



Written by [Warren Mass](#) on October 4, 2017

DHS Assistant Secretary Says Administration Supports Allowing “Dreamers” to Stay

Michael Dougherty, assistant DHS Secretary for Border Immigration and Trade, said at a Senate Judiciary Committee hearing on October 3 that the Trump administration would support legislation allowing illegal immigrants who came to the United States as children to gain lawful permanent status and eventually citizenship.



A Reuters report after the hearing quoted Dougherty’s reply to questioning about the Trump administration’s position on whether “Dreamers,” as those who qualified for U.S. residency under the Deferred Action for Childhood Arrivals (DACA) program they are often called, should be allowed to stay in the United States.

“Under a rational bill these individuals would be able to become lawful permanent residents with a pathway to citizenship,” said Dougherty.

Reuters noted that the Trump administration ended the Obama administration-created DACA program last month. The program offered nearly 800,000 young people who came to the United States illegally as children protection from deportation and the right to work legally in the United States.

Reuters reported:

The administration said it ended DACA because Obama overstepped his constitutional authority by creating the policy unilaterally and without Congressional approval. President Donald Trump called on Congress to enact a law to protect DACA recipients, and last month angered some of his fellow Republicans by negotiating with congressional Democratic leaders on possible legislation.

Attorney General Jeff Sessions announced on September 5 that the DACA program will end in six months, giving Congress time to find a legislative solution for people enrolled in the program.

“To have a lawful system of immigration that serves the national interest, we cannot admit everyone that wants to come here,” Sessions said. “As attorney general, it is my duty to ensure that the laws of the United States are enforced and that the constitutional order is upheld.”

Sessions criticized the Obama administration for implementing an “unconstitutional exercise of authority,” and he described the estimated 800,000 DACA recipients as “mostly adult illegal aliens” who had deprived American citizens of jobs and encouraged further illegal immigration.

However, Dougherty’s statement on October 3 indicated that the administration’s termination of DACA was not as thorough as most people were led to believe. He said:

In light of those [court] decisions, then DHS-Secretary Kelly [Kelly left DHS on July 31 to become



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White House Chief of Staff] rescinded DAPA and the expansion of DACA on June 15, 2017. *Original DACA recipients were unaffected, and individuals who had received three year validity periods for DACA and the associated work authorization under the November 2014 memorandum prior to the district court injunction were allowed to maintain those approvals through their expiration, unless terminated or revoked for case specific reasons. [Emphasis added.]*

As we see, therefore, the Trump administration's actions left Original DACA recipients unaffected.

While campaigning for the presidency, candidate Trump promised that he would "immediately terminate" DACA after being elected. However, Trump's recent statement indicates that instead of eliminating DACA, he merely wants to legitimize it by replacing Obama's executive orders with legislative authority.

We wrote in an [article on September 15](#) that Representative Nancy Pelosi (D-Calif.) and Senator Chuck Schumer (D-N.Y.), the minority leaders in Congress, said that during discussions with Trump at a September 13 White House dinner, the president indicated that he would support enshrining into law protections from deportation for the young illegal aliens who have been immune from deportation under DACA.

Though Trump denied at a press gaggle the next day he had reached a definitive agreement with the top Democrats, his statements since then indicate the he is certainly more open to extending deportation protection to the "Dreamers" than he was while campaigning for the presidency last year. Trump's subsequent tweets represented a far departure from his previously stated positions on DACA, as well as with Sessions' September 5 statement. He tweeted:

Does anybody really want to throw out good, educated and accomplished young people who have jobs, some serving in the military? Really! They have been in our country for many years through no fault of their own — brought in by parents at young age. Plus BIG border security.

In addition to the statement made by Dougherty, and several others made by Trump himself, Republican members of Congress have also proposed legislation that would lead to citizenship for the so-called "Dreamers." Politico reported on September 25 that Sens. Thom Tillis (R-N.C.) and James Lankford (R-Okla.) have cosponsored a bill called the Succeed Act (S.1852), they are promoting as a compromise, of sorts. It is designed to achieve a position between the original DREAM Act introduced by Sens. Dick Durbin (D-Ill.) and Lindsey Graham (R-S.C.) in 2001 and the perceived Trump administration position of eliminating DACA entirely. The DREAM Act never passed both houses, so Obama incorporated many of its key features into DACA.

The official description of the Succeed Act is: "To authorize the cancellation of removal and adjustment of status of certain aliens who are long-term United States residents and who entered the United States as children, and for other purposes." By canceling the removal of the "Dreamers," the Succeed Act proposes to grant them amnesty.

Politico reported that Tillis and Lankford hope the Succeed Act can win support from conservatives as Congress scrambles for a legislative alternative to deportation following the administration's decision to begin revoking work permits and deportation protections early next year for hundreds of thousands of "Dreamers."

Politico went on to observe:

Tillis, a first-term senator who has expressed interest in immigration for some time, and Lankford



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have communicated with senior White House officials for several weeks on their bill and received a positive reception, according to one Republican source familiar with their efforts.

One wonders if Attorney General Sessions is among the senior White House officials who have given Tillis and Lankford “a positive reception” for their amnesty bill. Considering Sessions’ history, that would be very surprising.

Politico also quoted a tweet from the Federation for American Immigration Reform, which advocates stricter immigration laws, stating that Tillis and Lankford “should instead focus on decades of broken immigration enforcement promises made to the American people.”

Photo of Michael Dougherty: AP Images

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