



## **Deferred Action for Childhood Arrivals (DACA)**

*Updated: October, 2020*

Due to the failure of Congress to pass the DREAM Act, the President instituted the Deferred Action for Childhood Arrivals (DACA) policy in 2012. This *executive order* allowed certain undocumented immigrants who entered the country before their 16th birthday and before June 15, 2012, to receive a renewable two-year work permit as well as an exemption from deportation.

### **Facts You Should Know**

#### ***Facts about DACA:***

- To apply for DACA, individuals must pay a \$495 application fee, submit numerous forms, and produce documentation showing they meet the requirements.
- DACA does not grant legal status to an applicant or negate a prior period of unlawful presence.
- DACA individuals pay income and social security taxes, but are exempt from the requirement to have health insurance.
- As of March 31, 2020, there have been almost 3 million requests (combined initial and renewal) for DACA protection.

#### ***Recent Litigation on DACA”***

- In September, 2017 the Trump Administration announced that it was ending DACA. In response several lawsuits were filed against the administration for terminating DACA unlawfully. The results: three nationwide injunctions issued by U.S. district courts — in California, New York, and the District of Columbia — have allowed people who have previously had DACA to renew their deferred action.
- On November 12, 2019 the U.S. Supreme Court heard oral arguments on DACA. The Supreme Court did not “stay” any of the lower court orders, which meant that DACA recipients who have or previously had DACA can continue to submit applications.
- On June 18, 2020 in a 5-4 decision, the U.S. Supreme Court held that the current administration did not provide an adequate justification for ending DACA, allowing the program to remain in place. The current 661,000 DACA holders retain their protections and can continue to seek renewals with U.S. Citizenship and Immigration Services, allowing them to work legally and without fear of deportation. The decision paves the way for USCIS to resume taking new applications for DACA from an estimate 66,000 qualified Dreamers who currently are not protected under the policy
- On July 28, 2020 a new DACA policy was announced that would no longer accept new applications and would allow existing DACA recipients to renew their protections for only one year. This is in defiance to both the US Supreme Court ruling and the July 17, 2020 federal court order to begin accepting new DACA applications immediately.

***Be Informed. Vote Informed.***