

More than 2 million young adults in the USA live in fear of deportation. Some even have post-graduate college degrees, but the recent Supreme Court ruling (allowing DACA to continue) could be overturned in a moment through executive order. Legislative approval of the Dream Act (proposed in 2001 with bipartisan support) is desperately needed to give these young migrants the security of staying in the only country they know. As requested recently by Presiding Bishop Curry, WILL YOU ASK YOUR REPRESENTIVES IN CONGRESS TO PROMOTE LEGISLATION IN FAVOR OF DACA? Nineteen years is a long time to wait!

WHAT IS THE DREAM ACT?

The DREAM Act (short for Development, Relief, and Education for Alien Minors) was a bill introduced with bipartisan support in Congress in 2001, promoted by President George W. Bush. It was intended to grant legal status to undocumented immigrants brought to the United States as children and educated here. It provided for a pathway to permanent residency. This proposed legislation was defeated in the Senate. The bill was reintroduced in various forms in 2007, 2008, and 2011. It has never passed both houses of Congress.

WHAT IS DACA?

In 2012, President Obama announced the DACA policy (Deferred Action for Childhood Arrivals). This modification of the DREAM Act was issued as an executive order and featured a RENEWABLE two-year period of deferred action from deportation. The policy also allows for eligibility for a work permit in the U.S. Applications were accepted beginning in August 2012.

In September 2017, the Trump administration rescinded DACA; the program would be phased out for current recipients, and no new requests would be granted. A California judge blocked this repeal requiring the program's continuance as legal challenges proceeded through the courts.

In 2018, the rescission of DACA was upheld at the federal district court level, but the ruling was overturned on appeal. In January 2019, the fate of DACA recipients became a central issue in the largest government shutdown in history. The Trump administration demanded \$5.7 billion in border wall funding in exchange for temporary protections for DACA recipients. The shutdown ended with no agreement.

WHAT WAS THE RECENT U.S. SUPREME COURT RULING ON DACA?

In June 2020, in a 5 to 4 decision, the Supreme Court ruled the rescission of DACA proposed in 2017, was "arbitrary and capricious". Chief Justice John Roberts wrote that the administration's case did not comply with procedural requirements to provide a "reasoned explanation" for its action. This decision appears to leave open another attempt by the administration to end the program.

WHAT IS THE CURRENT STATUS OF DACA LEGISLATION?

Earlier in July 2020, President Trump announced he would soon sign a merit-based bill on immigration, which would address DACA, and include a "road to citizenship".

To date no such bill exists, and there appears to be no enthusiasm for it in Congress.

The president has also floated the idea of signing an executive order, which was clarified by the administration to focus on “citizenship, but not amnesty”, and would also be “merit-based”.

The DACA program has not accepted any new applications since 2017. Currently there are 650,000 DACA enrollees. An estimated additional 66,000 would now meet the age requirements if new applicants were allowed. It is unclear if any consideration is being given to accepting new applicants.

With immigration being a heated issue for both parties, the chance of meaningful new legislation being introduced in an election year (amid a pandemic) is highly unlikely. The Trump administration continues to actively seek ways to override the Supreme Court’s decision.

SOURCES: Timeline of Congressional action 2001 – 2020: “Lives in Limbo” by Roberto Gonzales, 2016; “The Status of DACA from its 2012 Inception to Present Date” by Charles Kuck, 2016