

Talking Points: Supreme Court Decision on DACA

June 18, 2020

Background

- The Supreme Court ruled on June 18, 2020 that the administration's attempt to end DACA in September 2017 is unlawful. The Supreme Court's decision is a major victory for DACA recipients, who are American in virtually every single way except on paper.
- The decision potentially opens up the ability for initial requests for DACA and the resumption of advance parole, but we will await guidance and more information from litigators and the federal government.
- The Trump administration may still attempt to rescind DACA by more closely following the requirements of the Administrative Procedure Act (APA), including a new memorandum or regulation, but such efforts will likely take time and most DACA recipients will likely remain protected into the next administration.

DACA Must Remain in Place

- **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. Many are parents to 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 will contribute an estimated [\\$460.3 billion](#) to the U.S. GDP over the next ten years. DACA recipients will also provide [\\$24.6 billion](#) in Social Security and Medicare contributions over the next decade. Protecting DACA recipients from deportation has tangible economic results, including saving [\\$60 billion in fiscal cost](#) to the federal government.
- **Access to Higher Education.** Today, more than [216,000 DACA-eligible](#) students are enrolled in institutions of higher education in the U.S., representing about 1% of all students in higher education. DACA also provides current DACA recipients in at least ten states with the opportunity to enroll in public postsecondary institutions or access in-state tuition. The Supreme Court's decision could allow new DACA applications to be processed, expanding access to enrollment or in-state tuition to thousands of additional students.
- **Critical Workforce Contributions.** DACA recipients 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.
- **Investing in Students.** Expanding access to higher education for all Dreamers and 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.

A Legislative Solution is Still Urgently 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 permanent protections for Dreamers, including 69% of those who voted for President Trump in 2016.
- **Permanent Solution.** Congress must pass a permanent, legislative solution to provide the more than [2 million Dreamers](#) living in the U.S. with an opportunity to obtain legal status. Many Dreamers came to the U.S. as children, have lived in the U.S. for decades, and have deep ties to our communities.
- **Expanding Access to Higher Education.** Congress must also restore the ability of states to offer in-state tuition to undocumented immigrant students who otherwise meet residency requirements, expand access to federal financial grants, loans, services and work study, and allow undocumented students to travel abroad.
- **In-State Tuition and Financial Aid a Priority.** States, higher education institutions, and local education officials are in the best position to decide how to provide in-state tuition and financial aid. 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.