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Joe Biden's Efforts to Restore and Expand the Scope of DACA in the United States during the 2020-2024 Period

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Abstract

Immigration is a multifaceted issue that significantly impacts various areas. In a lot of developed countries, such as the U.S., this causes a new problem, which is illegal immigration. As an effort to eliminate this issue, the U.S. has implemented the DREAM Act in 2001, followed by DACA in 2012, which was created by Obama, that aims to protect illegal immigrants who came to the U.S. as children. However, DACA faced significant challenges when Trump became president and attempted to repeal DACA and successfully made changes to the policy. Biden, as Trump's successor, adopted a different approach to the issue of illegal immigration, seeking to restore and expand the scope of DACA. With this in mind, this study aims to analyze and evaluate Biden's efforts to restore and expand DACA during the 2020–2024 period, using Lee & Anderson's immigration policy framework, particularly regarding the policy process. John Rourke's five idiosyncratic indicators to assess the obstacles Biden faced in restoring and expanding DACA's scope. The research employs a descriptive qualitative method with secondary data and data analysis. The findings indicate that Biden's efforts. Such as the codification of DACA, the Build Back Better Bill, the U.S. Citizenship Act of 2021, and providing ACA access to Dreamers, were hindered by Congressional disagreement, court rulings, and Biden's idiosyncratic factors, such as personality, physical and mental health, ego, experience, and the reality not aligning with his agenda.

Keywords: DACA, Joe Biden, illegal immigrants

Abstrak

Imigrasi merupakan isu yang kompleks dan berdampak signifikan pada berbagai bidang. Di banyak negara maju, seperti AS, hal ini menimbulkan isu baru, yaitu imigrasi ilegal. Sebagai upaya untuk mengatasi masalah tersebut, AS telah menerapkan DREAM Act pada tahun 2001, dilanjutkan oleh DACA pada tahun 2012 yang dibuat oleh Obama, yang bertujuan untuk memberikan perlindungan kepada imigran ilegal yang datang ke AS sebagai anak-anak. Namun, DACA menghadapi tantangan besar ketika Trump menjadi Presiden dan berusaha menghapus DACA serta berhasil membuat perubahan terhadap kebijakan tersebut. Biden, sebagai penerus Trump, mengadopsi pendekatan yang berbeda terhadap isu imigrasi ilegal, dengan berupaya untuk merestorasi dan memperluas cakupan DACA. Untuk itu, penelitian ini bertujuan untuk menganalisis dan mengevaluasi upaya Biden merestorasi dan memperluas DACA pada periode 2020–2024, dengan menggunakan konsep kebijakan imigrasi Lee & Anderson, terutama mengenai proses kebijakan, dan lima indikator idiosinkratik Rourke untuk mengevaluasi hambatan yang dihadapi Biden dalam merestorasi dan memperluas cakupan DACA. Metode yang digunakan yaitu kualitatif deskriptif dengan data sekunder, serta analisis data. Hasil penelitian menunjukkan bahwa upaya Biden, seperti kodifikasi DACA, RUU Build Back Better, U.S. Citizenship Act 2021, dan pemberian akses ACA kepada Dreamers, terhambat oleh ketidaksetujuan Kongres dan putusan pengadilan, serta faktor idiosinkratik dari Biden, seperti kepribadian, kondisi fisik dan mental, ego, pengalaman, dan realita yang tidak sesuai dengan agendanya.

Kata kunci: DACA, Joe Biden, imigrasi ilegal

INTRODUCTION

International migration is a complex phenomenon characterized by the movement of populations across national borders, which exerts considerable influence on social. political spheres. While economic. and provide immigrants can substantial contributions to the economy, they may simultaneously place increased demands on the public resources of the host country. One of the countries with the most significant number of immigrants is the United States. In 2018, more than 40 million people living there were born in other countries, with the majority coming from Asia (28%) and Mexico (25%) (Budiman, 2020).

The large immigrant population of the U.S. stems from historical factors. In the early 1600s, around 100 individuals from England came and settled in what was then known as the New World, seeking religious freedom after a dispute with the church, as well as expanding economic opportunities. The number of English settlers grew until they eventually formed colonies. They also brought in people from Africa and enslaved them. Later in the 1800s, ethnicity in the U.S. diversified, with the arrival of large numbers of Irish, German, and Chinese immigrants (HISTORY, 2021).

In the U.S., the immigrant population has experienced a consistent upward trend, especially from 2018 to 2022 (see Table 1).

Table 1. Immigrant Population in the U.S., 2018–2022

Year	Population
2018	44,728,700
2019	44,932,900
2021	45,270,100
2022	46,182,200

Source: Migration Policy Institute

Table 1 illustrates the continuous increase in the immigrant population over five years. This trend has contributed to the formation of a multicultural society that

supports economic development. However, approximately one-quarter of immigrants in the U.S. are undocumented, posing legal and political challenges in the country. As a result, in 2012, President Obama introduced the Deferred Action for Childhood Arrivals (DACA) policy to protect undocumented children of immigrants and young immigrants who arrived in the U.S. before the age of 16. The DACA program does not grant official immigration status; instead, it serves as an exercise of prosecutorial discretion, offering work permits and protection from deportation (Park, Yale-Loehr, & Kaur, 2023).

Obama's presidency. After Donald Trump's election in 2017 led to significant shifts in U.S. immigration policy, including efforts to dismantle DACA, which he viewed as unconstitutional and a catalyst for illegal immigration. In September 2017, Department of Homeland Security (DHS) announced the phased elimination of DACA, halting new applications and revoking status for Dreamers (a term given to people enrolled in DACA) who missed deadlines, leaving them vulnerable to deportation and loss of rights (DHS, 2017).

The U.S. Supreme Court blocked Trump's efforts in June 2018, ruling the move as arbitrary (CRS, 2018). Unable to entirely end DACA, Trump imposed restrictions in 2020, such as reducing the duration of DACA status, halting new applications, and barring travel for recipients (National Immigration Law Center, 2020). Despite these changes, DACA's legal status remained uncertain by the end of Trump's presidency.

Upon his election, Biden aimed to restore America's welcoming image toward immigrants, similar to his vice presidency under Obama, which marked a 180-degree shift from Trump's anti-immigration principles and actions. Committed to restoring DACA, Biden supported its continuation after the Supreme Court blocked Trump's attempt to

end it. However, Biden faced legal challenges as DACA's legitimacy was questioned due to its foundation in an executive memorandum rather than Congressional legislation, hindering his efforts to expand DACA and secure the rights of Dreamers.

It is undeniable that DACA has been the subject of debate and controversy, with some people arguing that the policy could encourage illegal immigration, which could ultimately lead to negativity in society, such as insecurity and increased crime. In this regard, Gunadi (2019) focuses on evaluating the impact of DACA on crime rates, especially property crime rates such as burglary and theft. According to the article, since DACA was implemented, the property crime rate decreased, especially in states with a higher number of DACA applications.

This positive development may be due to increased economic opportunities and less fear of deportation among DACA recipients. By providing work permits and protection from deportation, DACA can enable illegal immigrants to get better jobs and improve their economic prospects. This condition makes them less likely to engage in criminal activities as a means of survival. However, the study also notes that there may be other consequences of implementing DACA as a policy. For example, increased competition for jobs among workers may reduce employment opportunities for U.S. natives.

Meanwhile, Smith (2023) states that more than 22% of Dreamers are likely to return to their home countries if the U.S removed DACA. Smith's article also highlights the broader implications of ending DACA, particularly the potential harm it would do to the children of Dreamers who are U.S. citizens, who would face challenges if their parents were deported. Smith emphasized that the welfare of these children needs to be a critical consideration in hearings that could determine

the existence of DACA. Furthermore, Smith believes that there is a need to regulate the path to citizenship for Dreamers and their families, to strengthen U.S. society, and reflect the integration of individuals who have built their lives in the U.S.

Lee (2021) examines the implications of rescinding the DACA program through a rightsanalysis framework. policy literature uses the P.A.N.E. framework of Participation, Accountability, Nondiscrimination, and Equality to assess how the removal of DACA would violate immigrants' rights, especially in the context of international human rights law. Participation emphasizes that the decision-making process should include Dreamers' voices regarding policies that affect their lives. Accountability requires the government to provide transparent information and take responsibility for the impact of decisions related to DACA. Then, nondiscrimination highlights that the repeal of DACA could raise concerns about potential ethnic discrimination, especially to Latinx. as more than 90% of Dreamers are from Latin America. Finally, equality emphasizes that the removal of DACA could undermine Dreamers' rights and opportunities for equal treatment and access to resources.

Based on the data above, this research analyzes and evaluates Biden's efforts to restore and expand DACA by examining the motivations, implementation, and obstacles affecting Dreamers and their families, intending to expand DACA's scope in the 2020-2024 period.

METHOD

Conceptual Framework

Immigration policy is an iterative process that requires continuous improvement to remain relevant to current circumstances. Policy formation, particularly in the context of immigration policy (Lee & Anderson, 2008)

starts with defining the problem and agenda and identifying issues needing attention. Secondly, formulating policy to consider all options to address the problem. Next, policy legitimation aims to gain public and institutional support and ensure legal grounding. This condition is followed by policy implementation, where policies are translated into actions that require coordination and resources. Next. policy. program. evaluation are aimed at monitoring progress to assess effectiveness and make adjustments. Lastly, policy termination applies when goals are unmet or priorities shift.

Each country has its methods for immigration policy-making. In the U.S., the Constitution divides the federal government into three branches: legislative, executive, and judicial. In addition, there are seven key actors involved in the immigration policy-making process in the U.S. (Peters, 2022). The president plays a key role in setting the policy agenda and proposing legislation. At the same Congress, time, the the House of Representatives, and the Senate formulate the laws, allocate funding, and oversee the implementation of executive laws. Then, bureaucracv interprets legislation and enforcement of laws, while interest groups represent specific groups and advocate for particular policies. Next, the courts interpret the law, influence policies through judicial reviews, and resolve disputes. The public influences policymakers through voting, advocacy, and public discourse. At last, the state and local governments are capable of creating their laws while implementing federal policies.

This study focuses on the president's role in policy-making, highlighting the challenges in restoring and expanding DACA. The president influences U.S. politics by setting priorities and issuing executive orders, affecting policies like DACA. According to John Rourke (2008 in

Sarini 2023), five individual-level factors influencing policy-making are: (1) personality affects decision-making under pressure; (2) health impacts cognitive clarity and strategic thinking; (3) ego and ambition drive personal gain or collaboration in policy; (4) political history and personal experience shape risk assessment and decisions; and (5) perceptions and operational reality show that gaps can distort decision-making. These indicators factors influencing presidential decision-making, examining how a leader's personality and experience impact policies like and identifying implementation DACA obstacles.

RESULTS AND DISCUSSION The Birth of DACA

In 2001, Senator Dick Durbin and Senator Orrin Hatch proposed the Development, Relief, and Education for Alien Minors (DREAM Act), which allowed illegal immigrants under the age of 16 to apply for U.S. citizenship under certain conditions related to educational background, character, criminal record (Library of Congress, 2020). While some support this on humanitarian grounds to protect the welfare of children, others believe that it rewards illegal activity and may encourage children to enter the U.S. illegally in the future. The DREAM Act was enacted in some places under state regulations. However, nationally, the DREAM Act was not accepted by the U.S. Congress, where it failed to receive the 60 votes needed to be formally enacted into law (Library of Congress, 2020).

Attempting to revive the goals of the DREAM Act, the incumbent U.S. president Barack Obama launched a new policy for U.S.-domiciled juvenile and adult immigrants who arrived under the age of 16 without legal authorization or documentation, through a memorandum issued by the Department of Homeland Security (DHS) (DHS, 2012). This

policy was named Deferred Action for Childhood Arrivals (DACA). Then, in August 2012, the U.S. Citizenship and Immigration Services (USCIS) began accepting applications.

DACA offers underage illegal immigrants legal protection from deportation and allows them to stay in the U.S. for two years. After two years, eligible illegal immigrants can renew their membership to continue receiving work authorization and protection from deportation. USCIS reported that within five years after DACA was enacted, there were nearly 690,000 young immigrants who benefited from the policy. Since its enactment, DACA has contributed to strengthening the country's economic security, particularly in the labour market and the U.S. GDP. In 2016, in the labour market, more than 380,000 individuals under DACA contributed \$41.7 billion to the US GDP. In addition, an estimated 1.3 million DACA recipients contributed \$1.7 billion per year in local and state taxes (Lougheed, 2019).

DACA under Trump's Administration

After Obama's term ended and Donald Trump took over the administration in the 2017 election, drastic changes occurred in U.S. immigration policy. Before the election, Trump had announced his plans to reform the orientation of U.S. immigration Therefore, as of January 2017, Trump focused immigration reform, emphasizing nationalism and protectionism with slogans like "America First" and "Make America Great Again." His administration aimed to restore American strength through stricter policies prioritizing domestic interests and securitizing immigrants by making them a threat to the U.S. (Sitompul & Cipto, 2022).

Taufik and Pratiwi (2021) highlighted that the anti-immigrant policies are related to the selective isolationism strategy used by Trump through the American First slogan, where Trump considers internationalism

unproductive. This situation also led to the phenomenon of xenophobia, racism, and white supremacy in the name of nationalism, resulting in discrimination against immigrants as part of ethnic minorities in the U.S. This phenomenon came from the fear and anxiety of conservatives in the U.S. towards immigrants who they see as a significant threat to the economy and security, such as tightening job competition that will make it difficult for native-born U.S. citizens and increasing the percentage of criminal acts in the country, such as drug trafficking that are often associated with immigrants from Mexico. However, existing research data is not in line with conservative concerns (Orrenius & Zavodny, 2019).

Meanwhile. Trump's attempt to terminate DACA, criticized during his 2016 unconstitutional campaign as and overreach of executive power, culminated in a DHS memorandum on September 5, 2017 which granted Congress six months to find a legislative solution, with DACA recipients losing protection and work permits if their status expired after March 6, 2018 (DHS, 2017).

Trump's decision sparked protests and legal challenges, with advocacy groups and several states arguing that ending DACA would harm those dependent on the policy. The case ultimately reached the Supreme Court, which, on June 18, 2020, ruled that Trump's attempt to terminate DACA was illegal due to insufficient explanation and failure to consider its impact on DACA recipients. This ruling allowed DACA to continue temporarily but emphasized the need for a permanent legislative solution (American Immigration Council, 2024).

On July 28, 2020, Trump issued a memorandum to further restrict DACA by halting the acceptance of new applications,

reducing the duration of renewals from two years to one year, and eliminating advance parole for DACA recipients (National Immigration Law Center, 2020). However, in November 2020, Judge Nicholas G. Garaufis blocked this action, reaffirming that DACA remained in effect and that any changes must follow the proper legal procedures. By December 7, 2020, the provisions of DACA were reinstated, restoring protections for Dreamers (American Immigration Council, 2024).

DACA under Biden's Administration

During his presidential campaign, Biden outlined his agenda to shift U.S. immigration policy from Trump's restrictive approach. He frequently contrasted his stance with Trump's policies, emphasizing his commitment to restoring the U.S. image as a welcoming country for immigrants, as seen in his August 2020 remarks at the National Association of Latino Elected Officials Conference:

"If I'm elected president, we're going to immediately end Trump's assault on the dignity of immigrant communities. We're going to restore our moral standing in the world and our historic role as a safe haven for refugees and asylum seekers, and those fleeing violence and persecution." (Rev, 2020).

In line with this, within his first 100 days in office, Biden signed over 60 Executive Orders, 24 of which directly aimed at reversing Trump's policies (Hickey et al., 2021). One of the key immigration reforms championed by Biden is the restoration and expansion of DACA, which seeks to mitigate the limitations imposed during the Trump administration and enhance protections for Dreamers through presidential memorandum and legislative initiatives.

Through Executive Order 14.010, Biden aims to address migration's root causes,

regulate North and Central American migrants, and ensure safe asylum processes. He increased refugee admissions, halted the U.S.-Mexico border wall construction, and directed the Attorney General and Secretary of Homeland Security to "preserve and fortify" DACA, reversing Trump's decision to halt new applicants. However, these faced challenges, including a court ruling that DACA exceeds legal authority, although it did not revoke the recipients' current status. In addition, a high influx of migrants from Mexico, Honduras, Guatemala, and El Salvador posed a significant challenge (Eichensehr, 2022).

This endeavor encapsulates Biden's vision for a more equitable, humane, and compassionate immigration system, driven by several underlying factors. The first factor is the concern that Dreamers' well-being is central to the restoration of DACA. Over 75% of Dreamers arrived in the U.S. before the age of five (American Immigration Council, 2024), meaning most have lived in the U.S. for nearly their entire lives and see it as their home. Forcing them to return to a homeland they may not remember would be unjust.

Additionally, an estimated 300,000 U.S.-born children have at least one Dreamer parent (American Immigration Council, 2024), and uncertainty surrounding DACA jeopardizes Dreamers and their families' economic, psychological, and social well-being. Even worse, they risked family separation due to their ethically indefensible immigration status. A 2023 survey found that undocumented immigrants' average income rose by 164.4% due to legal work and study opportunities after becoming Dreamers (American Immigration Council, 2024). Without DACA, Dreamers face limited career options and a lower standard of living.

The second factor is the contributions of Dreamers to the U.S. economy. Permanently ending DACA would negatively impact the U.S.

economy, as the U.S. Chamber of Commerce stated: "Ending DACA would be a nightmare for Dreamers. A nightmare for businesses. A America's nightmare for Economy." (Velázquez, 2018). Dreamers contribute through taxes, workforce participation, and job creation. Restoring DACA helps maintain economic stability, as many Dreamers work in kev industries like food. construction. healthcare, and education (New American Economy, 2018). Over 5% of Dreamers under 25 own small businesses, and 8% of those over 25 employ others (Velázquez, 2018). Dreamers also pay \$6.2 billion in federal taxes and \$3.3 billion in state and local taxes annually (American **Immigration** Council, 2024). Around 428,000 Dreamers earn \$27.9 billion each year and contribute \$2.1 billion to Social Security and Medicare (Center for American Progress, 2024). Restoring DACA enables Dreamers to continue supporting the economy through taxes that fund public programs and infrastructure, potentially benefiting all U.S. residents.

Biden also believed that legalizing Dreamers could boost the economy, increasing GDP by \$329 billion over the next decade, with DACA recipients contributing \$42 billion annually. By 2019, approximately 1.3 million undocumented individuals were eligible for legal status but faced barriers to education and employment. A study reported strong public support for legalizing Dreamers despite opposition and argued that the clear economic benefits should inform immigration policy (Ortega, Edwards, & Hsin, 2019).

The third factor is politics and public support. Biden prioritized restoring DACA to keep his campaign promise and align it with Democratic Party values. DACA received broad public support, with 74% of U.S. citizens backing permanent legal status for Dreamers, especially among Democrats and Hispanics (Krogstad, 2020). Additionally, 89% of

Democrats and 57% of Republicans support establishment of a process undocumented immigrants to gain legal citizenship status (Krogstad, 2020). This public helped Biden gain support particularly in immigrant-heavy states like California, with the largest number of eligible immigrant voters, at 5.5 million (Noe-Bustamante & Budiman, 2020). Biden secured 63.5% of the vote in California, totaling 11,109,764 votes (Washington Post, 2020).

The fourth factor is the U.S. global image dan commitment implementation. Historically, the U.S. has positioned itself as a "global leader" in promoting human rights norms, with contributions from U.S. diplomats, academics, activists, and non-governmental organizations in building the international human rights which influenced movement, has governance practices of other nations and led to the development of international law (Koh, 2020). U.S.'s commitment to human rights is reflected in its ratification of the Universal Declaration of Human Rights (UDHR) in 1948. Article 1 of this treaty states:

"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." (United Nations, 1948).

Restoring and expanding DACA aligns with the U.S. human rights obligations under the UDHR, improving its image as an inclusive, immigrant-friendly nation and reinforcing its commitment to humanitarian values. Biden administration's policies demonstrate a different perspective from the Trump administrations on immigration, particularly regarding DACA. Table 2 summarizes these discrepancies.

Table 2. Comparison of Biden and Trump's Policies on DACA

Policy Aspect	Trump Administration	Biden Administration
DACA Program Status	Attempted to terminate the DACA program via executive action (2017); faced multiple legal challenges; program's future remained uncertain	Advocated for restoring and fortifying DACA; defended it in court; proposed legislative protection through the U.S. Citizenship Act of 2021
Deportation Protection	Sought to remove protections by ending DACA, increasing deportation risk for recipients	Affirmed protection from deportation for DACA recipients; supported legislative efforts to make protections permanent
Work Permits for Dreamers	Opposed continuation; attempted to phase out work permits for DACA recipients	Supported issuance of work permits; worked to maintain legal status and work authorization for Dreamers
Pathway to Citizenship	No support; opposed legislative efforts to grant citizenship to DACA recipients	Proposed a pathway to citizenship for DACA recipients via the U.S. Citizenship Act of 2021
Court Actions	Administration fought in courts to end DACA; argued legality of rescission	Administration defended DACA in courts; appealed adverse rulings; promoted regulatory actions to sustain the program
Policy Messaging	Viewed DACA recipients as part of unlawful immigration	Publicly recognized Dreamers' contributions and emphasized humane treatment in line with American values

Source: Processed from various sources

The Policy-making Process for Restoring and Expanding the Scope of DACA

Urgent issues influenced Biden's policymaking process, especially illegal immigration, which gained prominence after the previous administration's focus strict on enforcement over a humanitarian approach. To outline Biden's policy formation, the author uses the stages from Lee & Anderson's (2008) concept. The first stage is defining the problem and setting the agenda. Illegal immigration is a complex issue with social, economic, and political implications, creating a dilemma between strict law enforcement and offering opportunities to individuals who contributed to U.S. society. In 2019, around 10.2 million undocumented immigrants lived in the U.S. (Passel & Krogstad, 2024), many of whom arrived as children and integrated into society. Despite their contributions, Dreamers lived in fear of deportation, making the issue both legal and humanitarian. Biden prioritized reversing Trump's policies and restoring protections, balancing enforcement opportunity amid advocacy pressure.

The second stage is policy formulation. In response to illegal immigration, considered restoring and expanding DACA to balance law enforcement with opportunities for immigrants. DACA protects recipients from deportation and grants work permits, allowing Dreamers, who are deeply integrated into U.S. society, to live without fear of deportation. Restoring DACA aligns with Biden's goal of balancing humanitarian values with pragmatic immigration policies. Many Dreamers have stable jobs and higher education, so granting them legal status would benefit the economy and reduce social tensions. Despite legal challenges, Biden may seek more permanent solutions through legislative reforms like the U.S. Citizenship Act and the American Dream and Promise Act.

The third stage is policy legitimation. At this stage, it is essential to gain support from

various stakeholders and ensure a clear legal foundation for the policy (Lee & Anderson, 2008). To strengthen its legal position, Biden directed the DHS in 2021 to formalize DACA regulations and urged Congress to pass comprehensive immigration reform for a permanent solution and citizenship pathway through the Citizenship Act of 2021. Biden's administration also appealed court decisions that had invalidated the DACA program. President Biden also issued executive orders and policy guidelines to reaffirm DACA's humanitarian purpose, protect beneficiaries. and restore a welcoming approach within immigration agencies like (United States Citizenship Immigration Services) (Scarciglia, 2023).

Despite these efforts, legal challenges remain. A long-term strategy must address legal, political, and economic factors while gaining public support and enhancing the immigration system. Biden aims to solidify DACA's legal and social legitimacy, laying a stronger foundation for future immigration policies and protecting Dreamers long-term.

fourth The stage is implementation. At this stage, concrete steps are taken to realize the policy and achieve the desired outcomes (Lee & Anderson, 2008). Under Biden's leadership, the implementation of DACA focused on restoring its legal status and ensuring stability after challenges during the Trump administration. Biden streamlined the application process by instructing USCIS to expedite applications and simplify renewals, addressing delays that caused uncertainty for Dreamers. He also aimed for transparency and fairness in the process, ensuring Dreamers could legal protection access without bureaucratic barriers. By expanding DACA to include healthcare through the ACA. Biden ensured Dreamers received the same healthcare access, a benefit denied under Trump.

The fifth stage is policy program and evaluation. To assess policy effectiveness, monitoring outcomes since implementation is necessary (Lee & Anderson, 2008). Biden has successfully upheld DACA, with around 600,000 individuals enrolled bv 2023 (Moslimani & Passel, 2024) This shows that many continue to benefit, pursuing work and education opportunities. DACA has allowed them to secure stable, higher-paying jobs, contributing to the U.S. economy, with 18% in health and social services, 15% in trade and retail, 12% in education, and 10% in professional services (Center for American Progress, 2024). However, challenges persisted as DACA lacked a path to citizenship, with recipients relying on biannual renewals to avoid deportation. Legal challenges hinder efforts to make DACA permanent, highlighting the need for a comprehensive policy for undocumented immigrants contributing to U.S. society.

Biden's Efforts to Restore and Expand the Scope of DACA

Biden's central campaign promise was to restore and expand DACA, eventually providing Dreamers with a path to citizenship. On June 15, 2020, marking DACA's 8th anniversary, Biden criticized Trump's decision to end the program, calling it inhumane. He stated:

"Dreamers are Americans. But Trump's ripped away the hard-won protections of DACA recipients, throwing their lives into upheaval. It's unacceptable, and on day one of my presidency I will protect them from deportation and send a bill to Congress." (Biden, Joe Biden, 2020).

This statement marked the beginning of Biden's promise to restore DACA and protect Dreamers. Biden highlighted that over 200,000 Dreamers are essential workers, including 30,000 in healthcare during the COVID-19

crisis (Biden, My Statement on the Anniversary of DACA, 2020). He criticized Trump for undermining their trust and argued they deserved protection from deportation. Biden's campaign also focused on expanding DACA to include more undocumented immigrants brought as children, aiming to provide a path to citizenship.

The first step Biden took to restore and expand the scope of DACA was to codify DACA as a federal regulation. It was a strategic move to strengthen a policy that had only been based on an executive memorandum since 2012. On January 20, 2021, Biden issued the "Preserving and Fortifying DACA" memorandum, instructing DHS to create federal regulations to maintain and enhance DACA. emphasized that work permits granted to Dreamers support their well-being and contribute to the nation's economy. On September 28, 2021, DHS proposed new regulations, which were finalized on August 30, 2022, as part of the Code of Federal Regulations, effective October 31, 2022 (USCIS, 2022).

The final rule provides Dreamers with protection from deportation, work authorization, and advance parole, although without permanent legal status. Codification protects DACA from legal challenges, but it remains subject to changes by future administrations. Biden sought to legitimize this policy, which required congressional approval to have full legal strength. Secretary of Homeland Security Alejandro N. Mayorkas stated that Congress must pass permanent protection for Dreamers, saying:

"Ultimately, we need Congress to urgently pass legislation that provides Dreamers with the permanent protection they need and deserve." (USCIS, 2022).

Codifying DACA would strengthen its legal foundation, but political shifts and court

decisions continued to threaten its stability. Thousands of potential Dreamers could not apply, and current recipients faced two-year renewals. Administrative challenges, like USCIS backlogs and state-federal tensions, complicate its execution. Advocacy groups like United We Dream fought for permanent protection, with personal stories from Dreamers strengthening the case, especially during the COVID-19 pandemic. However, obstacles persist, and strategic legal advocacy is crucial to improve temporary policies and reduce bureaucratic delays until a permanent solution is obtained.

The second step was in 2021 when Biden introduced the Build Back Better (BBB) bill, regulating post-pandemic recovery, covering economic, healthcare, climate, and social justice reforms. It included the American Rescue Plan, Jobs Plan, and Families Plan, aiming to benefit both U.S. citizens and including immigrants. Dreamers. **BBB** proposed expanding educational aid for offering work permits Dreamers. and deportation protection for five years, and allocating over a million green cards. Additionally, Biden planned to create a pathway to citizenship for 11 million undocumented immigrants, contingent on background checks and tax compliance (White House, 2021). The bill also proposed funding to improve USCIS capacity for processing DACA applications (Magaña-Salgado, 2022).

BBB faced significant setbacks in Congress. In December 2021, the bill failed to pass the Senate, primarily due to opposition from Republican senators and moderate Democrats. Despite this setback, some provisions were moved into other legislation, like the Infrastructure Investment and Jobs Act (McPherson, 2022). BBB had the potential to help Dreamers, but its future was uncertain. In 2022, Biden sought a citizenship pathway for Dreamers through budget reconciliation, but

the Senate ruled out the immigration provisions. Opposition centered on costs and resistance to the citizenship pathway, with conservative states filing lawsuits, claiming that including immigration reform in an economic bill was unconstitutional, thus complicating DACA's implementation.

Despite challenges, advocacy groups like United We Dream campaigned for the BBB, sharing Dreamers' stories to gain public support. Their efforts raised awareness about DACA protections and urged lawmakers for a quicker solution. The failure of the BBB in the Senate highlighted the difficulty of including immigration reform in a large economic package. While Biden's executive actions, like increasing DACA processing, showed his commitment, the lack of legislative success highlighted the deep political challenges to comprehensive immigration reform.

Biden's third step was introducing the U.S. Citizenship Act of 2021 on January 20, 2021, as a comprehensive immigration reform that potentially affects eleven undocumented immigrants. Formally introduced on February 18, 2021 by Biden, Senator Bob Menendez, and Congresswoman Linda Sanchez to Congress (Dalal, 2021), the bill proposed a citizenship pathway and legal status for eligible undocumented immigrants, including Dreamers after eight years (White House, 2021). This bill aligned with Biden's vision and public sentiment for a more inclusive immigration system, balancing humanitarian concerns with border security needs. Biden urged Congress to act swiftly on Dreamer protections during DACA Day in 2021. Immigrant communities and advocacy groups, like ACLU and National Immigration Forum, strongly supported the bill, believing it would protect immigrants, reunite families, and boost the economy by allowing immigrants to work legally (Nepal, 2021). However, partisan opposition, the Republican, feared it would

encourage illegal immigration, making the bill struggled in Congress and finally tanked. It highlighted political polarization, with conservative opposition and execution challenges hindering its success.

The fourth effort to restore and expand the scope of DACA was the American Dream and Promise Act of 2021 bill, which targets immigrant groups like Dreamers, Temporary Protected Status holders, and others who arrived as children. Key provisions for Dreamers include: (1) Conditional permanent residence for 10 years; (2) the ability to apply for permanent status and citizenship; and (3) the option for states to provide educational assistance (Congress, 2021). Introduced on March 3, 2021, by Lucille Roybal-Allard, the bill passed the House on March 18 with 228 votes in favor and 197 against. Biden praised the House's action, calling it an essential step in reforming U.S. immigration and supporting Dreamers (White House, 2021). He continued to advocate for the bill, aiming to implement it nationwide. On June 15, 2021, Biden urged the Senate to pass the bill. Despite gaining Democratic support, it failed to secure 60 votes due to Republican opposition and legal challenges from conservative states. Without bipartisan cooperation, the bill struggled, and the Dreamers are left in limbo and have lost their economic contributions. Although Biden made another attempt in 2022, opposition remained. The American Dream and Promise Act pushed for reform, but political resistance delayed progress. It showed that continued advocacy and public awareness are crucial for future success.

The fifth and final step of Biden's effort was the inclusion of Dreamers in the American Care Act (ACA). On May 3, 2024, Biden announced that Dreamers could now access ACA coverage, helping 100,000 individuals get affordable healthcare. Premiums started at \$10 per month to cover medical consultations,

prescriptions, emergency care, and mental health services (CMS, 2024). This policy aims to address Dreamers' struggle to access health insurance despite working in high-risk sectors. ACA allowed Dreamers to achieve better health and financial stability without incurring debt. The ACA, enacted in 2010, provided affordable healthcare through subsidies; however, over 75% of Dreamers could not access ACA benefits because they lacked health insurance (CMS, 2024).

ACA and DACA, the legacies of the Obama-Biden administration, were expanded under Biden's leadership, gaining support from Washington D.C., and 19 states while facing notably through opposition, challenging its legality (National Immigration Law Center, 2024). Critics argue that Dreamers should not have the same rights as citizens and that the policy may encourage illegal immigration. However, Dreamers retained ACA access, setting a precedent for immigrant integration and reflecting values of social justice and inclusion, which benefited both Dreamers and society. Resistance from conservative states remained. Kansas and 18 other states led the Kansas vs. the U.S. (National Immigration Law Center, 2024) to rebut this policy, highlighting the ongoing struggle for progressive immigration policies, which required continued efforts in the courts, state legislatures, and public campaigns.

Obstacles in the Restoration and Expansion of DACA: Political Dynamics and Legal Challenges

Biden's efforts to restore and expand DACA met with challenges, especially in the polarized U.S. political climate. Despite his strong commitment to securing Dreamers' rights, Biden's focus on short-term political expedience and fear of societal change led to

legislative gridlock. Successful policy lawmakers' implementation relies on willingness to prioritize the collective good over partisan interests. The ideological divide between political factions created barriers, with some prioritizing party over human rights. Congress' inability to reach bipartisan consensus revealed the difficulty of navigating national identity inclusively, while restrictive immigration policies overlooked immigrants' contributions. Biden's efforts to protect Dreamers raised broader questions about America's approach to diversity and the need for more adaptable immigration policies. To remain relevant, the U.S. must prioritize human rights and move past political polarization, shifting the focus on immigration to embrace a more inclusive vision.

Congress' inability to pass DACA-related legislation left the policy vulnerable to legal challenges. In 2016, Judge Andrew Hanen ruled DACA was unlawful, as only Congress can regulate immigration (American Immigration Council, 2024). This condition blocked new DACA applications but allowed current recipients to extend their stay. In October 2022, the Fifth Circuit Court of Appeals upheld Hanen's ruling, further deepening legal uncertainty (American Immigration Council, 2024). On September 13, 2023, Hanen reaffirmed his decision, declaring DACA invalid (American Immigration Council, 2024). As a result. Biden's administration was unable to restore and expand DACA during his presidency.

Obstacles in the Restoration and Expansion of DACA: Biden's Leadership

Biden's efforts to restore and expand DACA have faced obstacles, primarily due to the inability to pass a valid nationwide law through Congress. Additionally, factors within Biden's administration have contributed to these challenges. We analyzed these obstacles using five policy-making indicators proposed

by John Rourke (2008). The first indicator is personality. Rourke (2008) suggests that a policymaker's personality can shape their response to pressure, such as the legal uncertainty surrounding DACA. Biden is known for his ability to listen and understand various perspectives, which often leads him to over-compromise, especially on controversial policies like DACA. His consensus-driven nature makes him seek the middle ground rather than decisive action. This focus on dialogue and balance has caused delays in the legislative process, exacerbating the legal uncertainty for Dreamers, who require precise and swift solutions.

The second indicator is physical and mental health. Rourke (2008) suggests that an individual's physical and psychological health can affect decision-making. Andrew Budson, a neurology professor at Boston University, explains that cognitive decline begins between the ages of 60 and 70, with a higher risk of dementia after 70 (Jahnke, 2020). This decline can impair decision-making by hindering the recall of crucial factors. Biden's age presents challenges in addressing significant issues like COVID-19 and economic recovery. His health can complicate DACA's restoration, as physical and mental decline affect his decision-making. The failure to restore DACA highlights political challenges and limitations due to psychological and physical resources.

The third indicator is ego and ambition. Rourke (2008) argues that a policymaker's ego or ambition can sometimes fail to address the needs of affected groups. Biden's desire for bipartisan agreements reflects his belief that consensus-based policies are more enduring than executive orders. However, this ambition becomes a barrier to DACA's restoration, as Biden prioritizes moderate compromises over decisive action that might increase political polarization. His focus on bipartisan support, particularly with the Republican Party, limits

the potential for more ambitious immigration reforms, ultimately hindering swift and comprehensive DACA reform.

The fourth indicator is political history and personal experiences. Rourke (2008) argues that personal experiences shape one's worldview and risk assessment. As a seasoned politician, including his time as Vice President under Obama, Biden understands complexities of immigration reform, especially amid Republican resistance. His experience with DACA's vulnerability under Trump made him cautious in its restoration, recognizing the need for legislative support. Additionally, Biden's personal history of loss has fostered empathy but also excessive caution. His focus on avoiding confrontation and prioritizing consensus has sometimes hindered decisive action needed to restore DACA.

Lastly, the fifth indicator is perception and operational reality. Rourke (2008) suggests that a gap between perception and reality can decrease optimality. Biden viewed immigration reform as a moral imperative for social justice and protecting vulnerable groups. While he believed he could implement beneficial policies for Dreamers, in reality, the executive was not the sole power in the U.S. Two other branches, particularly the conservative-leaning Republican-controlled

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Congress, had a say in policies like DACA. This disparity between Biden's perception and the operational reality presents significant obstacles in restoring DACA.

CONCLUSION

Immigration issues in the U.S. continue to evolve, facing challenges that require different approaches. Between 2020 and 2024, Biden worked to restore and expand DACA. Despite his commitment to reforming immigration and protecting Dreamers, efforts such as codifying DACA and proposing bills like the BBB, the U.S. Citizenship Act of 2021, and the American Dream and Promise Act of 2021 failed due to a lack of bipartisan support and ideological differences in Congress. DACA also remains vulnerable to legal challenges, complicating its restoration. Biden's efforts to grant Dreamers certain rights, such as ACA access, have also been hindered by legal issues, creating uncertainty. While Biden's approach focused immigrant rights, his compromising personality, age, and ambition for bipartisan agreements slowed the progress. Overall, Biden's efforts highlighted the complexity of U.S. immigration policy, requiring broad support to succeed.

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