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DACA Update

The Biden Administration has, from its first days, supported restoration of Deferred Action for Childhood Arrivals (DACA) and expansion of legal protections for DACA recipients. In concert with a series of federal court cases, the Biden Administration has restored the DACA program to its status before the Trump Administration's changes.

- USCIS is processing new DACA applications, and current and former DACA holders may apply for renewal. Anyone who received a one-year renewal for deferred action and/or employment authorization under a Trump Administration policy ruled invalid by a federal judge will have it extended to two years.
- USCIS is again accepting applications for advance parole documents for DACA holders.
- Last summer, in June 2020, the United States Supreme Court struck down the Trump Administration's rescission of the DACA program in *DHS v. Regents of the Univ. of Calif.*, determining that the rules terminating the program had been promulgated in violation of the Administrative Procedures Act.
- Following that decision, in November 2020, a judge in the Eastern District of New York blocked another effort by the Trump Administration to end DACA by ruling that then-Acting DHS Secretary Chad Wolf lacked authority to issue a memo blocking new applicants for DACA and shortening current DACA approvals to one year.
- On January 20, 2021, President Biden directed the Secretary of Homeland Security, in consultation with the Attorney General, to "take all actions he deems appropriate consistent with applicable law, to preserve and fortify DACA."
- On February 18, 2021, through his allies in Congress, President Biden introduced the [U.S. Citizenship Act](#), which would offer a path to citizenship for DACA recipients as well as TPS-holders and some immigrant farm workers.
- On June 15, 2021, DACA's ninth Anniversary, DHS Secretary Mayorkas wrote an op-ed in *USA Today* urging "Congress to finally pass the permanent legislative protections that would give Dreamers the opportunity to earn citizenship – so that they can live their lives with true certainty, free from fear."