



# Lutheran Immigration and Refugee Service

## Backgrounder

### Talking Points on DACA

January 2017

#### *What is DACA?*

- On January 15, 2012, the U.S. Department of Homeland Security (DHS) announced that it would not deport certain undocumented youth who came to the United States as children. Under a directive from the DHS secretary, these youth may be granted a type of temporary permission to stay in the U.S. called “deferred action.” The Obama administration called this program **Deferred Action for Childhood Arrivals**, or DACA.<sup>1</sup>
- Nearly **800,000 people have chosen to apply for and have received DACA**. Many of them have as a result, found better-paying jobs, received driver’s licenses, and enjoyed other benefits.

#### *Why our faith calls us to stand with children?*

From the time of Moses, Joseph and Miriam young people have been cared for and protected by neighboring communities and countries. Through scripture we learn from experiences of young people that there are many unique challenges to children and youth at settling into foreign territories and countries. Spiritual care and faithful service helps bring comfort and safety that is most needed by children and youth to grow into being productive citizens in the future. Our faith guides us into a call of compassion and empathy, mostly for those children and youth who are most vulnerable.

#### *What is the impact of DACA on our communities?*

- In 2016 survey, 86% of youth were employed and 8% were in school full time. 6% started their own businesses.
- These taxpaying youth added to state and federal revenue through sales taxes, income taxes, and title fees.
- 46% are enrolled in schools all across the country.

#### *Deportation after DACA?*

- People with DACA would not necessarily be automatically at greater risk of being deported than other undocumented immigrants if the DACA program is terminated.
- The U.S. Department of Homeland Security (DHS) considers people who, for example, have felony criminal convictions or recent deportation orders as being “enforcement priorities.”<sup>2</sup> DHS

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<sup>1</sup> NILC, DACA, <https://www.nilc.org/issues/daca/>.

<sup>2</sup> DHS, Policies for the Apprehension, Detention, and Removal of Undocumented Immigrants, [https://www.dhs.gov/sites/default/files/publications/14\\_1120\\_memo\\_prosecutorial\\_discretion.pdf](https://www.dhs.gov/sites/default/files/publications/14_1120_memo_prosecutorial_discretion.pdf).

assigns higher priority to detaining and deporting people who it considers enforcement priorities. People with DACA are considered “low priorities” for deportation, based on how long they’ve lived in the U.S., their ties to the U.S., and their not having committed serious crimes.

- It would also be extremely costly for the government to try and deport the more than 700,000 DACA recipients.

### ***What can immigrants do now?***

- People should go to a legal services provider to be screened for any possible immigration options other than DACA for which they may already be eligible. The ILRC has a comprehensive client intake form to assist practitioners in screening that can be found here: <https://www.ilrc.org/screening-immigration-relief-client-intake-form-and-notes>
- The Immigrant Advocates Network maintains a national directory of more than 950 free or low-cost nonprofit immigration legal services providers in all 50 states. Located here: <https://www.immigrationlawhelp.org/>
- People should know their rights when in contact with an immigration agency. The ILRC has created Red Cards to help both citizens and noncitizens defend themselves against constitutional violations during ICE raids. These cards provide citizens and noncitizens with information about how to assert their constitutional rights and an explanation for ICE agents that the individuals are indeed asserting their constitutional rights. Visit <https://www.ilrc.org/red-cards> for more information and contact [redcards@ilrc.org](mailto:redcards@ilrc.org) to order.