

DACA and Graduate Education

January 2021

Policy Brief



What is DACA?

The Deferred Action for Childhood Arrivals (DACA) program was created by executive order in 2012 under President Barak Obama and later formalized by the Department of Homeland Security (DHS). DACA allows individuals who came to the United States as children and young adults and who meet certain requirements to request consideration of deferred action from deportation for a period of two years, subject to renewal. If granted, this action permits individuals with DACA status the ability to attend school and work legally in the United States. To qualify for DACA, individuals must meet several requirements, including completing a background check. According to DHS, there are roughly 650,000 people with active DACA status as of June 2020.[1]



Higher Education Enrolls Thousands of DACA-Eligible Students

According to a report from the Presidents' Alliance on Higher Education and Immigration and New American Economy, there are more than 450,000 undocumented students enrolled in postsecondary education, accounting for two percent of all postsecondary students. [2] The report highlights that 216,000 of these undocumented students are eligible for DACA, **and 13 percent (over 28,000) of these DACA-eligible students are pursuing graduate and professional degrees.** The DACA program allows some of these students to contribute to groundbreaking research through PhD studies, such as work on predictors for sudden cardiac death, the leading cause of natural deaths in the United States.[3] These students enroll in higher education while facing greater barriers than many other students, including the inability to receive federal financial aid. Despite these challenges, students with DACA status and DACA-eligible students are still pursuing higher levels of education and producing vital research.

[1] United States Citizenship and Immigration Services (2020). Source: Approximate Active DACA Recipients. Retrieved from: https://www.uscis.gov/sites/default/files/document/reports/DACA_Population_Receipts_since_Injunction_Jun_30_2020.pdf

[2] New American Economy, Presidents' Alliance on Higher Education and Immigration (2020). Source: Undocumented Students in Higher Education. Retrieved from: <https://www.presidentsalliance.org/wp-content/uploads/2020/07/Undocumented-Students-in-Higher-Education-April-2020.pdf>

[3] Snyder, C. (2016). Source: Undocumented Student Makes History with Ph.D. Retrieved from: <https://news.ucmerced.edu/news/2016/undocumented-student-makes-history-phd>

The DACA Program Has Faced Significant Legal Challenges Since 2017

January

A federal district court judge in California blocks the repeal of DACA with a nationwide injunction. Similar injunctions are issued from New York and Washington, DC. This string of rulings allows DACA renewals to continue, but new applications are not accepted. The Justice Department appeals to the Supreme Court.

November

The Supreme Court begins oral arguments regarding the Trump Administration's termination of DACA.

2017

2018

2019

September

The Trump Administration rescinds the DACA program. The program is set to phase out current recipients, and new requests will not be accepted.

January

DACA becomes a central issue of the historic government shutdown. Despite pressure, negotiations do not produce a legislative solution for the program.

June

The Supreme Court issues a 5-4 ruling stating the Trump Administration's September 2017 order to rescind the DACA program violated the Administrative Procedure Act. The Court did not rule on the legality of the program itself.

November

A federal judge in New York finds Chad Wolf's appointment unlawful, effectively invalidating his memorandum with DACA restrictions. The judge later orders the DACA program to be reinstated to accept new applications.

2020

2021

July

Acting DHS Secretary Chad Wolf releases a memorandum instructing the denial of initial requests for DACA, among other restrictions.

January

President Joe Biden issues an executive order to "preserve and fortify" the DACA program along with a legislative proposal to provide a pathway to citizenship

DACA-Eligible Graduate Students are Crucial to the Workforce and Economy

Several studies highlight the vast contributions those with DACA status make to our workforce and economy. Reports suggest those with DACA status could contribute up to \$460 billion to GDP over ten years,[4] while others estimate that ending the DACA program would cost the United States over \$283 billion in economic growth over a decade.[5] Graduate education prepares many of these individuals who work in high-demand sectors of our workforce and help drive our economy. The U.S. Bureau of Labor Statistics projects careers that require a master's or doctoral degree at entry-level will comprise the fastest-growing segment of the U.S. workforce through 2028.[6] Graduate education equips DACA-eligible students and students with DACA status with the skills and education necessary to fill these roles.



A Legislative Solution is Critical

With the DACA program still susceptible to legal challenges, a legislative solution must be enacted to protect the program and provide a pathway to citizenship for those eligible to participate. A growing number of DACA-eligible students are pursuing graduate degrees in the most in-demand sectors of our economy and contributing to life-saving research. These students are entering the workforce as critical components of our economic growth. Protecting these students' ability to remain and work in the United States, their home, guarantees that they will continue to serve as essential members of their campuses, communities, and workplaces. CGS encourages the 117th Congress to make enacting a legislative solution for DACA a top priority.

[4] Svajlenka, N., Jawetz, T., Bautista-Chavez, A. (2017). Source: A New Threat to DACA Could Cost States Billions of Dollars. Source: <https://www.americanprogress.org/issues/immigration/news/2017/07/21/436419/new-threat-daca-cost-states-billions-dollars/>

[5] Ike Brannon and Logan Albright (2017). Source: The Economic and Fiscal Impact of Repealing DACA. Retrieved from: <https://www.cato.org/blog/economic-fiscal-impact-repealing-daca>

[6] Source: U.S. Bureau of Labor Statistics. (2020). Occupational outlook handbook. Retrieved from: <https://www.bls.gov/ooh/>