



## Deferred Action for Childhood Arrivals

Credit: Gregory Schemitz

### What is DACA?

On June 15, 2012, the Secretary of the Department of Homeland Security (DHS) announced via a memorandum that certain individuals who came to the United States as children and met several guidelines could request consideration for deferred action through the newly initiated Deferred Action for Childhood Arrivals (DACA) program.<sup>1</sup> DACA is patterned after the DREAM Act, bipartisan legislation that was initiated more than a decade ago – to give permanent legal protections to young people brought to the United States as children– but has not become law.

### What was the purpose of DACA?

The purpose of DACA was to utilize prosecutorial discretion to provide undocumented persons who were brought to the United States when they were children with temporary relief from deportation (deferred action) and work authorization.

### Does DACA Provide a Path to Legalization or to Citizenship?

No. DACA does not grant a path to permanent residency or citizenship. That can only be done if legislation like the DREAM Act were to be enacted into law.

### How Many Persons Are Currently Protected by DACA?

There are approximately 700,000 individuals who currently have DACA.<sup>2</sup> It is estimated, however, that there are as many as 1.3 million persons living in the United States who could be immediately eligible for the program.<sup>3</sup> Some potential DACA recipients did not come forward because they faced obstacles such as the application fee or the proof of continuous presence, while others feared giving their information to the Department of Homeland Security.

### What happened to DACA in September 2017?

The Trump Administration attempted to end DACA on September 5, 2017, allowing one-time renewal for those whose status was set to expire between September 5, 2017 and March 5, 2018.<sup>4</sup> While the attempt to terminate DACA is now the subject of litigation and multiple nationwide preliminary injunctions, these injunctions or halts, are currently only partial and temporary.<sup>5</sup> They do not allow for new DACA applicants to apply and only effect those who currently have DACA.

### Why is a legislative solution for Dreamers needed?

Currently, the litigation that is pending does not provide even a temporary solution for new DACA applicants; it also allows for continued uncertainty for those currently enrolled in DACA. Congress, however, could permanently protect Dreamers who

are contributing to our nation – and provide them with a path to citizenship – through legislation.

## Who are Dreamers?

Dreamers are young people who were brought to the United States without authorization as children by their parents or family members. Dreamers include those young people who have received Deferred Action for Childhood Arrivals (DACA), those who are eligible and did not apply for DACA, as well as other undocumented individuals of a similar age group who did not make the age-cut off for DACA (as they were slightly older or younger at the time). They are contributors to our economy, veterans of our military, academic standouts in our universities, and leaders in our parishes. Dreamers are woven into the fabric of our country and of our Church, and are, by every social and human measure, American youth.

## Why Does the Catholic Church Support DACA Youth and Dreamers?

- **As Catholics, we believe that the dignity of every human being, particularly that of youth and families, must be protected. The Catholic Bishops have long supported Dreamers and continue to do so. As Bishop Joe S. Vásquez of Austin, Texas, Chairman of the Committee on Migration (USCCB/COM), has stated:** “As a nation, we have a moral and humanitarian obligation to Dreamers. These young people have steadfastly worked to improve themselves and our country and attempted in good faith to comply with the law as it stood. Their futures hang in the balance.”<sup>6</sup>
- **Punishing DACA Youth Does Not Advance the Common Good.** These youth came forward out of the shadows to cooperate with our government and get right with the law, to the extent that they could. They paid a fee to apply for DACA, they submitted to a rigorous application process and investigation, they gave their personal and family information to the government, and they agreed to pay taxes on any wages they received through use of the work authorization. To turn our backs on these young people and their families would be inhumane, inequitable, and would undermine the ideas of fairness and compassion that our nation holds dear.

## What Can You Do to Protect Dreamers?

- Engage with your elected officials to voice your support for Dreamers. Call on your members of Congress to find a bipartisan legislative solution to protect Dreamers. A legislative solution must:
- **Protect All Dreamers.** The approximately 1.8 million Dreamers living in our country were brought to the United States as young people. They worship with us in our churches and synagogues, serve in our military, contribute to our economy, and add their many talents to American society.
- **Offer a Path to Citizenship.** Dreamers know America as their only home and should not be denied the opportunity to obtain U.S. citizenship and participate fully in civic life.
- **Not Undermine Existing Protections for Unaccompanied Children, Asylum Seekers, or Family-Based Lawfully Admitted Immigrants.** A solution for Dreamers must not be achieved at the expense of other immigrant children and families. Any solution for Dreamers must maintain existing protections for unaccompanied children and asylum seekers, as these protections help prevent trafficking and abuse, as well as ensure access to adequate care and due process. Any solution for Dreamers also needs to maintain existing avenues for family-based immigration. Eliminating or reducing these avenues would be inconsistent with our values.

## Endnotes

1 Secretary Janet Napolitano, *Memorandum on Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children* (June 15, 2012), available at <https://www.dhs.gov/xlibrary/assets/s1-exercising-prosecutorial-discretion-individuals-who-came-to-us-as-children.pdf>.

2 *Deferred Action for Childhood Arrivals (DACA) Data Tools*, MIGRATION POLICY INSTITUTE (AUG. 31, 2018), [HTTPS://WWW.MIGRATIONPOLICY.ORG/PROGRAMS/DATA-HUB/DEFERRED-ACTION-CHILDHOOD-ARRIVALS-DACA-PROFILES](https://www.migrationpolicy.org/programs/data-hub/deferred-action-childhood-arrivals-daca-profiles).

3 *Id.*

4 Acting Secretary Elaine Duke, *Memorandum on Rescission of the June 15, 2012 Memorandum Entitled “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children”* (Sept. 5, 2017), available at <https://www.dhs.gov/news/2017/09/05/memorandum-rescission-daca>.

5 *Status of Current DACA Litigation*, NATIONAL IMMIGRATION LAW CENTER (FEB. 7, 2019), [HTTPS://WWW.NILC.ORG/ISSUES/DACA/STATUS-CURRENT-DACA-LITIGATION/](https://www.nilc.org/issues/daca/status-current-daca-litigation/).

6 Bishop Joe S. Vásquez, *Statement on Support for Finding a Legislative Solution for Dreamers; Ready to Work with Congress and White House* (Jan. 10, 2018), available at <http://www.usccb.org/news/2018/18-007.cfm>.

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