

Dept. of Justice: AG Kaul joins amicus brief in support of Dreamers, pushes back on Texas lawsuit attacking DACA

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MADISON, Wis. – Attorney General Josh Kaul has joined a coalition of 23 attorneys general in an amicus brief in support of Deferred Action for Childhood Arrivals (DACA) in *Texas v. United States*. In the amicus brief filed before the U.S. Court of Appeals for the Fifth Circuit, the coalition highlights the critical contributions of hundreds of thousands of DACA recipients to public health efforts, the economy, and communities across the country — and pushes back on the Texas-led efforts to end DACA. Since 2012, DACA has provided access to work authorization and protected from removal approximately 825,000 individuals who grew up in this country, most of whom have known no home other than the United States.

“DACA has created opportunities for hundreds of thousands of people,” said Attorney General Josh Kaul. “I’m proud to stand in support of this enormously successful program that has benefited communities across the country.”

DACA has allowed recipients to live, study, and work across the United States free from the fear of being forcibly separated from their families and communities. The policy has enabled hundreds of thousands of grantees to enroll in colleges and universities, complete their education, start businesses that help improve our economy, and give back to our communities as teachers, medical professionals, and entrepreneurs. These contributions became especially evident as the deadly coronavirus pandemic began to sweep through the nation and thousands of DACA recipients served on the frontlines as essential workers.

As of November 2021, an estimated 34,000 health care workers and support staff depend on DACA for their authorization to work in the United States, including nurses, dentists, pharmacists, physician assistants, home health aides, technicians, and others.

DACA also plays a vital role in supporting our economies at the national, state, and local level. For instance, DACA recipients and their households pay an estimated \$9.5 billion in federal, state, and local taxes each year. Allowing new initial DACA requests would lead to an estimated increase of \$2.5 billion in state and local tax revenue over the next 20 years. In addition, DACA recipients’ estimated spending power — \$25.3 billion — is important to the overall economic health of the amici states. Without DACA, national economic growth over the course of a decade is projected to fall by \$280 billion. Such a scenario would also lead to an estimated loss of \$33.1 billion in Social Security contributions and \$7.7 billion in Medicare contributions: funds that are critical to ensuring the financial health of national programs upon which Americans across the country rely.

In the amicus brief, the coalition asserts, among other things:

- DACA grantees are vital to communities, economies, and public universities;
- DACA increases public safety and decreases the strain on safety net programs;
- Abrupt termination of DACA would cause substantial disruption and harm, including to amici states;
- Any remedy in this case must account for the significant reliance interests at stake;
- Amici states have structured programs, policies, and laws in reliance on DACA and the benefits it confers; and
- The appellate court should reverse the district court’s order, which enjoined DACA and erroneously concluded that DACA is unlawful.

In filing the amicus brief, Attorney General Kaul joins the attorneys general of California, New York, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia.