

DACA UPDATES TIMELINE



June 2012

A memorandum was created to establish the DACA program. It was created with the intent to protect certain undocumented immigrants that were brought to the U.S. as children from removal proceedings. The program allows recipients to apply for a driver's license, social security number, and a work permit.



June 2020

The Supreme Court ruled in a 5-4 decision that the 2017 attempt to end DACA was unlawful. However, the Supreme Court recognized that the federal government does retain legal authority to end the DACA program if rescinding is done in compliance with the Administrative Procedure Act (APA).



July 2021

The same judge issued a ruling that found DACA was unlawful due to violating the APA. It blocked DHS from approving any new applications. Individuals currently protected by DACA or those seeking to renew their protections are not immediately impacted by the decision and will continue to retain their protected status.



April 2023

The President announced a new proposed rule to expand Medicaid and Affordable Care Act health coverage to DACA recipients. The ability to apply for coverage through Medicaid or ACA is ineligible to DACA recipients because their immigration status does not meet the current definition of "lawful presence" that is needed to enroll. Stakeholders can comment on this proposed rule by June 23, 2023.

Sept 2017



The Trump administration announced their plan to rescind the DACA program, on the premise that the program is an overreach of executive power. Trump also stated that the U.S. is a nation of opportunity because we are a nation of laws. Legal challenges of the program were brought up.

Nov & Dec 2020



In November, a New York Federal judge set aside limitations that were placed on DACA from a memorandum issued by a former DHS secretary that wanted to make major changes to DACA. At the end of December, a separate lawsuit in the Southern District of Texas had the U.S. District Judge hear arguments where the State of Texas wanted DACA to be terminated.

Oct 2022



The U.S. Court of Appeals for the Fifth Circuit affirmed the July 2021 decision. The U.S. District Court for the Southern District of Texas issued an order extending its injunction and partial stay to the DACA final rule. Thus final rule generally codifies existing policies with limited changes. This took effect October 31, 2022 and has been the standard since.



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