
Background on Deferred Action for Childhood Arrivals (DACA)

DACA is a temporary program that allows certain undocumented immigrants who came to the U.S. before they were 16 years old and were 30 or younger as of June 2012 to apply for a two-year reprieve from deportation and a work permit which is renewable every two years. Almost 800,000 young people have received DACA. Several hundred thousand more people are eligible or will age into the program. This program was created by former President Obama – not Congress – which means that President Trump may attempt to end the program without Congressional action.

However, Congress could choose to take action to defend DACA recipients by:

- 1) Urging President Trump to defend DACA, and
- 2) Passing legislation that would place DACA-eligible people on a path to citizenship.

Revoking DACA would mean that DACA recipients would lose their work authorization, lose their jobs, and many would lose their driver's licenses and be at risk of losing school funding, homes, and vehicles. They would also be subject to deportation. This is particularly concerning since these immigrants have affirmatively come forward to the government in good faith, admitted they are undocumented, and provided their addresses and contact information to the Federal government.

DACA is Under Immediate Threat

In late June, Texas' Attorney General along with Attorney Generals from eight other states (AL, AR, KS, LA, NE, SC, TN, WV) and the Governor of Idaho sent a letter to U.S. Attorney General Jeff Sessions threatening to amend their complaint in a previous lawsuit (*Texas v. U.S.*) and request that the DACA program be declared illegal unless the government phases out the program by September 5th. While we do not believe that the program is illegal, we expect that the Judge in *Texas v. U.S.* would block the program while it moves up the courts. We also expect that the Federal government may not defend the lawsuit in which case *Texas et al.* would win by default and DACA would end.

In early July the Congressional Hispanic Caucus met with Secretary of Homeland Security John Kelly regarding DACA and the renewal of Temporary Protected Status (TPS) for several countries (more on TPS [here](#)). Secretary Kelly made clear that he is deferring the decision about whether to keep DACA to Attorney General Sessions, who is known to be anti-immigrant and against the program. The takeaway from the meeting is that the Administration currently does not plan to defend the DACA program in court and may phase out the program.

Additionally, President Trump is under immense pressure from anti-immigrant groups such as the [Federation for American Immigration Reform \(FAIR\)](#) and the [Center for Immigration Studies](#)

to revoke the program, and President Trump has been at times very outspoken about getting rid of DACA in the past. We need to counter that pressure and express support for DACA.

The Dream Act

On July 20th, Senators Dick Durbin (D-IL) and Lindsey Graham (R-SC) introduced the 2017 DREAM Act. Under the 2017 DREAM Act, immigrants would qualify for permanent residence and a path to citizenship if they are longtime residents who came to the U.S. at 17 years old or younger; earn a high school diploma or GED; pursue higher education, have lawful employment for three years, or serve in the military and meet certain other criteria. There is no cut-off date for date of final entry, unlike DACA or previous DREAM Acts.

On July 26th, Representatives Lucille Royball-Allard (D-CA) and Ileana Ros-Lehtinen (R-FL) filed a similar DREAM Act in the House of Representatives. On July 28th, Rep. Carlos Gutierrez (D-IL) and 116 other cosponsors filed the American Hope Act, which would also protect DACA-eligible immigrants and others from deportation and offer them a path to citizenship.

Take Action: Defend DACA

- Call your [Member of Congress](#)
- Attend town halls and ask your Representative or Senator what they are doing to Defend DACA
- Tweet your Member of Congress (see [CSPAN's twitter list of all Members of Congress](#))
- Hold a community forum on DACA and invite local officials, faith, and business leaders to attend and speak
- Write an op-ed or find a Republican to publish an op-ed in support of the DREAM Act
- Through United We Dream's campaign, you can also [find or start a petition](#) to your Member of Congress and Attorney General

Request for Members of Congress and Senators:

- 1) Ask them to call, write, or meet with President Trump and urge him to defend DACA, and
- 2) Support a path to citizenship for DACA-eligible people and other undocumented immigrants currently residing in the U.S.

Note for Senators: Senator Durbin and Senator Graham would like to keep the number of Democrat and Republican cosponsors equal. For that reason, we are not encouraging Senate Democrats to join the bill. We are encouraging them to reach out to Senate Republicans and find a "buddy" to join the bill.