

## Deferred Action for Childhood Arrivals (DACA)

### What is DACA?

Deferred Action for Childhood Arrivals (DACA) is an immigration policy that pertains to immigration protections for individuals who arrived in the U.S. as children and who meet certain criteria. Criteria includes lacking legal immigration status to request consideration of deferred action, not deportation to their country of origin, for a period of two years. This program was established by the Obama Administration in June 2012 and plans to begin phasing it out were initiated by the Trump Administration in September of 2017. Current DACA protection is subject to renewal and provides the individual with eligibility for work authorization in the U.S. Participating individuals are commonly referred to as DREAMers after the DREAM Act, which was first proposed in 2001 by joint efforts of the U.S. House and Senate. The DREAM Act provided participating undocumented immigrants who were brought to the U.S. as children the opportunity to attend college and eventually become U.S. citizens. DACA provides no such path to citizenship currently, which is an important distinction between it and the DREAM Act.

### Who Qualifies for DACA?

To qualify for DACA, applicants must meet the following requirements, although meeting these requirements does not guarantee approval:

- Have come to the U.S. before their 16<sup>th</sup> birthday
- Have lived continuously in the U.S. since June 15, 2007
- Were under age 31 on June 15, 2012 (born on June 16, 1981 or after)
- Were physically present in the U.S. on June 15, 2012, and at the time of making their request for consideration of deferred action with USCIS
- Had no lawful status on June 15, 2012
- Have completed high school or GED, have been honorably discharged from the armed forces, or are enrolled in school
- Have not been convicted of a felony or serious misdemeanors, or three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety

### Recent DACA Changes

There have been many changes and federal court orders that have affected DACA protections under the current administration. As of February 14, 2018, U.S. Citizenship and Immigration Services (USCIS) is not accepting any requests from individuals who have never before been granted deferred action under DACA. As a result of federal court orders on January 9, 2018 and February 13, 2018, DACA protections for individuals that previously had protection are still in place.

### How Can DACA be Renewed?

Individuals who were previously granted deferred action under DACA may request renewal by following instructions and completing and signing the following forms, found on the USCIS website:

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

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All forms must be submitted with the correct fees or an approved fee exemption request. USCIS may request additional documents or statements to verify the information provided. This process might involve USCIS contacting other government agencies, educational institutions, and/or employers to verify information. Individuals who knowingly and willfully provide materially false information on Form I-821D will be committing a felony punishable by a fine or up to 10 years in prison, or both (see 18 U.S.C. § 1001; 18 U.S.C. § 1546). In addition, individuals may be placed into removal proceedings.

**Related Resources in Mile High United Way's 2-1-1 Database:**

[Comprehensive Immigration/Naturalization Services](#)  
[Relief from Removal/Other Immigration Relief](#)

Sources: US Citizenship and Immigration Services website (<https://www.uscis.gov/humanitarian/deferred-action-childhood-arrivals-response-january-2018-preliminary-injunction>); US Citizenship and Immigration Services website (<https://www.uscis.gov/archive/consideration-deferred-action-childhood-arrivals-daca>)

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