

Talking Points: Trump Administration Limits DACA Protections

July 28, 2020

Background

- The Trump administration issued a [memorandum](#) on July 28, 2020 to limit DACA protections. Under the memo, the U.S. Department of Homeland Security (DHS) will reject all new (initial) DACA applications; and grant DACA renewals, including protection from deportation and work authorization, for one year periods, rather than two years. DHS will also reject applications for advanced parole (e.g. the ability to travel outside the U.S.) absent exceptional circumstances. These changes are effective immediately.
- The Supreme Court [ruled](#) on June 18, 2020, that the Trump administration's attempt to end DACA in September 2017 was unlawful because the administration failed to provide an adequate justification for the rescission. The Supreme Court ruling was a major victory for DACA recipients, who are American in virtually every way except on paper.
- The Supreme Court ruling did not preclude the Trump administration from rescinding DACA a second time. The Trump administration issued the memo to limit DACA protections while they consider the future of DACA, including whether to fully rescind the program. The administration's attempt to limit DACA will likely face legal challenges, potentially resulting in being struck down by the courts.
- DACA currently protects 650,000 individuals from deportation, allows them to work legally in the U.S., and facilitates their access to higher education. A federal court [ordered](#) the Trump administration on July 17, 2020 to begin accepting (new) initial DACA applications and applications for advance parole. The decision opened access to DACA for an additional 300,000 young immigrants. The Trump administration responded to the decision by issuing its memo to limit DACA.

A Permanent Legislative Solution is Needed

- **Support for Dreamers.** A majority of Americans support protecting Dreamers from deportation and allowing them to stay in the U.S. According to a [Politico/Morning Consult poll](#) in June 2020, 78% of U.S. voters support legal status for Dreamers, including 69% of those who voted for President Trump in 2016.
- **Protecting Dreamers.** Congress must pass a permanent legislative solution to provide the more than [2 million Dreamers](#) living in the U.S., including DACA recipients, with an opportunity to obtain legal status. Many Dreamers came to the U.S. as children, have lived in the U.S. for most of their lives, and have deep ties to our communities. Congress can accomplish this by including protections in COVID-19 related legislation, the U.S. Citizenship and Immigration Services (USCIS) appropriations bill, or a standalone legislative effort.
- **Expand Access to Higher Education.** Congress must restore the ability of states to offer in-state tuition to undocumented students who otherwise meet state residency

requirements and expand their access to federal financial grants, loans, services and work study opportunities.

- **In-State Tuition and Financial Aid.** States, higher education institutions, and local education officials are in the best position to decide how to provide in-state tuition and financial aid to students. It is essential that states have the discretion to enact policies to facilitate the participation of undocumented students in higher education, particularly around in-state tuition and financial aid.

DACA Recipients Contribute to the U.S.

- **Community.** DACA recipients have lived in our nation for decades, came to the U.S. at an early age, have been educated in communities across our nation, and have deep familial and community roots. DACA recipients are parents to [an estimated](#) 256,000 U.S.-born citizen children. Protecting DACA will benefit not just DACA recipients, but the millions of Americans who are the loved ones, friends, neighbors, employers, educators, or students of DACA recipients across the nation.
- **Economic Gains.** DACA recipients are expected to contribute an estimated [\\$460.3 billion](#) to the U.S. GDP over the next ten years. DACA recipients will also provide about [\\$24.6 billion](#) in Social Security and Medicare contributions over the next decade. In addition, protecting DACA recipients from deportation saves [\\$60 billion in fiscal cost](#) to the federal government. By passing a permanent, legislative solution, Congress will ensure DACA recipients can continue to succeed and make tangible economic contributions to the U.S.
- **Critical Workforce Contributions.** Protecting DACA recipients through a legislative solution will help meet critical workforce needs in the U.S. An estimated [29,000 DACA recipients](#) are working as front-line medical professionals during the COVID-19 pandemic, and [200,000](#) DACA recipients are critical essential infrastructure workers.
- **Undocumented and DACA-Eligible Students in Higher Education.** Today, more than [454,000 undocumented students](#) are enrolled in institutions of higher education in the U.S., representing about 2% of all students in higher education. Of those, 216,000 are DACA-eligible students, about 1% of higher education students. DACA recipients also play key roles in higher education as scholars and campus staff. Congress must pass a permanent, legislative solution to ensure undocumented students in higher education can continue to study and contribute to their campus communities, enriching the academic experience of all students.
- **Access to Higher Education.** DACA [provides](#) almost 40,000 current DACA recipients in at least ten states with the opportunity to either enroll in public postsecondary institutions or access in-state tuition. Rejecting new (initial) DACA applications will block almost 60,000 DACA-eligible individuals — who would have been eligible to apply for and obtain DACA for the first time — from more easily accessing higher education in those ten states. Congress must pass a permanent, legislative solution to ensure DACA-eligible individuals have access to higher education.
- **Future Higher Education Students.** Estimates [reveal](#) that 98,000 undocumented students, ages 15 to 19, graduate from high school every year. A permanent, legislative solution would ensure these young students have the opportunity to access higher education and contribute fully to the U.S.

- **Investment in Students.** Expanding access to higher education for all undocumented students, including DACA recipients, ensures that our nation can fully benefit from the investment and contributions that it has already made in immigrant students through elementary and secondary school.

State-Specific Impacts

- **Dreamer Contributions.** There are approximately [number] of DACA recipients in our state and [number] U.S. citizen children who have a parent with DACA status. DACA recipients in our state pay [number] in federal taxes and [number] in state and local taxes, and have a spending power of [number]. DACA recipients' economic and civic contributions increase significantly with the completion of a higher educational degree. The passage of a permanent, legislative solution for Dreamers, including DACA recipients, would expand access to higher education and translate into a major boom for our state's economy.¹
- **Undocumented Students.** More than [454,000 undocumented students](#) are enrolled in institutions of higher education in the U.S., representing about 2% of all students in higher education. In [state], there are approximately [number] of undocumented resident students currently enrolled in institutions of higher education.² These students work diligently to advance themselves, notwithstanding the uncertainty regarding whether they will be able to complete their studies, much less remain and contribute to the U.S. Undocumented students are actively readying to fill critical skill shortages, including in health, STEM, teaching, and business, to support their families, and to contribute to their local communities, adding to the vitality and success of our state and nation.

¹ Customize this message using data from the following resource: Nicole P. Svajlenka, "What We Know About DACA, By State," Center for American Progress (CAP) (September 12, 2019): <https://www.americanprogress.org/issues/immigration/news/2019/09/12/474422/know-daca-recipients-state/>.

² The following report lists total numbers of undocumented students in postsecondary education for 15 states, and the proportion of undocumented students in postsecondary education in 24 states. Please see: Miriam Feldblum, et. al., "Undocumented Students in Higher Education: How Many Students Are in U.S. Colleges And Universities, And Who Are They?" New American Economy (NAE) and Presidents' Alliance on Higher Education and Immigration (April 2020): <https://www.presidentsimmigrationalliance.org/2020/04/15/report-undocumented-students-in-higher-education-how-many-students-are-in-u-s-colleges-and-universities-and-who-are-they/>.