In January 2021, President Biden issued an executive order to direct federal agencies to "preserve and fortify DACA." However, in July 2021, a federal judge in Texas ruled that DACA is illegal and said the Biden administration could not approve any new applications, while not immediately impacting current recipients' status. President Biden called the ruling "deeply disappointing" and that it "relegates hundreds of thousands of young immigrants to an uncertain future." He said the Department of Justice (DOJ) will appeal the decision and called on Congress to ensure a path of citizenship for them.
In 2017, Trump Administration Orders End to DACA

On September 5, 2017, President Trump ordered an end to the Deferred Action on Childhood Arrivals (DACA) program. This program shields some young undocumented immigrants—who often arrived at a very young age in circumstances beyond their control—from deportation. In 2012, President Obama issued the DACA executive order after the Development, Relief and Education for Alien Minors (DREAM) Act did not pass in Congress several times. The young people impacted by DACA and the DREAM Act are often referred to as “Dreamers.”

In making the announcement, then Attorney General Sessions stated that the Trump Administration was ending the DACA program. This decision meant that over time, 800,000 young adults brought to the U.S. as children who qualify for the program, would become eligible for deportation and lose access to education and work visas. Attorney General Sessions asserted that “the executive branch, through DACA, deliberately sought to achieve what the legislative branch specifically refused to authorize on multiple occasions. Such an open-ended circumvention of immigration laws was an unconstitutional exercise of authority by the Executive Branch.”

After the Trump administration ordered an end to DACA in 2017, several lawsuits were filed against the termination of DACA. Two federal appellate courts have now ruled against the administration, allowing previous DACA recipients to renew their deferred action, and the Supreme Court agreed to review the legal challenges. On June 18, 2020, the Supreme Court blocked the Trump administration’s attempt to end DACA in a 5-4 ruling. The ruling maintains the program and allows DACA recipients to renew membership, which offers them work authorization and temporary protection from deportation. The ruling left open the possibility that the Administration could still end DACA in the future if they give a proper justification.

DACA Explained
The recipients of DACA are young people who have grown up as Americans, identify themselves as Americans, and many speak only English and have no memory of or connection with the country where they were born. Under current immigration law, most of these young people had no way to gain legal residency even though they have lived in the U.S. most of their lives.

Many Dreamers say they didn't know they were unauthorized immigrants until they were teenagers—often when they discovered they couldn't join their peers in getting a driver's license or filling out financial aid forms for college because they didn't have Social Security numbers. The DREAM Act would have provided a pathway to U.S. citizenship to certain undocumented youth who go to college and/or serve in the military while maintaining a good record.

DACA enables certain people who came to the U.S. as children and meet several key guidelines to request consideration for deferred action. It allows non-U.S. citizens who qualify to remain in the country for two years, subject to renewal. Recipients are eligible for work authorization and other benefits, and are shielded from deportation. The fee to request DACA is $495 every two years.

**DACA Recipients**

Since DACA began, approximately 800,000 people have been approved for the program. To be eligible, applicants had to have arrived in the U.S. before age 16 and lived here since June 15, 2007. They could not have been older than 30 when the Department of Homeland Security enacted the policy in 2012. DACA applicants have to provide evidence they were living in the U.S. at the prescribed times, proof of education and confirmation of their identities. They also had to pass background, fingerprint and other biometric checks that record identifying biological features.

DACA is largely seen as successful and has assisted young people in a variety of ways. A 2017 national study revealed that 91% of DACA respondents are currently employed. Their average hourly wage is $17.46 an hour, up from $10.29 before
receiving DACA. Forty-five percent of respondents are currently in school and among those currently in school, 72% are pursuing a bachelor’s degree or higher. Nearly 80% of respondents said they obtained driver's licenses, which is also a public safety improvement for all people.

DACA recipients include doctors, nurses, grocery store workers, child care providers, cleaners, business owners, restaurant workers, and first responders. The COVID-19 crisis has shown that these positions are an essential part of our workforce. DACA recipients make up 200,000 essential workers, including 27,000 healthcare workers, on the front lines in the fight against this virus. That is why additional papers were recently filed in the Supreme Court case, warning of the risk to public health if DACA recipients were suddenly open to deportation in the middle of a pandemic.

**Public Support of DACA**

Most Americans support granting legal status to immigrants who came to the United States illegally as children, according to a Pew Research Center poll. Twenty percent are opposed. In addition, a majority of people (56%) oppose expanding the wall along the U.S.-Mexico border.

To learn more about Dreamers and how they have benefited from DACA, see Define American.

**Age**

11 and up

**Questions to Start the Conversation**

- What do you understand about DACA, what do your friends know, and are you seeing anything online about it?
Questions to Dig Deeper

- What do you think it means to be ‘American?’ (ask after watching videos)
- What will be the consequences when DACA is eliminated?
- Do you know anyone who is impacted by DACA and if so, how can we support them?

(The "Related to this Resource" provides articles and information that address these questions.)

Ideas for Taking Action

Ask: What can we do to help? What individual and group actions might make a difference?

- Help to organize an educational forum in school to discuss DACA. Make connections to immigration, undocumented immigrants and other issues of racial justice.
- Write a letter to your representative in Congress that expresses your views about DACA. You can use this link to find your representative.
- Get involved in local or national activism around issues of immigration, the DREAMAct and Dreamers. Some national organizations include: Define American, United We Dream and the Immigrant Legal Resource Center.

Additional Resources
What Should be done about DACA? (ADL lesson plan)

What is the DREAM Act and Who are the Dreamers? (ADL lesson plan)

Eight Facts about Immigrants and Immigration

Huddled Mass or Second Class?: Challenging Anti-Immigrant Bias in the U.S. (ADL Multi-grade lesson plans)

Define American