now available through DACA.

Comprehensive Immigration Reform:

Presbyterians have also said much about our hopes for adults who are in the U.S. and undocumented.

The **213th General Assembly (2001)** hoped that the Advisory Committee on Social Witness Policy would make it an urgent priority to “1. Call publicly and openly on the Federal Government to grant a full legalization program for immigrants in the United States of America” (*Minutes*, 2001, Part I, p. 502). It goes on to direct the Stated Clerk, presbyteries and synods, the office of Public Witness, and the National Council of Churches to ask the Federal Government for the same and then instructs, “the Stated Clerk of this General Assembly to draft and send letters to the president of the United States and leaders of both houses of Congress, informing them of our firm position in favor of comprehensive immigration reform and asking them for their support on behalf of such legislation” (*Ibid.*).

The **216th General Assembly (2004)** in the “**Resolution Calling for a Comprehensive Legalization Program for Immigrants Living and Working in the United States**” called on PC(USA) and its governing bodies to “Advocate the establishment by law of a comprehensive legalization program for undocumented persons already living and working in the United States” (*Minutes*, 2004, Part I, p. 737).

The **217th General Assembly (2006)** in “**On Advocacy and Welcome for All Immigrants**” challenged congregations and presbyteries to advocate for “an opportunity for hard-working immigrants who are already contributing to this country to come out of the shadows, regularize their status upon satisfaction of reasonable criteria, and, over time, pursue an option to become lawful permanent

residents and eventually United States citizens” (*Minutes*, 2006, Part I, p. 880).

The **220th General Assembly (2012)** in the “**Resolution on the Plight of Immigrant People in Our Neighborhoods and Communities of Faith**” directed the “PC(USA) Office of Public Witness to make immigration reform one of the top policy issues in their work with members of congress and the White House” (*Minutes*, 2012, Part I, p. 1159). It goes on to direct OPW to “engage denominational partners ... working on immigration reform” and direct the GAMC, ACREC, the Office of Immigration Issues and racial ethnic caucuses to coordinate to create a political will for immigration reform (*Ibid.*).

The **220th General Assembly (2012)** in “**On Advocating for Comprehensive Immigration Reform**” urged “all councils within the church to join with faith communities, business organizations, law-enforcement entities, and other civil society groups to educate and advocate for comprehensive immigration reform at the federal level” (*Minutes*, 2012, Part I, p. 1142).

The **220th General Assembly (2012)** in “**On Taking Action Concerning the Place, Plight, and Contributions of Immigrant People [Both Documented and Undocumented] in Our Country, Neighborhoods, and Communities of Faith**” encouraged presbyteries, congregations, and individual Presbyterians and their families to “advocate on behalf of Comprehensive Immigration Reform as outlined in the resource guide published by the American Immigration Lawyers Association (AILA). ...” (*Minutes*, 2012, Part I, p. 1140).

Within the policies listed above is a hope that comprehensive immigration reform (CIR) would relieve risk of workplace abuse and family separation.

The previously mentioned statement of the **216th General Assembly (2004)** urges for a CIR policy “with special attention to family reunification” and “adamantly oppose the exploitation of any and all workers” (*Minutes*, 2004, Part I, p. 738). The previously mentioned statement of the **218th General Assembly (2008)** “Denounces the suffering and hurting of thousands of young children and parents, which is the product of the separation during deportations” (*Minutes*, 2008, Part I, p. 1064). The **220th General Assembly (2012)** in “**On Advocating for Comprehensive Immigration Reform**” stated that CIR must make “family unity a priority by avoiding separation of families ...” (*Minutes* 2012, Part I, p. 1142) and protect “all workers from exploitation, abuse, and affronts to their dignity ...” (*Ibid.*, p. 1143). The **220th General Assembly (2012)** in the resolution “**On the Plight of Immigrant People in Our Neighborhoods and Communities of Faith**” recommended that church councils, “address the separation of families through long incarcerations in detention centers, and the imprisonment of many who have no criminal record ...” (*Ibid.*, 1159).