



What you Need to Know about the Newest DACA Lawsuit

1. **Who filed this new lawsuit and what does it challenge?** On May 1st seven states, led by the Texas Attorney General, [filed a lawsuit](#) in a federal district court in the Southern District of Texas challenging the legality of the Deferred Action for Childhood Arrivals (DACA) program. Alabama, Arkansas, Louisiana, Nebraska, South Carolina and West Virginia joined Texas in bringing the lawsuit against the federal government.


In the suit, the states assert that the prior administration took unlawful and unconstitutional action when it unilaterally created the DACA program, which allows individuals who were brought to the United States without authorization as children to lawfully remain and work in the country.

2. **What are the states asking the court to do?** The states are requesting that the district court issue an order that would find the DACA program unlawful and provide for its termination. While the states claim that the court has the power to immediately rescind all current DACA permits, they are asking for a more limited order that would prohibit the government from renewing existing or issuing new DACA permits, which would effectively phase out the program within two years.

3. **How many DACA Youth live in these seven states?** As of January 2018, an estimated 682,750 young people held DACA nationwide. Of these, thousands live in one of the seven states bringing the lawsuit:

State	Current DACA Recipients (as of January 2018)	DACA-Eligible Youth (as of 2017) ²	Prior DACA Recipients (2012- 2017) ³
Alabama	4,040	9,000	7,531
Arkansas	4,680	8,000	9,054
Louisiana	1,840	5,000	3,835
Nebraska	3,040	4,000	5,991
South Carolina	5,890	10,000	11,394
Texas	111,670	182,000	223,580
West Virginia	120	Not Available	265

4. **Why does the Catholic Church support DACA Youth and Dreamers?** The U.S. Catholic bishops have long stood in solidarity with immigrants and, in particular, [supported DACA Youth and the larger Dreamer population](#).⁴ As Catholics, we believe in protecting the dignity of every human being, especially that of our children.



Further, we recognize that these young people are extraordinary contributors to our communities and nation. DACA Youth include [future doctors](#),⁵ [first responders](#),⁶ [teachers](#),⁷ [military personnel](#),⁸ and [Catholic priests](#).⁹ These young people and their families, including U.S. citizen children and spouses, worship with us in our parishes, send their children to our neighborhood schools, and contribute to the future prosperity of our country.

5. Does this lawsuit lessen the need for Congress to act now? No, this lawsuit only contributes to the uncertainty around the future of the DACA program and furthers the need for Congressional action. DACA Youth should not have to live their lives in a state of limbo and fear; they deserve a permanent solution. It is long past time for Congress to pass bipartisan legislation that would provide urgently needed relief for Dreamers.

6. What specific legislation should Congress pass? The U.S. Bishops are supporting both the [USA Act](#)¹⁰ and the [Dream Act](#).¹¹ The Dream Act remains the ideal legislative solution. And while the USA Act can still be improved upon, as written, it is a compromise bill that provides a path to citizenship for 1.8 million Dreamers and offers proportionate border security measures. To learn more about these bills, please see our [DACA resource page](#).¹²

Endnotes

1. *Deferred Action for Childhood Arrivals (DACA) Data Tools: DACA Recipients & Program Participation Rate, by State*, MIGRATION POLICY INSTITUTE, <https://www.migrationpolicy.org/programs/data-hub/deferred-action-childhood-arrivals-daca-profiles> (last visited May 2, 2018).
2. *Id.*
3. U.S. Citizenship and Immigration Services, Number of Form I-821D, Consideration of Deferred Action for Childhood Arrivals, by Fiscal Year, Quarter, Intake, Biometrics and Case Status Fiscal Year 2012-2017 (U.S. Department of Homeland Security, 2017), https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/daca_performancedata_fy2017_qtr1.pdf (some of these individuals who previously received approval may have renewed their DACA, in which case they will also be counted as a “current DACA recipient”).
4. USCCB, *Statement on the Dream Act (June 28, 2011)*, available at <http://www.usccb.org/issues-and-action/human-life-and-dignity/migrants-refugees-and-travelers/dream-act-bishops-statement-2011-06-18-archbishop-gomez-on-dream-act.cfm>.
5. Sarah Conway and Alex V. Hernandez, *Loyola’s DACA Medical Students, Largest Group in the Country, Plagued with Uncertainty*, CHICAGO TRIBUNE (JAN. 29, 2018), [HTTP://WWW.CHICAGOTRIBUNE.COM/VOICEIT/COMMUNITY/CT-HOY-LOYOLA-S-DACA-MEDICAL-STUDENTS-LARGEST-GROUP-IN-THE-COUNTRY-PLAGUED-WITH-UNCERTAINTY-20180129-STORY.HTML](http://www.chicagotribune.com/voiceit/community/ct-hoy-loyola-s-daca-medical-students-largest-group-in-the-country-plagued-with-uncertainty-20180129-story.html).
6. Olivia P. Tallet, *EMT Who Worked Tirelessly in Harvey is a ‘Dreamer’ Dedicated to Helping Others*, HOUSTON CHRONICLE (NOV. 20, 2017), [HTTPS://WWW.HOUSTONCHRONICLE.COM/ABOUT/HOUSTON-GIVES/ARTICLE/EMT-WHO-WORKED-TIRELESSLY-IN-HARVEY-A-DREAMER-12372399.PHP](https://www.houstonchronicle.com/about/houston-gives/article/EMT-who-worked-tirelessly-in-harvey-a-dreamer-12372399.php).
7. Claudio Sanchez, *Nearly 9,000 DACA Teachers Face An Uncertain Future*, NPR ED (JAN. 19, 2018), [HTTPS://WWW.NPR.ORG/SECTIONS/ED/2018/01/29/579682676/NEARLY-9-000-DACA-TEACHERS-FACE-AN-UNCERTAIN-FUTURE](https://www.npr.org/sections/ed/2018/01/29/579682676/nearly-9-000-daca-teachers-face-an-uncertain-future).
8. Gregory Korte et al., *Trump Administration Struggles with Fate of 900 DREAMers Serving in the Military*, USA TODAY (SEPT. 7, 2017), [HTTPS://WWW.USATODAY.COM/STORY/NEWS/POLITICS/2017/09/07/TRUMP-ADMINISTRATION-STRUGGLES-FATE-900-DREAMERS-SERVING-MILITARY/640637001/](https://www.usatoday.com/story/news/politics/2017/09/07/trump-administration-struggles-fate-900-dreamers-serving-military/640637001/).
9. Julie Zauzmer, *‘If they come for you, they come for me’: A ‘Dreamer’ Priest Faces Deportation — and a Divided Congregation*, THE WASHINGTON POST (JAN. 19, 2018), [HTTPS://WWW.WASHINGTONPOST.COM/NEWS/ACTS-OF-FAITH/WP/2018/01/19/IF-THEY-COME-FOR-YOU-THEY-COME-FOR-ME-IF-CONGRESS-FAILS-TO-SAVE-DACA-THIS-PRIEST-COULD-BE-DEPORTED/?NOREDIRECT=ON&UTM_TERM=.54738fff6f37](https://www.washingtonpost.com/news/acts-of-faith/wp/2018/01/19/if-they-come-for-you-they-come-for-me-if-congress-fails-to-save-daca-this-priest-could-be-deported/?noredirect=on&utm_term=.54738fff6f37).
10. USA Act of 2018, H.R. 4796, 115th Cong., available at <https://www.congress.gov/bill/115th-congress/house-bill/4796>.
11. Dream Act of 2017, H.R. 3440, 115th Cong., available at <https://www.congress.gov/bill/115th-congress/house-bill/3440>.
12. *DACA and Dreamer Resource Page*, JUSTICE FOR IMMIGRANTS, [HTTPS://JUSTICEFORIMMIGRANTS.ORG/WHAT-WE-ARE-WORKING-ON/IMMIGRATION/DACA-RESOURCE-PAGE/](https://justiceforimmigrants.org/what-we-are-working-on/immigration/daca-resource-page/) (LAST VISITED ON MAY 2, 2018).