



How many immigrants have DACA, really? We finally have one answer — just as they start to lose it.

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The Trump administration threw the fate of the Deferred Action for Childhood Arrivals program — which protects some young unauthorized immigrants from deportation and allows them to work legally in the US — into limbo a month ago, and neither the administration nor Congress seems particularly rushed about rescuing it.

The government barred immigrants from applying for DACA; set an abrupt (and underpublicized) deadline for some immigrants to renew it; and gave Congress six months to pass legislation to protect DACA recipients, before it started kicking them out of protection entirely.

They did all of this before anyone actually knew exactly how many immigrants had DACA to begin with.

Only with the door already shut on the program is it clear just how big the DACA population really is: about 690,000. And that number is about to start shrinking — maybe as soon as in the next days or weeks.

When the DACA program was in full effect, through August 2012 to September 2017, the federal government didn't publish good information about how many DACA recipients there were — leading people to make estimates that ranged from several hundred thousand to nearly 1 million. Only after starting to shut the program down on September 5, by refusing to accept new applications, did the Trump administration disclose how many people had DACA on the last day the program was fully in effect: 690,000 immigrants were protected by DACA on September 4 of this year.

The reapplication period for DACA recipients is now closed, and that number is going to start shrinking slowly over the next few months. And come March 5 — unless Congress has acted by then to protect DACA recipients — it will start shrinking quickly and permanently.

Why no one knew how many DACA recipients there were until the program was coming to an end

The government's immigration records are usually not organized by how many people in the US currently have a certain immigration status (or, in the case of DACA recipients, "lawful presence"). They're organized by how many applications for a status the government has *approved*.

That's fine as long as no one's status ever changes. But in the case of DACA, which only lasted for two years and had to be renewed, it quickly stopped being useful.

As of March 31, 2017 — the most recent information that was publicly available before Attorney General Jeff Sessions announced an end to DACA on September 5 — there had been about 787,000 applications for initial DACA protections approved.

But that didn't count anyone who'd applied for DACA between April and August.

On the other hand, it *did* count an unknown number of people who didn't have DACA anymore: who'd applied for DACA in years past, then allowed it to expire without renewing their protections and work permits. (DHS also published data on the number of renewals it had approved, but that didn't help either, since DACA recipients who applied in 2012 had renewed twice already by 2017.)

And even knowing the number of current work permits being held by DACA recipients (as DHS disclosed when it ended the program) wasn't useful, because DACA recipients who'd just gotten their protections renewed often held two work permits: the old one (which hadn't yet expired) and the new one.

The best estimate, prepared by David Bier of the Cato Institute, suggested that there were 800,000 DACA recipients all told on the day the program ended. It turns out that number was a bit high. After the end of the program, USCIS started telling reporters that there were actually 690,000 immigrants covered by DACA.

Moving out of DACA could mean moving to full legal status — or losing protections entirely

People having DACA, then not having it, didn't always mean they were losing all legal protection. USCIS estimates that about 40,000 immigrants with DACA were able to become legal permanent residents — most likely, many of them qualified for green cards (thanks to a US citizen relative or spouse) before getting DACA, but having DACA allowed them to get the waivers they needed to go through the green card process.

But most of the time, losing DACA just meant losing DACA. According to the government's estimates, about 50,000 people lost DACA because they failed to renew their protections before the two years were up — and another 20,000 applied for renewal but their applications weren't approved.

Both of those categories are likely to start growing after October 5, as the number of current DACA holders shrinks.

Immigrants whose current DACA grants expire before March 5 had to have their renewal applications submitted before Thursday, October 5 — and as of the eve of the deadline, as many as 42,500 hadn't done so yet. Some applications probably came in at the last minute, but it's plausible that tens of thousands of immigrants missed the cutoff and will simply lose their DACA once the current grants expire. (This is especially likely for immigrants who are set to lose DACA in January or February of next year.)

In the meantime, DHS isn't obligated to approve any of the 115,000 or more applications for renewal it *has* gotten. In fact, one of the biggest criticisms of DACA, and the biggest argument for its unconstitutionality, was that immigration officers hadn't had enough discretion to reject immigrants who qualified for the program on paper. And the ACLU is arguing that the Trump administration has unfairly stripped people of existing DACA protections — which doesn't bode well for how its agents will treat applications for renewal.

The public probably won't know exactly how many people have DACA, and how many have lost it, as the program continues to wind down. But it's fair to say that it's already seen its peak.