

# Frequently Asked Questions on Deferred Action for Childhood Arrivals (DACA)

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## Frequently Asked Questions on Deferred Action for Childhood Arrivals (DACA)

The immigration initiative Deferred Action for Childhood Arrivals (DACA) has been of significant congressional and public interest since it was first announced by the U.S. Department of Homeland Security (DHS) in 2012. It is aimed at foreign nationals who entered the United States as children and do not have a lawful immigration status (referred to as *unauthorized childhood arrivals* or *Dreamers*). DACA, which is granted for an initial period of two years and can be renewed in two-year increments, provides recipients with protection from removal and potential eligibility for employment authorization. DACA applications are adjudicated by DHS's U.S. Citizenship and Immigration Services (USCIS). As of December 31, 2024, there were 533,280 active DACA recipients.

DACA has been subject to litigation for much of its existence. For most of the period since January 2018, in accordance with court orders, USCIS has accepted, but not processed, DACA requests from first-time requestors. It has processed DACA renewal requests from persons previously granted DACA.

To request DACA for the first time or to request a DACA renewal, an individual must file specified forms with USCIS and pay associated fees. USCIS's decision on a DACA request is discretionary. As part of the application process, DACA requestors are subject to background checks. During these checks, biographic and biometric information provided by the requestor is checked against various databases maintained by DHS and other federal agencies.

During the period of deferred action, a DACA recipient is considered to be in a period of stay authorized by DHS. A DACA recipient may be granted permission to travel abroad for educational, employment, or humanitarian purposes. According to USCIS, it has discretion to terminate a DACA grant at any time. It will typically provide the DACA recipient with a notice and an opportunity to respond before termination but may not do so in the case of an individual who is convicted of certain types of criminal offenses.

DACA recipients are not granted, or put on a pathway to, a lawful immigration status. If otherwise eligible, however, a DACA recipient may be able to obtain lawful immigration status under an existing immigration pathway. According to DHS, more than 100,000 DACA recipients have become lawful permanent residents (LPRs).

Legislation to establish a pathway to LPR status for unauthorized childhood arrivals predates the establishment of DACA. The first such bills were introduced in 2001 during the 107<sup>th</sup> Congress. One of these bills was entitled the DREAM Act. Since then, other bills to establish a pathway to LPR status for unauthorized childhood arrivals have been regularly introduced; regardless of such a bill's individual title, it is commonly referred to as a "Dream Act." Some of these bills have seen legislative action, including House or Senate passage. The most recent example is the American Dream and Promise Act (H.R. 6), which passed the House in the 117<sup>th</sup> Congress. Like many other recent bills proposing an LPR pathway for Dreamers, H.R. 6 made reference to DACA. It would have established streamlined application procedures for DACA recipients to become LPRs.

This report does not cover the eligibility of DACA recipients for federal public benefits. That information is available from other, largely benefit-specific CRS reports, such as CRS Report R47351, *Noncitizens' Access to Health Care*.

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## Introduction

The Deferred Action for Childhood Arrivals (DACA) initiative, which was first announced by the U.S. Department of Homeland Security (DHS) in 2012 during the Obama Administration, continues to be of significant congressional and public interest. The initiative is aimed at certain *unauthorized childhood arrivals*, or *Dreamers* (these terms describe foreign nationals who entered the United States as children and do not have a lawful immigration status). DACA, which is granted in two-year increments, provides recipients with protection from removal and potential eligibility for employment authorization. As of December 31, 2024, there were 533,280 active (i.e., current as of that date) DACA recipients.<sup>1</sup>

DACA has been a particular focus of attention in recent years because of ongoing litigation concerning its legality.<sup>2</sup> Steps taken by the Trump Administration to “launch the largest deportation operation in American history”<sup>3</sup> have also raised questions and concerns about possible impacts on DACA recipients. Legislative efforts to provide statutory immigration relief to Dreamers predate the establishment of DACA. While bills to grant lawful immigration status to Dreamers (including DACA recipients) continue to be introduced, none have been enacted as of the cover date of this report.

This report provides answers to frequently asked questions about DACA in five areas: general/background; initial DACA requests; renewal requests; protections, authorizations, and limitations; and legislation. It does not discuss DACA recipient eligibility for federal public benefit programs, which is covered in other CRS reports.<sup>4</sup>

## General/Background

### What is the current status of DACA?

For most of the period from January 2018 through the cover date of this report, in accordance with court orders, DHS’s U.S. Citizenship and Immigration Services (USCIS) has not processed DACA requests from persons who have never been granted DACA.<sup>5</sup> These requestors have been able to submit initial DACA requests but USCIS has not processed them. During this period, USCIS has processed renewal requests from persons previously granted DACA.<sup>6</sup> A decision in a

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<sup>1</sup> DHS, U.S. Citizenship and Immigration Services, “Count of Active DACA Recipients ... as of December 31, 2024,” [https://www.uscis.gov/sites/default/files/document/data/active\\_daca\\_recipients\\_fy2025\\_q1.xlsx](https://www.uscis.gov/sites/default/files/document/data/active_daca_recipients_fy2025_q1.xlsx).

<sup>2</sup> For additional information, see CRS Legal Sidebar LSB10625, *The Legality of DACA: Recent Litigation Developments*, and CRS Report R48467, *Nationwide Injunctions Under the First Trump Administration and the Biden Administration*.

<sup>3</sup> Remark by presidential candidate Donald Trump at a Madison Square Garden rally on October 27, 2024, in CNN transcript of the event, <https://transcripts.cnn.com/show/cnr/date/2024-10-27/segment/06>. (The CNN page notes, “This is a rush transcript. This copy may not be in its final form and may be updated.”)

<sup>4</sup> These reports include, for example, CRS Report R47351, *Noncitizens’ Access to Health Care*.

<sup>5</sup> From December 2020 to July 2021, in accordance with a federal court order, the original DACA policy was in effect and DHS processed initial as well as renewal requests. See DHS, USCIS, “DACA Litigation Information and Frequently Asked Questions,” <https://www.uscis.gov/humanitarian/consideration-of-deferred-action-for-childhood-arrivals-daca/daca-litigation-information-and-frequently-asked-questions>.

<sup>6</sup> Certain previous DACA recipients whose periods of deferred action have expired must file new DACA initial requests rather than renewal requests. A person whose period of deferred action expired less than one year before the new filing date may submit a renewal request. A person whose period expired at least one year before the new filing date must submit a new initial request. A person whose DACA grant was terminated and wants to request DACA must (continued...)

DACA case by the U.S. Court of Appeals for the Fifth Circuit in January 2025, which took effect in March 2025, would permit USCIS to process DACA requests filed by first-time requestors (in addition to renewal requests)<sup>7</sup> but, as of the cover date of this report, USCIS is not processing such initial requests.<sup>8</sup>

## **How was DACA established?**

The DACA initiative was announced by then-DHS Secretary Janet Napolitano in a June 15, 2012, DHS memorandum entitled, “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children.”<sup>9</sup> DHS has defined “prosecutorial discretion” as “the legal authority to choose whether or not to take action against an individual for committing an offense.”<sup>10</sup> The DACA initiative was not established by executive order.

## **What was the impetus for its establishment?**

President Obama discussed the initiative that would become known as DACA during White House remarks on June 15, 2012, the same day the DHS Secretary issued the memorandum establishing the initiative. President Obama linked the DACA initiative to lack of congressional action to provide immigration relief to foreign nationals who had been brought into the United States as children. He said

This morning, Secretary Napolitano announced new actions my administration will take to mend our nation’s immigration policy, to make it more fair, more efficient, and more just—specifically for certain young people sometimes called “Dreamers.”

...

[The DREAM Act] says that if your parents brought you here as a child, if you’ve been here for five years, and you’re willing to go to college or serve in our military, you can one day earn your citizenship. And I have said time and time and time again to Congress that, send me the DREAM Act, put it on my desk, and I will sign it right away.

...

In the absence of any immigration action from Congress to fix our broken immigration system, what we’ve tried to do is focus our immigration enforcement resources in the right places.... We focused and used discretion about whom to prosecute, focusing on criminals who endanger our communities rather than students who are earning their education.... We’ve improved on that discretion carefully and thoughtfully. Well, today, we’re improving it again.

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also submit a new initial request. See DHS, USCIS, “Frequently Asked Questions,” January 24, 2025, answer to Q53, <https://www.uscis.gov/humanitarian/consideration-of-deferred-action-for-childhood-arrivals-daca/frequently-asked-questions> (hereinafter cited as “USCIS, 2025 DACA FAQs”).

<sup>7</sup> The decision in the case (*Texas v. U.S.*) is available at <https://www.uscis.gov/sites/default/files/document/legal-docs/23-40653-CV0.pdf>. As a result of the decision, according to the National Immigrant Law Center (NILC), “there is currently no legal limitation on the processing of pending or first-time requests in all 50 states.” NILC, “Frequently Asked Questions: Latest DACA Developments,” March 21, 2025, <https://www.nilc.org/resources/latest-daca-developments/>.

<sup>8</sup> DHS, USCIS, “Consideration of Deferred Action for Childhood Arrivals (DACA),” “ALERT: Important Update on Deferred Action for Childhood Arrivals,” January 24, 2025, <https://www.uscis.gov/DACA>.

<sup>9</sup> The DHS memorandum is available at <https://www.dhs.gov/xlibrary/assets/s1-exercising-prosecutorial-discretion-individuals-who-came-to-us-as-children.pdf>.

<sup>10</sup> DHS, USCIS, “Glossary,” <https://www.uscis.gov/tools/glossary>.

Effective immediately, the Department of Homeland Security is taking steps to lift the shadow of deportation from these young people. Over the next few months, eligible individuals who do not present a risk to national security or public safety will be able to request temporary relief from deportation proceedings and apply for work authorization.<sup>11</sup>

## Are DACA recipients and Dreamers the same people?

*Dreamer* is a term that refers broadly to persons in the United States who do not have a lawful immigration status and came to the United States as children. DACA recipients are a subset of Dreamers who meet certain eligibility requirements (described below) and are granted DACA protection.

## What is the 2022 DACA final rule?

In August 2022, during the Biden Administration, DHS published a final rule to codify DACA.<sup>12</sup> Then-DHS Secretary Alejandro Mayorkas described the rule as “our effort to preserve and fortify DACA to the fullest extent possible.”<sup>13</sup> In January 2021, in the midst of ongoing litigation about the legality of DACA, President Biden had issued a presidential memorandum directing the DHS Secretary, in consultation with the Attorney General, to “take all actions he deems appropriate, consistent with applicable law, to preserve and fortify DACA.”<sup>14</sup> The final rule states that it “rescinds and replaces the DACA guidance” in the 2012 DHS memorandum. It also clarifies that all DACA grants “issued pursuant to the Memorandum remain in effect and will expire according to their existing terms.”<sup>15</sup>

The 2022 DACA final rule has been the subject of litigation, most recently before the U.S. Court of Appeals for the Fifth Circuit. In a January 2025 opinion, that court determined, “Because the Final Rule is materially identical to the 2012 Memorandum, the Final Rule substantively violates the INA.”<sup>16</sup>

## What demographic data are available about DACA recipients?

USCIS publishes quarterly online data on active DACA recipients. The most recent data are as of December 31, 2024 (the end of the first quarter of FY2025), when there were 533,280 active DACA recipients.<sup>17</sup> Available demographic data include breakdowns of the DACA population by country of birth, state or territory of residence, Core Based Statistical Area (CBSA), gender, age, and marital status. These data show, for example, that as of December 31, 2024,

- the top country of birth for DACA recipients was Mexico,

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<sup>11</sup> White House, *Remarks by the President on Immigration*, June 15, 2012, <https://obamawhitehouse.archives.gov/the-press-office/2012/06/15/remarks-president-immigration>.

<sup>12</sup> DHS, “Deferred Action for Childhood Arrivals,” 87 *Federal Register* 53152, August 30, 2022 (hereinafter cited as “2022 final DACA rule”). The rule is codified at 8 C.F.R. §§236.21-236.25.

<sup>13</sup> DHS, USCIS, “DHS Begins Limited Implementation of DACA under Final Rule,” November 3, 2022 (archived content).

<sup>14</sup> White House, “Preserving and Fortifying Deferred Action for Childhood Arrivals (DACA),” presidential memorandum, January 20, 2021, <https://www.govinfo.gov/content/pkg/FR-2021-01-25/pdf/2021-01769.pdf>.

<sup>15</sup> 8 C.F.R. §236.21(d).

<sup>16</sup> The decision in the case (*Texas v. U.S.*) is available at <https://www.uscis.gov/sites/default/files/document/legal-docs/23-40653-CV0.pdf>.

<sup>17</sup> The December 2024 data are available at [https://www.uscis.gov/sites/default/files/document/data/active\\_daca\\_recipients\\_fy2025\\_q1.xlsx](https://www.uscis.gov/sites/default/files/document/data/active_daca_recipients_fy2025_q1.xlsx).

- the top state of residence for DACA recipients was California,
- the top CBSA for DACA recipients was Los Angeles-Long Beach-Anaheim, CA,
- more DACA recipients were female than male,
- the median age of DACA recipients was 30, and
- most DACA recipients were unmarried.

## **Has the second Trump Administration taken any specific actions on DACA?**

As of the cover date of this report, the second Trump Administration has not taken action on DACA,<sup>18</sup> although individual DACA recipients may have been impacted by other immigration-related actions by the Administration.

In response to a question about Dreamers during a December 2024 interview with NBC News, then-President-elect Trump said

The dreamers are going to come later, and we have to do something about the dreamers because these are people that have been brought here at a very young age. And many of these are middle-aged people now. They don't even speak the language of their country.<sup>19</sup>

When asked what he would do, he responded

I will work with the Democrats on a plan. And if we can come up with a plan, but the Democrats have made it very, very difficult to do anything. Republicans are very open to the dreamers. The dreamers, we're talking many years ago they were brought into this country. Many years ago. Some of them are no longer young people. And in many cases, they've become successful.<sup>20</sup>

## **Initial DACA Requests<sup>21</sup>**

### **What are the eligibility requirements for consideration of DACA?**

The eligibility criteria are

- under age 16 at the time of entry into the United States;
- under age 31 on June 15, 2012;
- continuous residence in the United States for at least five years before June 15, 2012 (i.e., since June 15, 2007);

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<sup>18</sup> The first Trump Administration tried to terminate DACA. For additional information, see CRS Report R46764, *Deferred Action for Childhood Arrivals (DACA): By the Numbers*.

<sup>19</sup> NBC News, "Read the full transcript: President-elect Donald Trump interviewed by 'Meet the Press' moderator Kristen Welker," December 8, 2024, <https://www.nbcnews.com/politics/donald-trump/trump-interview-meet-press-kristen-welker-election-president-rcna182857> (hereinafter cited as "NBC News interview").

<sup>20</sup> NBC News interview.

<sup>21</sup> This section discusses initial requests for DACA. As of the cover date of this report, USCIS is accepting, but not processing, initial DACA requests. According to USCIS, as of December 31, 2024, there were 100,988 pending initial DACA requests; these data are available at [https://www.uscis.gov/sites/default/files/document/data/daca\\_performancedata\\_fy2025\\_q1.xlsx](https://www.uscis.gov/sites/default/files/document/data/daca_performancedata_fy2025_q1.xlsx).

- physical presence in the United States on June 15, 2012, and at the time of making the request for consideration of deferred action;
- not in lawful immigration status on June 15, 2012;
- not convicted of a felony, a significant misdemeanor, or three or more misdemeanors, and not otherwise a threat to national security or public safety; and
- in school, graduated from high school or obtained general education development certificate, or honorably discharged from the U.S. Armed Forces or the Coast Guard.

In addition, a person must be at least age 15 to request DACA, unless the individual is in removal proceedings or has a final removal order or voluntary departure order.

## **What are the required forms and other materials for an initial DACA request?**

A requestor must submit the following three forms to USCIS:

- Form I-821D, Consideration of Deferred Action for Childhood Arrivals
- Form I-765, Application for Employment Authorization
- Form I-765WS, Worksheet

Requestors also should submit evidence that they meet the DACA eligibility requirements (see “What are the eligibility requirements for consideration of DACA?”).

## **Can new requestors still request consideration of DACA?**

Persons may submit new initial requests to USCIS, but as of the cover date of this report, USCIS is not processing them.

## **Is there a fee for an initial DACA request?**

The total application fee is either \$555 or \$605 depending on the filing method. It consists of a Form I-821D filing fee of \$85 and a Form I-765 filing fee of either \$470 (online filing) or \$520 (paper filing). According to USCIS, “there are very limited fee exemptions available.”<sup>22</sup>

## **Are initial DACA requestors subject to background checks?**

Yes, initial DACA requestors are subject to background checks. Their biographic and biometric information is checked against databases maintained by DHS and other federal agencies.

## **If a requestor satisfies the eligibility requirements for an initial DACA grant, does the individual automatically receive DACA?**

DACA grants are not automatic. USCIS’s decision on a DACA request is discretionary.

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<sup>22</sup> For additional information, see USCIS, 2025 DACA FAQs, answer to Q9.

## **If an initial DACA request is approved, is the requestor granted lawful immigration status?**

DACA recipients are not granted, or put on a pathway to, a lawful immigration status. During the period of deferred action, however, a DACA recipient is considered to be in a period of stay authorized by DHS and is considered to be lawfully present in the United States for certain purposes.<sup>23</sup>

## **Renewal Requests**

DACA protection is granted for two years and, as of the cover date of this report, can be renewed indefinitely in two-year increments.

## **What requirements must a DACA recipient meet in order to be considered for renewal of DACA?**

A renewal requestor must satisfy the following criteria:

- did not depart from the United States on or after August 15, 2012, without first obtaining advance parole (see “Are DACA recipients allowed to travel abroad?”);
- has continuously resided in the United States since submitting the most recent approved DACA request; and
- has not been convicted of a felony, a significant misdemeanor, or three or more misdemeanors, and is not a threat to national security or public safety.

## **What are the required forms and other materials to request renewal of DACA?**

To request a renewal of DACA, an individual must submit the same three forms as an initial requestor:

- Form I-821D, Consideration of Deferred Action for Childhood Arrivals
- Form I-765, Application for Employment Authorization
- Form I-765WS, Worksheet

A renewal requestor does not have to submit any documents that were previously provided to USCIS in connection with an approved DACA request. However, the individual does have to submit any new documents related to removal proceedings or criminal history. USCIS will request additional documentation from the individual if needed.

## **Is there a fee for a DACA renewal request?**

Renewal requests are subject to the same fees as initial requests (see “Is there a fee for an initial DACA request?”).

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<sup>23</sup> For additional information, see USCIS, 2025 DACA FAQs, answer to Q6.

## **If a requestor meets the eligibility requirements, is approval of a DACA renewal request automatic?**

Like its decision on an initial DACA request, USCIS's decision on a renewal request is discretionary.

## **When should a DACA recipient submit a renewal request?**

USCIS “strongly encourage[s]” DACA recipients to submit renewal requests 120-150 days before their current DACA expiration date. According to USCIS, filing for renewal during this timeframe “reduces the risk that your current period of DACA will expire before you receive a decision on your renewal request.” USCIS also notes that “filing earlier than 150 days ... will not result in a faster decision.”<sup>24</sup>

## **Protections, Authorizations, and Limitations**

### **Will the information provided by DACA requestors be used for immigration enforcement purposes?**

DHS says it “will not use information about a requestor in a request for DACA to initiate immigration enforcement proceedings against that requestor, unless DHS is initiating immigration enforcement proceedings due to a criminal offense, fraud, a threat to national security, or public safety concerns.”<sup>25</sup> DHS also says it will not use information in a DACA request about family members or guardians for immigration enforcement purposes.<sup>26</sup>

According to DHS, information in a DACA request “may be shared with national security and law enforcement agencies, including ICE and CBP, for purposes other than removal, including for assistance in the consideration of DACA, to identify or prevent fraudulent claims, for national security purposes, or to investigate or prosecute a criminal offense.”<sup>27</sup>

### **Are DACA recipients authorized to work?**

Individuals granted DACA may receive work authorization if they can demonstrate an economic necessity for employment. As part of a DACA request (initial or renewal), requestors must submit an application for employment authorization.

### **Are DACA recipients allowed to travel abroad?**

A DACA recipient who wants to travel outside the United States must apply to USCIS for advance parole. Advance parole is permission for a foreign national to re-enter the United States after temporarily traveling abroad.<sup>28</sup> Generally, USCIS will only issue an advance parole document to a DACA recipient who wants to travel abroad for educational, employment, or

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<sup>24</sup> USCIS, 2025 DACA FAQs, answer to Q52.

<sup>25</sup> USCIS, 2025 DACA FAQs, answer to Q21.

<sup>26</sup> USCIS, 2025 DACA FAQs, answer to Q22.

<sup>27</sup> USCIS, 2025 DACA FAQs, answer to Q21.

<sup>28</sup> Advance parole does not guarantee re-entry into the United States; foreign nationals are subject to inspection at U.S. ports of entry and may be denied entry.

humanitarian (e.g., to obtain medical treatment) purposes. According to USCIS, a DACA recipient who leaves the country without first obtaining an advance parole document “run[s] a significant risk of being unable to reenter the United States.”<sup>29</sup>

## **Can DACA recipients become U.S. lawful permanent residents (LPRs)?**

DACA recipients can become LPRs if they qualify under an existing immigration pathway. According to data provided to CRS by DHS’s Office of Homeland Security Statistics (OHSS), 133,930 DACA recipients had obtained LPR status as of March 31, 2024.<sup>30</sup> The overwhelming majority (93%) did so through the permanent family-based immigration system.<sup>31</sup>

## **Can an individual’s DACA grant be terminated before the end of the two-year DACA period?**

According to USCIS, it has discretion to terminate a DACA grant at any time. It will typically provide the DACA recipient with a Notice of Intent to Terminate and an opportunity to respond before termination but may not do so in the case of an individual who is convicted of certain types of national security-related or public safety offenses.<sup>32</sup>

## **Would a person who loses DACA be forced to leave the United States?**

An individual who loses DACA would no longer have the protection from removal that DACA provides. Whether or not the U.S. government would take steps to remove that individual from the country is a separate matter.

# **Legislation**

## **Have any bills on DACA been introduced in the 119<sup>th</sup> Congress?**

Several bills that reference DACA have been introduced in the 119<sup>th</sup> Congress as of the cover date of this report.<sup>33</sup> Among them is the American Dream and Promise Act of 2025 (H.R. 1589). This bill would provide pathways to LPR status for certain noncitizens, including Dreamers who satisfy a set of requirements, and would establish streamlined procedures for DACA recipients. (A precursor bill with the same name is discussed below; see “Have any Dream Act measures been considered by Congress?”.) The other bills introduced in the 119<sup>th</sup> Congress that reference DACA concern DACA recipient eligibility for public benefits or services, a topic beyond the scope of this report.

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<sup>29</sup> USCIS, 2025 DACA FAQs, answers to Q60 and Q61.

<sup>30</sup> DHS/OHSS email to CRS, April 15, 2024.

<sup>31</sup> For additional information about family-based immigration, see CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*.

<sup>32</sup> USCIS, 2025 DACA FAQs, answer to Q29.

<sup>33</sup> CRS research librarians searched the text of legislation introduced in the 119<sup>th</sup> Congress as of the cover date of this report for the terms “DACA,” “deferred action for childhood arrivals,” “individuals who came to the United States as children,” “dreamer,” and “development, relief, and education for alien minors act.”

## **Has Congress ever enacted legislation on DACA?**

As of the cover date of this report, CRS identified one law enacted since DACA's establishment in 2012 that includes language on DACA.<sup>34</sup> That law—the National Defense Authorization Act for Fiscal Year 2020 (P.L. 116-92)—was enacted in December 2020. Division A (§570B) provides that “no member of the Armed Forces may be involuntarily separated from the Armed Forces solely because that member is a ‘covered member’.” The provision defines a “covered member,” in part, as a member of the Armed Forces who “possesses a current and valid employment authorization document that was issued pursuant to the [2012 DACA] memorandum.”

## **What is the Dream Act?**

A bill entitled the Development, Relief, and Education for Alien Minors (DREAM) Act was first introduced in Congress in 2001.<sup>35</sup> It proposed to provide a pathway to LPR status for certain unauthorized childhood arrivals. Since then, a range of other bills have been introduced to establish LPR pathways for unauthorized childhood arrivals. Although not all of these measures were entitled the “DREAM Act” and none included the exact same provisions as the original 2001 bill, such legislation came to be known generally as the “Dream Act.”

## **What is the relationship between the DACA initiative and the Dream Act?**

Although both the DACA initiative and the Dream Act seek to provide immigration relief to unauthorized childhood arrivals, they are different instruments and offer eligible individuals different forms of relief. The DACA initiative is an exercise of prosecutorial discretion by the executive branch. Individuals granted DACA receive temporary protection from removal. They are not given a lawful immigration status. By contrast, a Dream Act bill, if enacted, would establish a statutory process for eligible individuals to become LPRs. Many Dream Act bills introduced in Congress since the establishment of DACA explicitly include DACA recipients among their potential beneficiaries.

## **Have any Dream Act measures been considered by Congress?**

Over the years, the House and Senate have acted on Dream Act proposals, with a few bills passing one chamber.<sup>36</sup> Most recently, in the 117<sup>th</sup> Congress, the House passed the American Dream and Promise Act (H.R. 6). This bill would have created an LPR pathway for certain Dreamers (among others) and would have established streamlined application procedures for

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<sup>34</sup> CRS research librarians searched the text of laws enacted in the 112<sup>th</sup>-119<sup>th</sup> Congress as of the cover date of this report for the terms “DACA,” “deferred action for childhood arrivals,” “individuals who came to the United States as children,” “dreamer,” and “development, relief, and education for alien minors act.” Only one of the resulting bills pertained to the DACA initiative.

<sup>35</sup> The bill (S. 1291) was introduced in the 107<sup>th</sup> Congress. It was reported by the Senate Judiciary Committee but received no further action. For additional discussion, see archived CRS Report RL31365, *Unauthorized Alien Students: Legislation in the 107th and 108th Congresses*.

<sup>36</sup> For an overview of this legislative activity from 2001 to 2020, see archived CRS Report R45995, *Unauthorized Childhood Arrivals, DACA, and Related Legislation*.

DACA recipients.<sup>37</sup> The Senate Judiciary Committee held a hearing on the bill;<sup>38</sup> it did not take further action.

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<sup>37</sup> For additional discussion, see CRS Report R47061, *Immigration Legislation and Issues in the 117th Congress*.

<sup>38</sup> U.S. Congress, Senate Committee on the Judiciary, "H.R.6, American Dream and Promise Act of 2021," hearing, 117<sup>th</sup> Congress, 1<sup>st</sup> sess., June 15, 2021, <https://www.judiciary.senate.gov/committee-activity/hearings/hr6-american-dream-and-promise-act-of-2021>.