



What's Going on with DACA?

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Background on Deferred Action for Childhood Arrivals (DACA)

- Origin: Created in 2012 by President Barack Obama.
- Purpose: To shield from deportation undocumented children that arrived at the United States.
- Eligibility: To be eligible for DACA, immigrants must have lived in the United States for much of their lives, passed a background check, and completed high school, among other requirements.
- Validity: 2 years (renewable).
- Drawback: *Does not offer a "pathway to citizenship."*

Since 2012, the program has benefited more than 800,000 young people. Currently, 600,000 people hold DACA status.

What is happening right now? On September 13, 2023, a federal judge in Texas rejected the continuity of DACA after several tries from the Biden administration to save the program. The judge declared a revised version of the DACA program "illegal." This decision has been appealed and will likely go before the Supreme Court. DACA still remains valid for existing beneficiaries. New applications, however, will not be accepted.

The same judge (U.S. District Judge Andrew Hanen) previously ruled that states have standing to file lawsuits for harm they have suffered because of DACA.

Some states (Texas, Alabama, Arkansas, Louisiana, Nebraska, South Carolina, West Virginia, Kansas, and Mississippi) have claimed to incur hundreds of millions of dollars in health care, education, and other costs when immigrants are allowed to remain in the country "illegally." The Federal Government, the Mexican American Legal Defense and Educational Fund, and the State of New Jersey argued in response that the states failed to prove that any of the alleged costs are tied to DACA recipients.

What happens to the immigrants? Unfortunately, DACA recipients will continue living in a "legal limbo." The Federal Court's decision will not affect current DACA recipients and they can still renew their status. The decision, however, will prohibit new applications for DACA while the appeals are pending.

References:

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