



Summary of Dream and Promise Act of 2019 (H.R. 6)

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The Dream and Promise Act of 2019, [H.R. 6](#),² would establish a roadmap to U.S. citizenship for (1) immigrant youth and (2) current or potential holders of (a) temporary protected status (TPS) or (b) deferred enforced departure (DED). H.R. 6 would provide conditional permanent resident (CPR) status and a roadmap to lawful permanent resident (LPR) status and, eventually, U.S. citizenship for immigrant youth who entered the United States before age 18, have four or more years of residency, and graduated from high school (or the equivalent). The bill also would provide an opportunity for people who currently have or who may be eligible for TPS or DED and have three or more years of residence in the U.S. to apply for LPR status and, eventually, U.S. citizenship. The bill passed the House of Representatives on June 4, 2019.

How does H.R. 6 compare to the Dream Act of 2019?

1. **BETTER – Longer CPR status.** Extends the length of CPR status from 8 to 10 years to give applicants more time to fulfill requirements to have conditions on permanent resident status removed.
2. **BETTER – Expands stays of removal.** Stays the removal of minors who are not yet eligible for relief but may become eligible in the future and who temporarily unenroll from school.
3. **BETTER – Hardship standard.** Permits people with CPR to obtain LPR status without satisfying the employment, military, or educational tracks if their deportation would cause “hardship” (instead of “extreme hardship”) to themselves or immediate family members.
4. **BETTER – Apprenticeship eligibility.** Includes apprenticeship programs as a qualifying education to obtain CPR status.
5. **BETTER – No medical examination.** Eliminates the costly medical examination for applicants.
6. **BETTER – Caps fee.** Establishes a fee ceiling of \$495 for immigrant youth applying for CPR status.
7. **BETTER – Career and technical education.** Permits people with CPR who obtain a certificate or credential from an area career and technical education school to obtain LPR status.
8. **SAME – LPR status.** Provides LPR status to people with CPR who: (1) serve in the uniformed services for two years; (2) complete two years at or obtain a degree from an institution of higher education; or (3) work 75 percent of the time in CPR status (with flexible evidentiary burdens such as affidavits).
9. **SAME – Federal financial aid.** Under existing law, people with CPR are eligible for federal loans, work study, services, and grants.
10. **WORSE – No section 505 repeal.** Does not repeal the section of federal law that creates additional barriers for states seeking to provide in-state tuition for undocumented students.

How does H.R. 6 help people with TPS or DED?

1. **LPR status.** Provides LPR status for people with TPS or DED (and those who were eligible but did not apply) who apply within three years from the date of enactment if they: (1) had at least three years of continuous residence (as well as residence since the date required the last time that the person’s nation of origin was designated); and (2) were eligible for or had (a) TPS on Sept. 25, 2016, or (b) DED on Sept. 28, 2016. This includes nationals of 13 countries: El Salvador, Guinea, Haiti, Honduras, Liberia, Nepal, Nicaragua, Sierra Leone, Somalia, South Sudan, Sudan, Syria, and Yemen. A waiver is available for certain individuals who were previously deported and live outside the country.
2. **Stay of removal.** Stays the removal (deportation) of individuals while an application is pending.
3. **Caps fee.** Establishes a fee ceiling of \$1,140 for people with TPS or DED applying for LPR status.

¹ For questions regarding this summary, contact Sanaa Abrar at sanaa@unitedwedream.org, Avideh Moussavian at moussavian@nilc.org, or Patrice Lawrence at patrice@undocublack.org. Thanks to the Worker and Immigrant Rights Advocacy Clinic of Yale Law School, Center for American Progress, and SEIU for their assistance in preparing this summary.

² <https://www.congress.gov/bill/116th-congress/house-bill/6/text>.

How does H.R. 6 help both immigrant youth and people with TPS or DED?

1. **Deported immigrants eligible.** Enables certain immigrant youth and people who had TPS or DED who were deported under the Trump administration to apply for discretionary relief from abroad for humanitarian purposes or family unity purposes or if it is otherwise in the public interest.
 2. **Protections for detained and nondetained.** Allows immigrants in deportation proceedings, including those in detention, to apply for relief under the Immigration and Nationality Act and protects eligible applicants from deportation.
 3. **Administrative review.** Provides robust administrative and judicial review of denials, including paid, guaranteed counsel for immigrant youth who are discretionarily denied.
 4. **Grant program.** Establishes a grant program for nonprofit organizations to assist applicants.
 5. **Fee exemption.** Provides a narrow fee exemption for applicants who meet certain requirements.
 6. **Advance parole and employment authorization.** Allows individuals with a pending application to apply for advance parole (authorization to travel outside the U.S.) and employment authorization (a work permit).
 7. **Adjustment through existing channels.** Clarifies that individuals may apply for LPR status through existing legal pathways, such as through family- or employment-based sponsorship.
 8. **Confidentiality provisions.** Protects the information submitted by applicants (and all DACA requests) from disclosure for the purposes of immigration enforcement.
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What are H.R. 6's criminal background requirements?

DREAM. How do H.R. 6's criminal background requirements compare to the Dream Act of 2019?

1. **BETTER – Minor traffic offenses.** Excludes minor traffic offenses from the felony and misdemeanor bars.
2. **BETTER – Expunged convictions and adjudications.** Excludes expunged (and similar) convictions and juvenile adjudications from the inadmissibility grounds, felony bar, misdemeanor bar, and provisional denial provisions.
3. **BETTER – Marijuana-related misdemeanors and nonviolent civil disobedience.** Excludes marijuana-related misdemeanors as well as any offense involving civil disobedience without violence.
4. **BETTER – Waiver of misdemeanors.** One misdemeanor waived if no convictions in the 5 years preceding application and two misdemeanors waived if no convictions in the 10 years preceding the date of application.
5. **SAME – State immigration offenses.** Excludes state convictions based on immigration status.³
6. **SAME – Felonies.** Disqualifies applicants if they were convicted of one or more felonies. There is no waiver.
7. **WORSE – Domestic violence.** Adds a new criminal bar that disqualifies applicants if they have a misdemeanor or felony domestic violence conviction (waiver available), with certain exceptions.
8. **WORSE – Misdemeanors.** Disqualifies applicants if they were convicted of three or more misdemeanors, regardless of whether an individual was incarcerated.
9. **WORSE – Provisional (discretionary) denial.** The secretary of the U.S. Department of Homeland Security has the discretion, nevertheless, to deny an applicant who meets all the criminal background requirements if the secretary determines that the applicant poses a risk to public safety or has participated in a gang within the previous five years. Paid counsel is available for judicial review.

DREAM and TPS/DED. What criminal background requirements are common to both the Dream and TPS/DED titles?

1. **Inadmissibility grounds.** Disqualifies applicants if they are inadmissible on the following grounds: public health (waiver available); criminal (waiver available); security and terrorism, smuggling (waiver available); student visa abuse (waiver available); ineligibility for citizenship, polygamy, international child abduction, unlawful voting (waiver available); and former citizens who renounced citizenship to avoid taxation. Waivers, when available, may be granted for humanitarian or family unity purposes or when it is in the public interest.
2. **Persecution.** H.R. 6 disqualifies applicants if they have participated in persecution of others.

³ This provision does not exclude offenses related to but not based explicitly on an applicant's immigration status (e.g., identity theft).