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SPEAKER OF THE HOUSE

FACT SHEET

FROM SPEAKER OF THE HOUSE NANCY PELOSI
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UPDATED: H.R. 6, The American Dream and Promise Act of 2021 *This Critically Needed Bill Would Provide Protections for Up to 3.4 Million Immigrants Who Have Spent Much of Their Lives in the United States*

Key Points:

- Today, the House will consider H.R. 6, the American Dream and Promise Act of 2021, which was introduced on March 3 by Reps. Lucille Roybal Allard (D-CA), Nydia Velazquez (D-NY), and Yvette Clarke (D-NY). This critical bill provides vital protections to up to 3.4 million immigrants, many of whom have spent much of their lives in the United States. The bill has 158 cosponsors. **Members are urged to vote YES on the bill.**
- In the 116th Congress, on June 4, 2019, the Democratic-led House passed a quite similar version of H.R. 6 by a bipartisan vote of 237 to 187 ([2019 House Vote #240](#)).
- **A strong majority of Americans support the provisions of this legislation. For example, a recent poll found that 72 percent of Americans support providing a pathway to citizenship for Dreamers. It also found that 66 percent of Americans support providing protections for Temporary Protected Status (TPS) recipients.**
- During the four years of his Administration, President Trump took steps to strip protections from deportation and work authorization from several groups of immigrants, many of whom have lived in the United States for decades. **This included those with Deferred Action for Childhood Arrivals (DACA) and Temporary Protected Status (TPS).**
- For example, President Trump acted to terminate DACA in September 2017 and also acted to terminate TPS for most countries. Fortunately, despite these efforts, court injunctions permitted Dreamers and TPS recipients to continue to renew their status.
- Now, H.R. 6 offers a path to lawful permanent resident (LPR) status for Dreamers, TPS recipients, and DED recipients:
 - Dreamers who are eligible for protection under the bill came to the United States in their youth and know the United States as their home.
 - Similarly, many immigrants who are eligible for or have received TPS – a program protecting individuals in the United States whose countries of origin are in crisis due to ongoing armed conflict, environmental disaster, or other extraordinary conditions – have lived in the United for decades.
 - DED is similar to TPS, but DED is derived solely from the President’s constitutional powers to conduct foreign relations. Liberians have been under a grant of DED since 2007. On his last day in office, former President Trump granted DED for Venezuelans who were in the country as of January 20, 2021.

- **Indeed, this legislation is based on some key facts:**
 - Dreamers are Americans in every way except on paper. Dreamers are undocumented young people many of whom have lived in the United States for most of their lives. Dreamers are an essential part of our communities, contribute to our economy, and make America a stronger, more united, and more diverse country.
 - Similarly, TPS holders and DED recipients have built lives and raised their families in this country in many cases over decades, while contributing to our communities and our economy. They are employed at high rates in a variety of industries that often struggle to find sufficient U.S. workers, including construction, food service, and landscaping.

- **Without permanent protections such as those in the American Dream and Promise Act of 2021, the future of these immigrants and their families – as well as the important economic contributions they make to our country – are at risk.**

- **H.R. 6 is supported by numerous organizations, including the U.S. Chamber of Commerce, U.S. Conference of Catholic Bishops, AFL-CIO, SEIU, ACLU, United We Dream, UnidosUS, Apple, League of United Latin American Citizens (LULAC), United Farm Workers, America’s Voice, Fwd.US, American Immigration Lawyers Association, Immigration Hub, National Immigration Law Center, National Immigration Forum, TPS Alliance, Coalition for Humane Immigrant Rights, Lutheran Immigration Refugee Service, UndocuBlack Network, NETWORK Lobby for Catholic Social Justice, Bipartisan Policy Center Action, Center for American Progress, American Federation of Teachers, National Association of Social Workers, First Focus Campaign for Children, Kids in Need of Defense (KIND), National Council of Jewish Women Service, Laborers’ International Union of North America (LIUNA), and Employees International Union.**

Overview of the Bill’s Provisions

The Dream Act: Protecting America’s Dreamers

- The Dream Act section of the legislation establishes a process for eligible Dreamers to be granted conditional lawful permanent resident (LPR) status for 10 years if they:
 - Have been continuously physically present in the U.S. since January 1, 2021;
 - Were age 18 or younger on the initial date of entry into the U.S.;
 - Are not inadmissible on national security or criminal grounds (see section on national security and criminal bars below);
 - Graduate from high school, obtain a GED or industry-recognized credential; or are in a program assisting students to obtain a high school diploma, GED or equivalent exam, or are in an apprenticeship program.
 - Pass security and law enforcement background checks and pay a reasonable application fee.

- Then, in order to gain full LPR status, Dreamers must:
 - Acquire a degree from a U.S. institution of higher education; or complete at least two years in good standing in a bachelor’s or higher degree program or in an area career and technical education program at a post-secondary level in the U.S.; or
 - Complete at least two years of military service, and if discharged, received an honorable discharge; or
 - Be employed for periods of time totaling at least three years and at least 75 percent of the time the person was authorized for employment.

- A Dreamer who has obtained full LPR status must then wait another five years before applying for citizenship.

National Security and Criminal Bars to Eligibility for the Dream Act's Protections

- The Dream Act section of the legislation also contains stringent bars to eligibility related to national security and criminal activity. An applicant is ineligible for relief if any one of the following apply:
 - The applicant presents a risk to national security;
 - The applicant has a felony conviction of any kind (excluding state immigration-related offenses);
 - The applicant has any of the following misdemeanor convictions:
 - 1 misdemeanor involving moral turpitude, with a sentence of more than 6 months;
 - 2 misdemeanors involving moral turpitude, regardless of the sentence;
 - 1 misdemeanor conviction for domestic violence, unless the applicant can demonstrate that he or she was actually a victim; or
 - More than 2 misdemeanors of any kind, excluding offenses that should not prevent eligibility (i.e. minor traffic offenses; offenses related to immigration status, certain offenses involving cannabis and non-violent civil disobedience).
- The Secretary of Homeland Security is also provided the non-delegable authority to provisionally deny applicants who present a demonstrable threat to public safety based on a conviction, juvenile delinquency adjudication, or direct participation in a criminal street gang. Applicants denied under this provision are entitled to de novo judicial review by an independent federal judge.

The American Promise Act: Protecting TPS and DED Holders

- The American Promise Act section of the legislation also creates a path to lawful permanent resident (LPR) status for individuals who:
 - Had or were eligible for TPS on January 1, 2017, or Deferred Enforced Departure (DED) on January 20, 2021;
 - Have not committed any acts that would disqualify them for relief under these longstanding programs. Among other things applicants cannot have any felony conviction or more than one misdemeanor conviction; and
 - Have been continuously present in the United States for a period not less than three years.
- A TPS or DED individual who has obtained lawful permanent resident (LPR) status must then wait another five years before applying for citizenship.
- Like Dreamers, many TPS and DED holders are longtime residents of the U.S., active members of their communities, and critical to sectors of our economy. Many TPS holders and their families have built their lives here over decades while contributing to our communities and our economy. After years of ignoring the problem, President Trump realized that Venezuelan people were deserving of protection and granted DED to Venezuelans who were in the United States as of January 20, 2021. The legislation will not allow every Venezuelan DED recipient to become an LPR. Under the bill, individuals must show three years of continuous presence in the United States and continued eligibility for DED to qualify.