

# The SUCCEED Act

Solution for  
Undocumented  
Children through  
Careers  
Employment  
Education and  
Defending our nation

## Why the SUCCEED Act?

Senators Thom Tillis (R-NC) and James Lankford (R-OK) have introduced the SUCCEED Act, a fair and merit-based solution to address the legal uncertainty facing undocumented children. The SUCCEED Act clarifies the law by providing undocumented children with the opportunity to earn and keep legal status if they meet specific requirements, pass an extensive criminal background check, and follow one or a combination of three merit-based tracks to demonstrate they are productive members of their communities.

The SUCCEED Act is based on four core principles:

**COMPASSION.** The President and the vast majority of the American people believe that undocumented children came here through no fault of their own, and children should not be punished for the actions taken by their parents. Though they were not born here, these young people know no other country but America. The SUCCEED Act creates legal certainty for undocumented children by providing them with an opportunity to remain here.

**MERIT.** The SUCCEED Act isn't a free pass: it requires that once undocumented children become adults, they either maintain gainful employment, earn a postsecondary or vocational degree, or serve honorably in the military. They have the opportunity to stay in the U.S. on a long-term basis, as long as they work hard, give back to society, pay their taxes, and follow the law.



**PREVENTION.** If curbing illegal immigration is not a priority, we will never be able to solve the problem. The SUCCEED Act deters illegal immigration by directly addressing one of its main causes: visa overstays. Additionally, the SUCCEED Act provides an opportunity for the Congress and the President to reach a deal that pairs a commonsense solution for undocumented children along with significant border security enforcement.

**FAIRNESS.** The SUCCEED Act is a solution for undocumented children and only the children. It bars chain migration during the legal process and is also fair to lawful immigrants in the U.S. who are going through the naturalization process.

## FAQ

### How is the SUCCEED Act different than the DREAM Act?

The SUCCEED Act has more rigorous requirements for undocumented children to earn and keep legal status. Additionally, the SUCCEED Act includes provisions that deters illegal immigration, prevents chain migration, and makes paying off tax liabilities a requirement for keeping legal status.

### Why not just codify DACA into law?

DACA was never intended to be a long-term solution for undocumented children. The SUCCEED Act is a long-term solution that allows undocumented minors to earn and keep legal status and stay in the U.S. on a permanent basis.

### Does this cover all undocumented children and young adults who were covered under DACA?

Many of the eligibility requirements are similar, and most DACA recipients should be eligible as long as they have maintained a clean criminal record and commit to one or a combination of the three merit-based tracks.

### How does this screen applicants for criminal or gang activity?

All applicants are required to go through an extensive criminal background check, which

will include information obtained from INTERPOL or any other international or national law enforcement agency in the alien's country of nationality, country of citizenship, or country of last habitual residence. Additionally, any individual who is convicted of a felony or significant misdemeanor would have their conditional legal status revoked.

### In addition to a conviction for a felony, what are the "significant misdemeanors" that would result in the termination of an individual's legal status if they are convicted?

Significant misdemeanors include domestic violence, sexual abuse or exploitation, burglary, unlawful possession of a firearm, drug distribution, and driving under the influence.

### What are the economic benefits and costs of the legislation?

A Niskanen Center analysis of the SUCCEED Act found that it would create 117,000 new jobs, increase GDP by \$81 billion, and net federal revenue by \$22 billion over ten years. The cost of this program would be mostly administrative in running background checks, collecting biometrics, and processing cases, etc. to screen for any individuals with a criminal past or gang affiliation.



For more information about  
The SUCCEED Act, please visit:

[www.tillis.senate.gov](http://www.tillis.senate.gov)

[www.lankford.senate.gov](http://www.lankford.senate.gov)

# Merit-Based Legal Status

## Step I: Meet All Eligibility Requirements For Conditional Status

- Obtain a high school diploma or equivalent (if over 18 years of age).
- Arrived in the U.S. before the age of 16 and present since June 15, 2012.
- Pass a thorough criminal background check.
- Submit biometric and biographic data to DHS.
- Pay off any existing tax liabilities.
- Be a person of good moral character as defined by current U.S. law.
- Sign a waiver from future immigration benefits if they violate certain terms of their status.

## Myths vs. Facts

**MYTH:** The SUCCEED Act addresses the legal status of undocumented children before securing our borders.

**FACT:** Senators Tillis and Lankford have made it clear that the SUCCEED Act must be paired with a border security solution in order to help stop illegal immigration, human trafficking, and drug trafficking along our borders.

**MYTH:** The SUCCEED Act's requirements will be too tough for undocumented children to meet.

**FACT:** That's simply not the case. It's true that the SUCCEED Act has a longer process and more stringent eligibility requirements than other legislation, especially when it comes to individuals with criminal backgrounds. However, the bottom line is that it's a fair and compassionate solution, and as long as one works hard, follows the law, and pays their taxes, they can stay in the U.S.

**MYTH:** The SUCCEED Act is unfair to legal immigrants in the U.S. who are waiting to be naturalized.

**FACT:** Undocumented children would not be able to "cut the line" or receive special treatment or privileges over immigrant children who are already in the U.S. lawfully and going through the naturalization process.

**MYTH:** The SUCCEED Act can be used as a backdoor way for participants to bring their family members to the U.S. and make them citizens, or to provide benefits for relatives who are here illegally.

**FACT:** Individuals would not be able to petition immediate relatives to immigrate to the U.S. (also known as chain migration) while they go through the legalization process. Additionally, no benefits or special treatment shall be given to the relatives of undocumented children who are in the U.S. illegally.

**MYTH:** The SUCCEED Act would encourage more illegal immigration.

**FACT:** The SUCCEED Act includes proactive measures that will help deter illegal immigration, including curtailing visa overstays, a major source of illegal immigration.

## Step II: Apply For And Maintain Conditional Status

*Years 0–5*

Undocumented children can apply for Conditional Permanent Residence (CPR) status and keep their status until they turn 18. Once they turn 18, they will need to apply for a five-year renewal, at which point they are required to commit to pursuing one or a combination of three merit-based tracks:

- Maintain gainful employment for 48 out of 60 months.
- Earn a postsecondary/vocational degree.
- Serve honorably in the military for at least three years.

## Step III: After Fulfilling Requirements, Re-Apply For Conditional Status

*Years 5–10*

If during those initial five years an undocumented child meets their merit-based obligations, maintains a clean criminal record, and pays their taxes, they would become eligible to renew their CPR status for an additional five years.

## Step IV: After Fulfilling Requirements, Become Eligible For A Green Card

*Year 10*

Once a participant has maintained CPR status for 10 years and has demonstrated they are a productive, law-abiding member of society, they would become eligible to apply for Lawful Permanent Resident (LPR) status.

## Step V: Minimum Five-Year Waiting Period As A Green Card Holder

*Year 15+*

After a mandatory five-year waiting period in LPR status, they would become eligible to apply for naturalization if they meet the requirements or remain in LPR status.

## A Fair Solution

- Deters Future Illegal Immigration
- No Chain Migration Or Benefits For Relatives
- Paying Tax Liabilities Is A Requirement
- No Government Dependency
- Tough on Criminal Activity