NATIONAL IMMIGRANT JUSTICE CENTER
A HEARTLAND ALLIANCE PROGRAM

FAQs on DACA and the DREAM Act

On September 5, 2017, the Trump administration terminated DACA, which refers to Deferred Action for Childhood Arrivals (DACA). This action has raised many questions about immigrant rights, access to citizenship, and how people can support DACA recipients. Below are some talking points to help you answer questions you may hear in the community.

What is DACA and what rights do DACA recipients have?

In 2012, President Obama created DACA as Congress was repeatedly unable to pass comprehensive immigration reform or the DREAM Act,[1] which would have provided a path to legal status for individuals who came to the U.S. as children. For certain undocumented immigrants who came to the country as children, DACA provided temporary protection from deportation and work authorization, renewable every two years. The program allowed recipients to obtain social security cards and driver's licenses; the opportunity to build credit and purchase homes; and the opportunity to complete higher education, launch careers, and open businesses. DACA recipients pay $2 billion annually in state and local taxes; however, they are not eligible for federal benefits.[2]

What are the rights of DACA individuals now?

NIJC's website contains FAQs about what the DACA termination means for communities and Know Your Rights information specific to DACA recipients.

Key Facts about DACA:

1. The Department of Homeland Security (DHS) will no longer accept new DACA applications.

2. People currently enrolled in DACA will be able to continue working until their permits expire.

3. People whose DACA permits expire between September 5, 2017 and March 5, 2018, may file for a two-year renewal by October 5, 2017.

4. DHS will continue to adjudicate DACA applications that were filed prior to September 5, 2017.

Why don't DACA recipients apply for permanent residence or citizenship?

While some DACA recipients may be eligible for other forms of immigration benefits, the majority are not. Applying for residence or citizenship is simply not an option because the DACA program does not provide eligibility for citizenship or permanent residence. It also does not permit recipients to seek lawful status for their family members. DACA was never intended to be a permanent solution. With the end of DACA, Congress now has to act and pass the DREAM Act and create an opportunity for permanent status for this group of people who have known no other home but the U.S.

---

[1] The name "Dreamers" comes from the piece of legislation introduced to the Senate in 2001, known as Development, Relief, and Education for Alien Minors Act, or the DREAM Act.
[2] Misha E. Hill, Meg Wiehe, "State & Local Tax Contributions of Young Undocumented Immigrants," *Institute on Taxation and Economic Policy*, April 25, 2017, https://itep.org/state-local-tax-contributions-of-young-undocumented-immigrants/

What is a "clean" DREAM Act?

A "clean" DREAM Act would be legislation free from harmful provisions that hurt or demonize members of the broader undocumented community. A clean DREAM Act is solely focused on providing a path to permanent status for DACA recipients. However, many in Congress support harsher law enforcement and increased deportations, and may demand such provisions be attached to the DREAM Act to pass the bill. Although the real solution is "comprehensive immigration reform," most believe passage of truly "comprehensive reform" is not passable in the current political environment. We believe passage of a clean DREAM Act *is* realistic even in these divisive times because of the striking bipartisan consensus in support of DACA recipients. Eighty-four percent of Democrats and 69 percent of Republicans believe DACA recipients should not be deported![3]

How can I help?

No matter who you are you can help!

1. Encourage eligible individuals to renew their DACA and consult with qualified legal counsel. NIJC's DACA renewal clinics are posted at https://immigrantjustice.org/calendar/deferred-action-clinics-daca.

2. Call Congress and demand a clean DREAM Act. Call the congressional switch board at (202) 221-3121 and ask to be connected to your Senators and/or House Representative.

3. Think critically about information sources and seek credible information. Anti-immigrant factions, including members of Congress and the administration, as well as some news sources, rely on misinformation that provokes fear and vilifies undocumented immigrants. Beware of inflammatory language and exaggerated stories. http://immigrantjustice.org/news

4. Speak out! Write op-eds and letters to the editor, and contribute to the conversations happening in our families, communities, and social media.

5. If you are a lawyer, volunteer to provide *pro bono* legal representation to a DACA recipient or other immigrants in need. Immigrants who have attorneys are five times more likely to pursue relief and are nearly five times more likely to win their cases than those without attorneys.[4] To learn about *pro bono* opportunities at NIJC, visit https://immigrantjustice.org/be-pro-bono-attorney.

6. Offer financial support for organizations that support immigrants. http://www.immigrantjustice.org/how-help

To stay current on developments regarding DACA, the DREAM Act, and other immigrant rights news, visit immigrantjustice.org, or follow NIJC on Facebook (@immigrantjustice) and Twitter (@NIJC).

---

[3] Steven Shepard, "Poll: Majority Opposes Deporting Dreamers," *Politico,* Sept 5, 2017, http://www.politico.com/story/2017/09/05/poll-trump-deporting-daca-dreamers-242343

[4] Ingrid Eagly, Esq. and Steven Shafer, Esq, "Access to Counsel in Immigration Court," American Immigration Council, Sept 28, 2016, https://www.americanimmigrationcouncil.org/research/access-counsel-immigration-court