



The SUCCEED Act: Bill Summary

On September 25, 2017, Sens. Thom Tillis (R-North Carolina), James Lankford (R-Oklahoma) and Orrin Hatch (R-Utah) introduced the Solution for Undocumented Children through Careers, Employment, Education and Defending our Nation (SUCCEED) Act ([S. 1852](#)). The bill would allow young undocumented immigrants who were brought to the U.S. as children and have lived in the U.S. for at least five years, often referred to as Dreamers, to earn permanent legal status if they pursue higher education, enlist in the military or are gainfully employed, and meet other requirements.

What is the SUCCEED Act?

- The SUCCEED Act would create a 15-year process that would allow young undocumented immigrants to earn the ability to be protected from deportation, work legally in the U.S., travel outside the country, and become a lawful permanent resident.
- First, young undocumented immigrants would have to meet the following requirements to qualify for an initial five-year conditional permanent resident status:
 - Establish that they came to the U.S. before the age of 16 and have continuously lived in the U.S. since at least June 15, 2012;
 - Demonstrate that on June 15, 2012, they were younger than 31 years old and had no lawful status in the U.S.;
 - Pass several government background checks; demonstrate “good moral character” with no felonies, significant misdemeanors or multiple convictions that resulted in imprisonment for at least one year; register for the Selective Service (if applicable); and pay any applicable federal taxes;
 - If younger than 18, enroll in or attend a primary, secondary or postsecondary school;
 - If 18 and older, meet one of the following requirements:
 1. Have earned a high school diploma or an equivalent;
 2. Have been admitted to an institution of higher education (education track); or
 3. Have served, be serving or have enlisted in the U.S. military (military track);and
 - Sign a conditional departure order notifying them that they relinquish nearly all forms of immigration relief if they violate the terms of their status (if they are 18 years or older).
- Conditional permanent resident status can be extended for a second period of five years by meeting one of the following requirements in the initial five-year period:
 - Have graduated from an institution of higher education or completed at least eight semesters in such an institution (education track);
 - Have served in the military or a reserve component of the military for at least three years (military track);
 - Have been employed for a total period of at least 48 months (worker track); or
 - Have attended an institution of higher education, served in the military or a reserve component of the military, or been employed for a cumulative period of at least 48 months (combination track).

- A recipient who has been a conditional permanent resident for 10 years could apply to become a lawful permanent resident (green card holder) if they continue to meet the bill's requirements.
- Under the bill, recipients with conditional or lawful permanent resident status would not be eligible to sponsor family members, including spouses and children, to obtain legal status in the U.S.

How Does the SUCCEED Act Differ from Other Proposals?

The SUCCEED Act is different from the Dream Act of 2017 ([S. 1615](#); [H.R. 3440](#)) and the Recognizing America's Children (RAC) Act ([H.R. 1468](#)) in six main ways:

- **The SUCCEED Act could allow up to 2.6 million Dreamers to earn legal status.** Under the bill, [1.8 million](#) Dreamers could be immediately eligible to apply for conditional permanent resident status if it were passed and eventually up to 2.6 million Dreamers could be eligible in total. About [2.5 million](#) Dreamers could be eligible under the RAC Act and [3.3 million](#) could be eligible to apply under the Dream Act.
- **The SUCCEED Act permits Dreamers to pursue a combination track.** The bill provides Dreamers with the flexibility to extend their conditional permanent resident status by meeting a combination of military, higher education and worker requirements. The RAC Act does not allow Dreamers to pursue a combination track, which could result in individuals losing their conditional permanent resident status if they do not follow a strict military, higher education or worker path.
- **The SUCCEED Act contains a longer path to permanent legal status.** Under the bill, Dreamers are not eligible to become lawful permanent residents until after they complete 10 years as conditional permanent residents, compared to five years in the RAC Act and two or three years in the Dream Act.
- **The SUCCEED Act requires that Dreamers relinquish benefits and due process.** Under the bill, Dreamers must agree to relinquish nearly all forms of immigration benefits and relief if, at any time during the 10 years they have conditional permanent status, they fail to continue to meet the bill's requirements. Also, they are subject to expedited removal without an immigration court hearing if the Department of Homeland Security (DHS) finds they committed a crime prohibited under conditional permanent residency.
- **The SUCCEED Act imposes new bars on visa overstays.** The bill includes a provision requiring individuals with nonimmigrant visas, such as tourist visas, to sign a waiver relinquishing their rights to many forms of immigration relief if they overstay their visa, including the right to an immigration court hearing. This provision attempts to address the [42 percent](#) of the undocumented population in the U.S. who overstayed a visa. However, it could affect visitors who unintentionally overstay their visa for short periods of time, even less than 24 hours.
- **The SUCCEED Act limits U.S. parole activity.** The bill limits the power of the DHS secretary to parole categories or groups of individuals into the U.S. Parole allows individuals applying for admission to the U.S. to be admitted temporarily for urgent humanitarian reasons or if their presence provides a significant public benefit. The bill also prohibits the use of advance parole for the purpose of qualifying for the adjustment of status to lawful permanent resident