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How Local Stakeholders are Implementing the Deferred Action for Childhood Arrivals Program

Abstract

In June 2012, President Obama instituted the Deferred Action for Childhood Arrivals program, which suspended deportations and authorized work permits for an estimated 1.76 million eligible young undocumented immigrants. As one of the most significant recent shifts in policy, this executive immigration action has been hotly contested. Conservatives decry it as presidential overreach, while immigrant advocates say it does too little to stop deportations. Broader congressional solutions have been elusive and the U.S. Supreme Court has blocked a 2014 policy that would have protected more undocumented immigrants, including the parents of U.S. citizens and legal permanent residents. As arguments over immigration reach new levels of toxicity in the 2016 elections, it is important to consider how the implementation of Deferred Action is faring.

An array of stakeholders has worked hard to carry out this program, especially local governments, nonprofit service providers, unions, advocacy organizations, and foreign consulates. How have these stakeholders managed implementation and what lessons do their experiences hold for future immigration reform initiatives? We found answers by interviewing about 270 institutional informants in the San Francisco Bay Area, the Greater Houston Area, and the New York City Metro Area.

Keywords

immigrant workers, Deferred Action for Childhood Arrivals program, DACA, stakeholders, implementation

Disciplines

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Comments

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HOW LOCAL STAKEHOLDERS ARE IMPLEMENTING THE DEFERRED ACTION FOR CHILDHOOD ARRIVALS PROGRAM

by Els de Graauw, Baruch College, the City University of New York, and Shannon Gleeson, Cornell University

In June 2012, President Obama instituted the Deferred Action for Childhood Arrivals program, which suspended deportations and authorized work permits for an estimated 1.76 million eligible young undocumented immigrants. As one of the most significant recent shifts in policy, this executive immigration action has been hotly contested. Conservatives decry it as presidential overreach, while immigrant advocates say it does too little to stop deportations. Broader congressional solutions have been elusive and the U.S. Supreme Court has blocked a 2014 policy that would have protected more undocumented immigrants, including the parents of U.S. citizens and legal permanent residents. As arguments over immigration reach new levels of toxicity in the 2016 elections, it is important to consider how the implementation of Deferred Action is faring.

An array of stakeholders has worked hard to carry out this program, especially local governments, nonprofit service providers, unions, advocacy organizations, and foreign consulates. How have these stakeholders managed implementation and what lessons do their experiences hold for future immigration reform initiatives? We found answers by interviewing about 270 institutional informants in the San Francisco Bay Area, the Greater Houston Area, and the New York City Metro Area.

Stakeholders Driving Implementation

The implementation of the Deferred Action for Childhood Arrivals program has implicated and energized a broad range of stakeholders. Local governments have provided funding for outreach, education, and services – while also legitimating and promoting other efforts to integrate immigrants. Nonprofit legal service providers have helped immigrants prepare and file their applications. Immigrant advocacy and student groups have brought undocumented students out of the shadows, pressured school officials to offer support, and connected undocumented youth with the larger immigrant rights movement. Local foundations have provided essential resources and coordination to expand outreach and legal services. However, levels of involvement have varied depending on the availability of local government funding and local arrays of civil society organizations. In addition, the Mexican and other Latin American consulates have conducted outreach, deployed media messages, coordinated legal services, and offered financial assistance and scholarships for first-time applicants among their nationals.

Resource Opportunities and Challenges

Resources for program implementation come from a growing number of sources, creating new opportunities for collaborations while also introducing coordination challenges for stakeholders who have distinct organizational missions and funding constraints. New funding allows grantees

to expand their services but can create additional cumbersome reporting requirements. For example, quotas for completed applications to the Deferred Action for Childhood Arrivals program can limit an organization's ability to comprehensively screen clients for other forms of immigration relief. Strict income guidelines can limit an organization's ability to serve applicants who live just above the federal poverty line.

Deferred Action applicants enjoy access to a diverse set of resources to help them cover legal costs and fees. Some grants require nonprofits to provide free legal services, while other organizations opt to charge modest fees to cover their costs. Though the accreditation process can be costly, organizations officially recognized by the Board of Immigration Appeals are able to provide lower-cost services. But more costly private attorneys continue to be an important resource as well, particularly for complex cases. Fee exemptions are very difficult to get, but program applicants have access to loan funds, lending circles, and consular scholarships to help pay for application fees. Still, we find that many of these potential resources are underutilized.

The Importance of Local Contexts

Coordinated efforts by public- and private-sector stakeholders working to implement the Deferred Action for Childhood Arrivals program and other forms of immigration relief vary considerably depending on local context. Immigration histories, patterns of civil society organizations, and partisan politics all matter.

- Central cities with long-standing immigrant traditions, such as New York City and San Francisco, have invested significant resources for policy implementation, and public schools and city and county agencies in these places provide critical outreach to immigrant communities. Since suburban areas are less well served, their immigrants and service agencies rely heavily on resources in nearby cities for support.
- Local nonprofits are crucial intermediaries for educating immigrants about their rights under the Deferred Action for Childhood Arrivals program and guiding them through the application process. Less-developed nonprofit sectors, as in Houston, leave immigrants seeking to file applications more reliant on expensive private attorneys and unauthorized legal practitioners known as *notarios*.
- Cities and counties with progressive political leaders are allocating funding to program implementation and other immigration services and have created resources like immigrant affairs offices to serve as important one-stop shops. But conservative elected officials have invested far less in program implementation and in immigrant services more generally.

The Continuing Relevance of Local Efforts

Nationally, we continue to see notable resistance to immigrant integration into American society. Gridlock in federal courts and Congress and partisan polarization as displayed in the 2016 presidential contest underscore the tenuous nature of current immigration reforms. In this context, local public- and private-sector stakeholders will remain critical for implementing Obama's Deferred Action for Childhood Arrivals program and, more generally, furthering processes of immigrant incorporation from below.

Read more in Els de Graauw and Shannon Gleeson, "[An Institutional Examination of the Local Implementation of the DACA Program](#)," Baruch College, CUNY; The Center for Nonprofit Strategy and Management Working Paper Series, April 2016.