IMMIGRATION FACTS

Relief from Deportation: Demographic Profile of the DREAMers Potentially Eligible under the Deferred Action Policy

By Jeanne Batalova and Michelle Mittelstadt

Executive Summary

As many as 1.76 million unauthorized immigrants who were brought to the United States as children could potentially be eligible for a grant of relief from deportation, according to a Migration Policy Institute (MPI) analysis that takes into account the more detailed eligibility criteria outlined by the Department of Homeland Security (DHS) on August 3, 2012 for its Deferred Action for Childhood Arrivals (DACA) initiative.

This Fact Sheet updates MPI estimates released on June 15, 2012[1] when Homeland Security Secretary Janet Napolitano first announced the deferred action policy, which will be implemented on a case-by-case basis. The DACA initiative would offer a two-year grant of reprieve from deportation as well as work authorization for unauthorized immigrants who were under the age of 31 as of June 15, 2012 and who can demonstrate that they meet the following criteria:

- Entered the United States before the age of 16
- Have continuously resided in the United States since June 15, 2007 and up to the present time, and were physically present on June 15, 2012 and at the time of application
- Are currently in school, have graduated from high school or earned a GED, or are honorably discharged veterans of the US armed forces (including the Coast Guard)
- Have not been convicted of a felony, significant misdemeanor, or three or more misdemeanors; or otherwise pose a threat to public safety or national security
- Entered the country illegally or overstayed their visa prior to June 15, 2012.

The MPI estimates are up from the 1.39 million figure provided on June 15 — reflecting the updated DHS guidelines that youth lacking a high school or GED degree would be eligible to apply for deferred action as long as they have re-enrolled by the date of their application.[2] MPI estimates 350,000 unauthorized young adult immigrants (ages 16 and older) without a high school degree or GED could potentially be eligible for relief from deportation if they meet the enrollment criteria.

This Fact Sheet provides new and updated estimates on the age, educational attainment, country and region of birth, workforce participation, and gender of the 1.76 million prospective beneficiaries, often referred to as DREAMers.[3] The estimates are based on MPI analysis of Current Population Survey (CPS) data from the US Census Bureau and US Bureau of Labor Statistics (see the Data and Analytic Approach section for further explanation of the methodology).

I.   Demographic Profile of the Potentially Eligible DREAMers

There are approximately 1.76 million unauthorized immigrant young adults and children in the United States who currently are — or in the future would be — potential beneficiaries of the deferred action initiative, which was announced by Homeland Security Secretary Janet Napolitano on June 15, 2012. US Citizenship and Immigration Services (USCIS) has announced that it expects to begin accepting applications under the Deferred Action for Childhood Arrivals (DACA) initiative on August 15, 2012.

Qualified applicants for deferred action would receive a two-year reprieve from possible deportation, and applicants who demonstrate an economic necessity would also receive work authorization. Recipients of deferred action could apply for renewal of their status and work authorization.

1.   Potential Beneficiaries by Age

Of the 1.76 million potential beneficiaries, about 72 percent (or 1.26 million) meet the age criteria now, while 28 percent could be eligible in the future as they meet the age, educational, residency, and other requirements for the DACA initiative (see Figure 1).

Figure 1. Potential Beneficiaries by Age
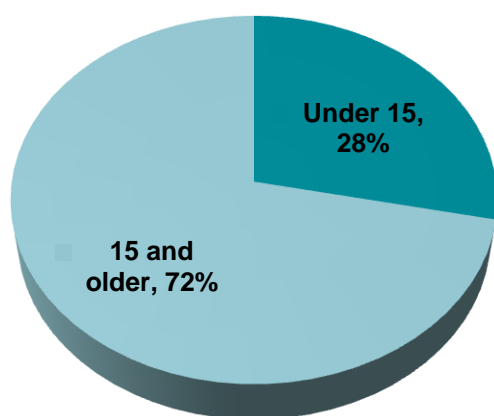
Source: Migration Policy Institute (MPI) analysis of 2006-08 and 2008-10 Current Population Survey (CPS) from the US Census Bureau and US Bureau of Labor Statistics.

USCIS has stated that only those who are 15 or older are eligible to file for deferred action. The initiative involves a case-by-case review that will require $465 in application fees, as well as a biographic and biometric background check for each applicant.

The estimated 1.26 million potentially qualifying individuals already 15 and over can apply beginning August 15, provided that they meet the education and other requirements. The estimated 500,000 potential beneficiaries under age 15 who would be eligible for DACA in the future include 220,000 between the ages of 12-14, 170,000 between the ages of 9-11, and 110,000 between the ages of 5-8 (see Table 1).

Table 1. Potential Beneficiaries by Age Group

	Estimate	Share (%)
Total	**1,760,000**	**100**
Immediate Eligibility (Ages 15-30)	**1,260,000**	**72**
15 to 17	250,000	14
18 to 21	390,000	22
22 to 24	260,000	15
25 to 30	360,000	20
Future Eligibility (Ages 5-14)	**500,000**	**28**
5 to 8	110,000	6
9 to 11	170,000	10
12 to 14	220,000	12

Source: MPI analysis of 2006-08 and 2008-10 CPS.

While USCIS will only accept applications for the DACA initiative from applicants 15 and older, the deferred action policy also will apply to qualified unauthorized immigrants — regardless of whether they are older or younger than 15 — who are already in removal proceedings[4] or might be in the custody of immigration officials in the future.

2. State-Level Estimates

The traditional immigrant-destination states — California, Texas, Florida, and New York among them — have the largest numbers of unauthorized immigrants who are potential beneficiaries of the DACA initiative.

The five states with the largest numbers of potentially eligible immigrants are: California (460,000), Texas (210,000), Florida (140,000), New York (110,000), and Illinois (90,000). They represent 57 percent of the total potentially eligible population (see Table 2). The next ten states are home to another 25 percent of prospective beneficiaries, including Arizona (80,000), New Jersey (70,000), Georgia (60,000), and North Carolina (50,000).

Table 2. Potential Beneficiaries by State and Age

	Total	Futurely Eligible (Under 15)	Immediately Eligible (15 and Older)
United States	**1,760,000**	**500,000**	**1,260,000**
California	460,000	110,000	350,000
Texas	210,000	60,000	150,000
Florida	140,000	40,000	100,000
New York	110,000	30,000	80,000
Illinois	90,000	-	-
Arizona	80,000	-	-
New Jersey	70,000	-	-
Georgia	60,000	-	-
North Carolina	50,000	-	-
Colorado	40,000	-	-
Washington	40,000	-	-
Maryland	30,000	-	-
Nevada	30,000	-	-
Virginia	30,000	-	-
Oregon	30,000	-	-
Michigan	20,000 to 30,000	-	-
Pennsylvania	20,000 to 30,000	-	-
Wisconsin	20,000 to 30,000	-	-
Indiana	10,000 to 20,000	-	-
Utah	10,000 to 20,000	-	-
Ohio	10,000 to 20,000	-	-
Massachusetts	10,000 to 20,000	-	-
Alabama	10,000 to 20,000	-	-
Oklahoma	10,000 to 20,000	-	-
New Mexico	10,000 to 20,000	-	-
Minnesota	10,000 to 20,000	-	-
Connecticut	10,000 to 20,000	-	-
Kansas	10,000 to 20,000	-	-
Tennessee	10,000 to 20,000	-	-
Nebraska	1,000 to 10,000	-	-
Kentucky	1,000 to 10,000	-	-
Iowa	1,000 to 10,000	-	-
Arkansas	1,000 to 10,000	-	-
Missouri	1,000 to 10,000	-	-
Hawaii	1,000 to 10,000	-	-
South Carolina	1,000 to 10,000	-	-
Mississippi	1,000 to 10,000	-	-
Idaho	1,000 to 10,000	-	-
Rhode Island	1,000 to 10,000	-	-
Delaware	1,000 to 10,000	-	-
District of Columbia	1,000 to 10,000	-	-
New Hampshire	1,000 to 10,000	-	-
Maine	1,000 to 10,000	-	-
Alaska	1,000 to 10,000	-	-
Wyoming	Less than 1,000	-	-
South Dakota	Less than 1,000	-	-
Vermont	Less than 1,000	-	-
North Dakota	Less than 1,000	-	-
West Virginia	Less than 1,000	-	-
Montana	Less than 1,000	-	-
Louisiana	Less than 1,000	-	-

Notes: "-"does not meet reporting criteria due to small sample size. Detailed estimates were provided only for states with the largest CPS samples, which provide a greater degree of confidence. The other states are grouped by ranges, known as estimate bands.
Source: MPI analysis of 2006-08 and 2008-10 CPS.

3. Education

An estimated 800,000 children and youth who are potential beneficiaries of the DACA initiative are currently enrolled in the K-12 system. The deferred action policy, with its education criteria, offers these youth significant incentives to stay in school and graduate from high school.

MPI estimates that 140,000 young adults (between ages 16 and 24) are enrolled in two- or four-year colleges and universities and another 80,000 already have at least an associate's degree (see Table 3.) These are the most detailed estimates yet of the educational outcomes of this population of potential beneficiaries of the DACA policy.

Table 3. Enrollment and Educational Attainment of Prospective Beneficiaries

Educational Attainment	Number Potential Beneficiaries
Total	**1,760,000**
Currently enrolled in K-12	800,000
High school graduate/GED (terminal degree)*	390,000
Has a college degree	80,000
Enrolled in college (16-24)*	140,000
No high school degree, not enrolled	350,000

Note: *CPS data do not provide information on enrollment status of adults older than 24 or younger than 16. Therefore, adults ages 25-30 who are enrolled in college are shown in the "high school graduate/GED (terminal degree)" group. Similarly, even though a small number of youth under 16 could be out of school, they appear in the "Currently enrolled in K-12."
Source: MPI analysis of 2006-08 and 2008-10 CPS.

This Fact Sheet also uniquely breaks out the potentially eligible population by highest level of college attainment. About 80,000 young adults potentially eligible for the DACA initiative already have an associate's degree or higher. Of them, 48 percent earned an associate's degree, 44 percent a bachelor's degree, and another 8 percent hold an advanced degree (see Figure 2).

Figure 2. Potential Beneficiary College Graduates by the Highest Degree Attained
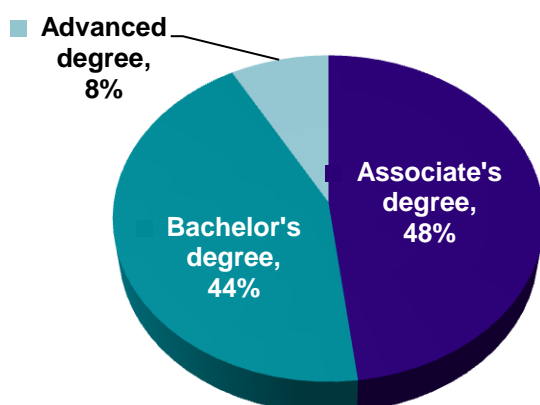
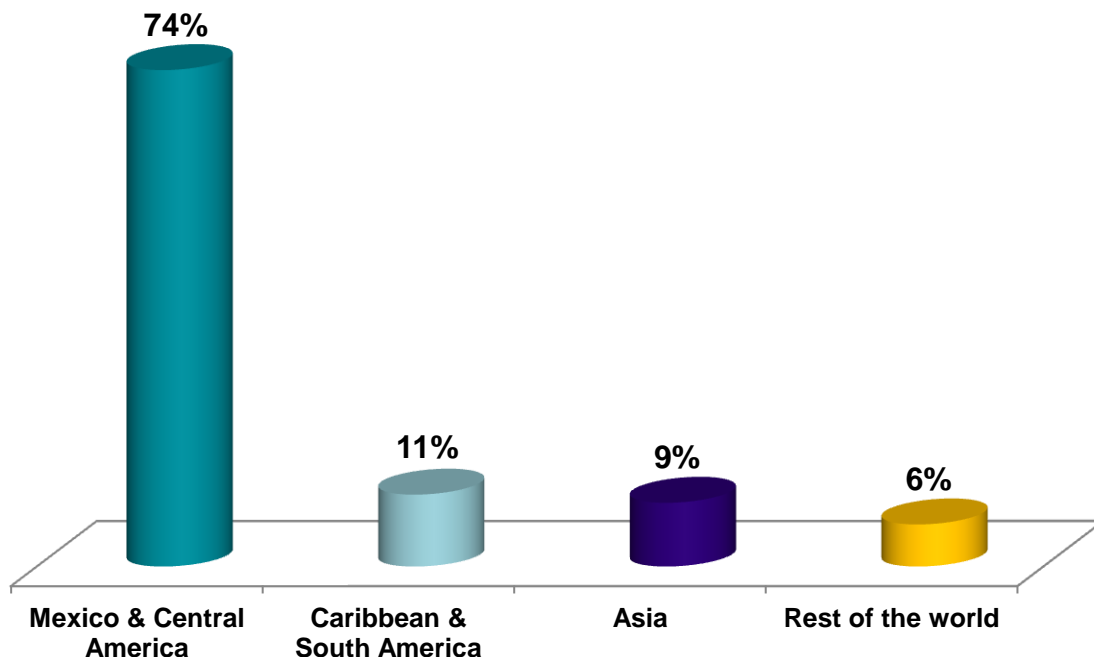*Source:* MPI analysis of 2006-08 and 2008-10 CPS.

Based on an examination of the potentially eligible population that lacks college education, an estimated 390,000 prospective beneficiaries have a high school diploma or GED as their terminal degree.

The overall potential beneficiary estimate of 1.76 million is higher than the 1.39 million figure provided by MPI in an earlier assessment of the deferred action policy as it was outlined on June 15. The increase reflects the updated DHS guidance issued on August 3, 2012 that youth lacking a high school or GED degree would be eligible to apply for deferred action as long as they have re-enrolled by the date of their application and meet other criteria. MPI estimates 350,000 young adult unauthorized immigrants without a high school degree or GED could potentially be eligible for relief from deportation if they meet the re-enrollment criteria.

4. Region and Country of Birth

Nearly three in four (or 1.3 million) prospective beneficiaries were born in Mexico or Central America. Another 11 percent (more than 180,000) came from the rest of Latin America, 9 percent (about 170,000) from Asia, and 6 percent (about 110,000) from other parts of the world (see Figure 3).

Figure 3. Regions of Birth of Prospective Beneficiaries for Deferred Action
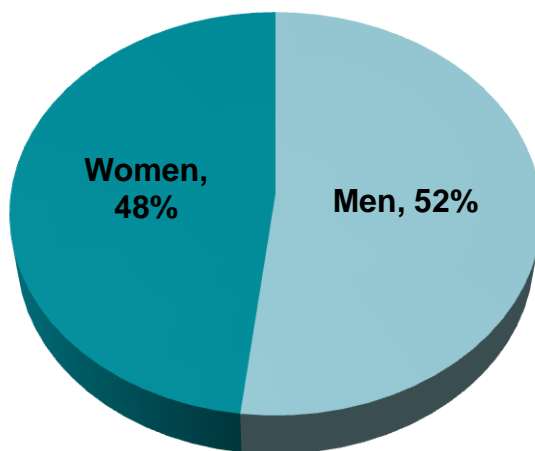

Source: MPI analysis of 2006-08 and 2008-10 CPS.

Two in three unauthorized immigrants potentially eligible for deferred action came from Mexico (1.17 million, or 65 percent). The next two countries of origin were El Salvador (slightly less than 60,000, or 3 percent) and Guatemala (50,000, or 3 percent). The two top countries of origin outside Latin America for prospective beneficiaries were India and Korea (each with about 30,000 potential beneficiaries, or 2 percent).

5. Gender

The gender distribution of the 1.76 million prospective beneficiaries is relatively balanced: About 52 percent are men and 48 percent women (see Figure 4). In contrast, men outnumber women among the overall unauthorized immigrant population in the United States, accounting for about 58 percent of the total.
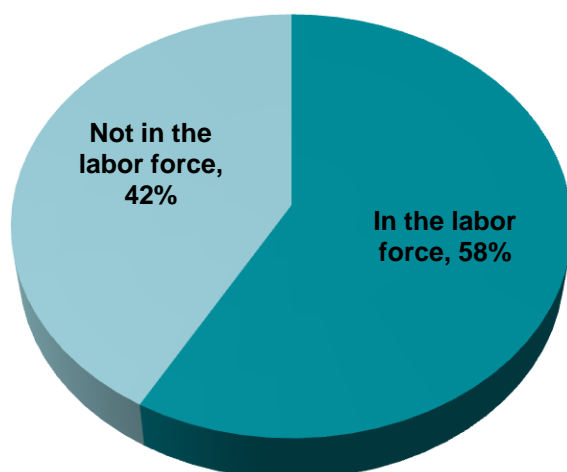
Figure 4. Beneficiaries by Gender

Source: MPI analysis of 2006-08 and 2008-10 CPS.

6. Workforce

Among the 1.26 million prospective beneficiaries who are ages 15 and over, 58 percent (close to 740,000) were engaged in the labor force (see Figure 5).

Figure 5. Prospective Beneficiaries (Ages 15 and Older) by Labor Force Status

Notes: Persons are considered to be "in the labor force" if they are employed or if they are unemployed but actively looking for work. Persons not in the labor force include students who do not work, homemakers, retirees, and others who are neither working outside the home nor looking for work.
Source: MPI analysis of 2006-08 and 2008-10 CPS.

Employment authorization, together with relief from deportation, is likely to significantly improve the employment conditions and wages of successful DACA applicants, especially for those who have higher levels of education.

II.   Data and Analytical Approach

This analysis is based on pooled 2006-08 Current Population Survey (CPS) data that were augmented with legal status assignments to noncitizens[5] as well as data pooled from the more recent 2008-10 CPS. Using the 2006-08 data, we first developed estimates of how many unauthorized immigrants from Mexico, Central America, the Caribbean/South America, Asia, and other world regions would be eligible to apply for the deferred action initiative based on their age, length of US residency, age at arrival in the United States, and current educational attainment and enrollment.

Second, we estimated how many noncitizens from these regions would qualify for the same eligibility criteria in both the 2006-08 and 2008-10 CPS. Third, we applied the shares of unauthorized immigrants among the eligible noncitizen population in the 2006-08 data to the 2008-10 data. This last step allowed us to update our 2006-08 estimates using the augmented data to 2008-10.

Endnotes

1 See Migration Policy Institute (MPI), "As Many as 1.4 Million Unauthorized Immigrants Could Gain Relief from Deportation under Obama Administration Grant of Deferred Action," (press release, June 15, 2012), www.migrationpolicy.org/news/2012_06_15.php. The estimates in this Fact Sheet also reflect the adjustment that applicants must be under age 31, not under age 30.

2 For a complete listing of criteria, see US Citizenship and Immigration Services (USCIS), "Consideration of Deferred Action for Childhood Arrivals Process," last updated August 3, 2012, www.uscis.gov/childhoodarrivals.

3 The criteria for the deferred action initiative largely parallel the requirements of the Development, Relief, and Education for Alien Minors (DREAM Act), which has been introduced in Congress in various forms since 2001. For more on the DREAM Act, see Jeanne Batalova and Margie McHugh, *DREAM vs. Reality: An Analysis of Potential DREAM Act Beneficiaries* (Washington, DC: MPI, 2010), www.migrationpolicy.org/pubs/DREAM-Insight-July2010.pdf.

4 Potential applicants, regardless of whether they are older or younger than 15, can apply if they are already in removal proceedings, have a final removal order, or have a voluntary departure order — provided that they are not in immigration detention. Individuals already in detention who believe they meet the deferred action guidelines should identify themselves to a detention officer. See USCIS, "Consideration of Deferred Action for Childhood Arrivals Process."

5 The Current Population Survey (CPS) is a monthly survey of about 55,000 households conducted by the US Bureau of Labor Statistics and the Census Bureau; the sample size of the March supplement is expanded to about 80,000 households. Since none of the surveys conducted by the Census Bureau include a question on respondents' legal status in the United States, researchers have developed various methodologies to estimate foreign-born respondents' legal status. For a brief description of the methodology applied to the 2006-08 CPS March data used in this Fact Sheet, see Jeffrey S. Passel and D'Vera Cohen, *A Portrait of Unauthorized Immigrants in the United States* (Washington, DC: Pew Hispanic Center, 2009: Appendix A), http://pewhispanic.org/files/reports/107.pdf.

About the Authors

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