
NYC Impact of the U.S. Citizenship Act and the American Dream and Promise Act of 2021

Spring 2021

Since President Biden's inauguration, the federal administration and Congress have introduced a number of bills that would provide protections for different undocumented populations in the U.S. This fact sheet presents the estimated impact that these bills could have on New York City (NYC) residents if passed, including a demographic snapshot of the communities who may benefit.¹

The U.S. Citizenship Act of 2021² could benefit up to 476,000 New Yorkers

About 476,000 New York City residents stand to benefit from the U.S. Citizenship Act, a bill introduced in Congress in February 2021. This population is already greatly integrated into our economic and social fabric:

- **Labor force.** Undocumented immigrants participate in the labor force at a significantly higher rate than native-born New Yorkers: 80 percent of undocumented immigrants are in the labor force compared to 65 percent of the U.S.-born population. Their ability to obtain work permits as a result of this bill would likely increase their capacity for earning and career growth, benefiting the city's economy.
- **Economic contributions.** Their median earnings are \$21,800, and altogether undocumented immigrants account for over \$15B in earnings. Top three occupations for this group are:
 - Service occupations, such as janitors and building cleaners, and home health aides (37 percent or 138,000),
 - Construction and extraction occupations (14 percent or 52,000),
 - Transportation and material moving occupations, such as taxi drivers and bus drivers (9 percent and 34,000),
 - Management, business, and financial occupations (9 percent or 32,000), and
 - Sales and related occupations (8 percent or 30,000).
- **Undocumented immigrants are deeply embedded in NYC.** Over half (57 percent) of undocumented immigrants in NYC have lived in the U.S. for 10 or more years. Many live in mixed-status households. When considering the additional New Yorkers who live in their households, enactment of the U.S. Citizenship Act could impact up to 1 million New Yorkers. About 44 percent of New Yorkers living in mixed-status households are U.S. citizens.
- **Top places of birth.** Their top five places of birth, that account for over half of the undocumented population, are:
 - Mexico (20 percent),
 - China (12 percent),
 - Dominican Republic (10 percent),
 - Ecuador (7 percent), and
 - Guatemala (5 percent).

If enacted, this bill would grant a temporary form of lawful status called lawful prospective immigrant (LPI) status, as well as work authorization, to undocumented immigrants and others³ who meet the eligibility requirements, including:

- Being physically present in the U.S. on or before January 1, 2021 (some exceptions may apply for people who have been deported on or after January 20, 2017) and until the application is approved;

¹ All data is based on 2019 1-year American Community Survey Public Use Microdata Sample as augmented by NYC Opportunity. We are unable to model any criminal history, registration in the Military Selective Service, or additional apprenticeship programs.

² U.S. Citizenship Act, H.R. 1177, 117th Cong. (2021), available at <https://www.congress.gov/bill/117th-congress/house-bill/1177>.

³ Certain immigrants in the U.S. on temporary non-immigrant visas may also qualify.

- Paying an application fee or qualifying for a fee waiver;
- Completing a security and background check; and
- Not having certain criminal records, although there may be discretionary waivers individuals can apply for (this requirement is a case-by-case analysis that requires trusted legal consultation).

After five years, those with LPI status could become eligible for lawful permanent resident (LPR) status, also known as a green card, if they remain eligible for LPI status, have not had long, continuous absences from the U.S. while in LPI status, and have paid any outstanding federal tax liability.

Additionally, certain Dreamers,⁴ Temporary Protected Status (TPS) recipients, Deferred Enforced Departure (DED) recipients,⁵ and agricultural workers who meet the eligibility requirements would be able to apply immediately for LPR status.

[The American Dream and Promise Act of 2021⁶ may benefit up to 100,000 NYC residents](#)

Dreamers

In NYC, there are 81,000 Dreamers who may be immediately eligible for conditional LPR status if the American Dream and Promise Act of 2021 is enacted.⁷ The top places of birth for this group are:

1. Mexico (26 percent)
2. Dominican Republic (11 percent),
3. China (9 percent),
4. Ecuador (6 percent), and
5. Jamaica (5 percent).

Together, these places of birth account for nearly 60 percent of this population that may be immediately eligible. More about these Dreamers:

- **Economic contributions.** This group's median earnings are \$24,200 and in total, they account for about \$2.8B in earnings.
- **Top occupations.** Top occupations for NYC Dreamers are:
 - Service occupations, such as home health aides and building cleaners (29 percent or 21,000),
 - Sales and related occupations (14 percent or 10,000),
 - Construction and extraction occupations (12 percent or 9,000),
 - Office and administrative support occupations (10 percent or 7,000), and
 - Management, business, and financial occupations (8 percent or 6,000).
- There are an additional 79,000 Dreamers who may qualify if they meet the educational requirement (see list below).

Overall, the Act would grant conditional LPR status to Dreamers who meet certain requirements, including:

- Being physically present in the U.S. on or before January 1, 2021;
- Being 18 years old or younger on initial date of entry into the U.S.;

⁴ Dreamers is defined here as someone who had entered the U.S. before 18, has earned a high school diploma or equivalent in the U.S., meets the education, military, or work requirements of the bill (or can get a waiver if they demonstrate compelling circumstances), and has registered for selective service.

⁵ Certain immigrants who did not have TPS or DED status but were eligible as of January 1, 2017 would also benefit from this expedited path to LPR status.

⁶ American Dream and Promise Act of 2021, H.R. 6, 117th Cong. (2021), available at <https://www.congress.gov/bill/117th-congress/house-bill/6>

⁷ We assume that these individuals meet the background check and criminal history requirements, which cannot be accounted for in the model due to the lack of data.

- Meeting certain educational requirements, such as graduating from high school, obtaining a Graduate Equivalency Degree (GED), equivalent, or an industry recognized credential, or being enrolled in a program for such accreditation;
- Completing a security and background check;
- Not having certain criminal records (this requirement is a case-by-case analysis that requires trusted legal consultation); and
- Not being deemed “inadmissible” under certain categories in immigration law (subject to certain waivers) or other bases provided for in the bill under a secondary review process (this is a case-by-case analysis that requires trusted legal consultation).⁸

Those with conditional LPR status,⁹ would become eligible for full LPR status if they:

- Have retained their residence in the U.S. during the period they were in conditional LPR status;
- Remain eligible for conditional LPR status; and
- Meet an education or employment requirement,¹⁰ such as
 - Acquiring 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
 - Completing at least two years of military service, and if discharged, received an honorable discharge; or
 - Being employed for periods of time totaling at least three years and have had employment authorization for at least 75 percent of the time.

TPS or DED Recipients

There are about 18,000 people in New York City who may become immediately eligible for LPR status if the American Dream and Promise Act of 2021 is enacted because they have or are eligible for TPS or DED.¹¹ However, they still must meet the eligibility requirements listed below. Top three places of birth for this population are:

1. El Salvador (31 percent),
2. Venezuela (18 percent), and
3. Haiti (16 percent).

More about TPS- and DED-eligible New Yorkers:

- **Economic contributions.** This population’s median earnings are \$20,200 and overall account for approximately \$500M in earnings.
- **Top occupations.** The top three occupations for TPS- and DED- eligible New Yorkers are:
 - Service occupations, such as janitors and building cleaners (41 percent),
 - Transportation and material moving occupations, such as taxi drivers (14 percent), and
 - Sales and related occupations, such as cashiers (12 percent).

To be eligible, this population must meet the following requirements:

- Being in the U.S. for a period of three years before the Act’s enactment;
- Being eligible for TPS or having TPS on January 1, 2017, or being eligible for DED status as of January 20, 2021;
- Completing a security and background check;

⁸ Immigration law has different grounds for inadmissibility, or reasons under the law as to why someone is not permitted to enter or remain in the United States. There are different categories of inadmissibility and for some, it may be possible for a person to obtain a waiver. Note that an applicant may also be denied under a secondary review process that looks at issues of public safety and alleged gang activity.

⁹ Certain current DACA recipients who meet requirements for renewal may be eligible for a streamlined process that allows them to directly apply for LPR status.

¹⁰ The education and employment requirement may be waived if the applicant can prove certain hardships.

¹¹ We assume that these individuals meet the background check and criminal history requirements, which cannot be accounted for in the model due to the lack of data. Should the bill be amended to include those who are TPS eligible after 2017, this would include the two countries recently granted TPS in 2021 (Venezuela and Burma). This would go on to benefit a few hundred more New Yorkers from Burma. Venezuelan TPS-eligible New Yorkers are already included in the 18,000 estimate based on their DED eligibility.

- Not having certain criminal records (this requirement is a case-by-case analysis that requires trusted legal consultation); and
- Not being deemed “inadmissible” under certain categories in immigration law (subject to certain waivers).¹²

While MOIA celebrates federal immigration bills that build towards inclusive and humane immigration reform, **it is important for immigrant communities to know that there has not yet been any change in law, which means there is no new visa or application to fill out.**

To connect with City-funded, free and safe immigration legal help and to learn more, New Yorkers can call ActionNYC at 1-800-354-0365, Monday through Friday from 9 a.m. to 6 p.m.

Beware of scams. To report immigration fraud, call the New York State Office for New Americans Hotline at 1-800-566-7636.

¹² Immigration law has different grounds for inadmissibility, or reasons under the law as to why someone is not permitted to enter or remain in the United States. There are different categories of inadmissibility and for some, it may be possible for a person to obtain a waiver.