

Deferred Action for Childhood Arrivals (DACA)

On June 15, 2012,

President Barack Obama announced that the U.S. Department of Homeland Security (DHS) would not deport certain undocumented youth who came to the United States as Children and had established residency in the country before June 2007.

What is Deferred Action?

Deferred action is a temporary protective status against deportation or removal by DHS for 2 years. It is also known as "administrative relief"

What are the benefits?

Work Permit, temporary protective status against deportation/removal (2 years), Social Security Number, and better paying jobs with benefits.

Who is DACA for?

Any Undocumented Migrant who entered the United States before their 16th birthday and established residency before June 2007.

Common Myths



1) DACA is only for children who were brought into the U.S. by their parents



2) DACA is only for the best and brightest (specifically college students/graduates or Military Vets)



3) DACA will help a select few cut ahead in the line towards legal permanence



4) Only open for one specific Ethnic Demographic (i.e. Migrant Communities from Latin America)



...And Why They're Myths



1) The rules don't actually require a minor to be accompanied by a parent when entering the country. DACA, does however, require the applicant to have entered the U.S. before the age of 16 and before June of 2007.

2) Applicants have to have a high school diploma or a GED, or be "in school" to qualify. If an individual does not have a high school diploma or GED, the individual can qualify as long as he or she can verify enrollment in some form of schooling that works towards finding employment. (for example adult school or ESL classes)

3) Those who came legally will keep their same place in the existing line and will not be harmed in any way. Instead, the Department of Homeland Security has created a separate process for individuals who have grown up here but have no existing path to legal status.

4) All un-accompanied minors and/or undocumented migrants who established residency before June 2007 and entered the country before the age of 16 may be eligible for DACA-mentation.

What's new in 2015?

On November 20th, 2014 president Barack Obama announced an expansion of the DACA program and an inclusion of a new program, the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA), which would include undocumented parents of U.S. citizens and/or parents of Lawful Permanent Residents in administrative relief.

Unfortunately, after the announcement was made, 26 states challenged Pres. Obama's bill and filed an injunction that was upheld by a federal judge in Texas. This impeded any forward movement on DACA/DAPA.

The injunction remains in place until an agreement is reached or the Supreme Court overturns it

What does this mean for DACA?

DACA?

KEEP CALM AND APPLY FOR DACA

Although the expansion of DACA and the addition of DAPA will not take any effect at the moment, USCIS has continued to accept DACA renewal and first time applicants. Be sure to apply with the new and revised version of the DACA (I-821D) form

How to Apply

If you'd like to apply for DACA be sure to visit the USCIS website that is linked below and download the following three forms.

USCIS (<http://www.uscis.gov/i-821d>)

Forms/Cost: Fill out all necessary forms: I-821D (New), I-765, I-765 Worksheet. There is also a \$465.00 fee that goes along with the application.

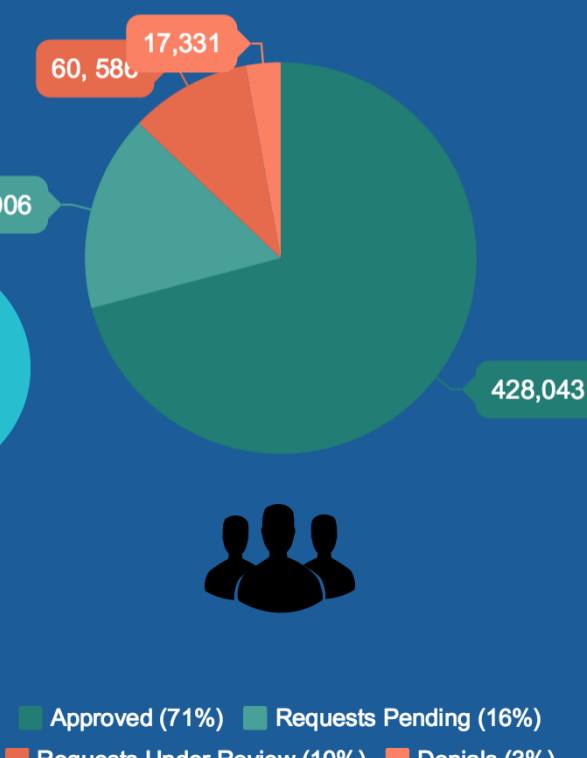
Fee Waivers: There are fee waivers for special circumstances (i.e. unaccompanied minor who does not have necessary funds and meets specific requirements) so please look at the website or seek legal advice if you would like more information.

If you are applying for renewal, please include all forms listed above and apply at least 120 days (or 6 months) before your DACA status expires.

DACA Applications 2015 (I-821D)

Total Requests as of 6/30/2015:

603,966



DACA Requirement Checklist

- | | |
|--|--|
| <input type="checkbox"/> Born on or after June 16, 1981 | <input type="checkbox"/> Entered the country without being detained/inspected or lawful immigration status (Visa) expired as of June 15, 2007 |
| <input type="checkbox"/> Entered the country before the age of 16 | <input type="checkbox"/> Are currently in school, have graduated High School or have obtained a General Education Certificate (GED) |
| <input type="checkbox"/> Have continuously resided in the United States since June 15, 2007 (past 5 years), up to the present date. | <input type="checkbox"/> No conviction of felony, significant misdemeanor, three or more misdemeanors, and do not pose a threat to security of United States |
| <input type="checkbox"/> You were physically present in the United States on June 15, 2007, and at the time of the creation of DACA. | <input type="checkbox"/> Be at least 15 years of age in order to apply for DACA (unless you are or have been in deportation proceedings) |
| <input type="checkbox"/> Newest Version of Form I-821D (original copy, handwritten signature, and date) | <input type="checkbox"/> \$465 Fee-Check or Money Order made payable to "U.S. Department of Homeland Security" |
| <input type="checkbox"/> Form I-765 (work permit application) | <input type="checkbox"/> Submit all necessary documents (including evidence to prove eligibility) |
| <input type="checkbox"/> Form I-765 WS (work sheet) | <input type="checkbox"/> Make a copy of everything you are going to submit. |

Tip

Always consult an Immigration Attorney if you have questions about a criminal record that exists prior to submitting documentation, if you have questions about any of the items on this checklist, or are unsure about information/evidence that you must provide.

Still don't know where to look for help or advice?



Consider these Bay Area Resources and Websites...

East Bay Sanctuary Covenant
2362 Bancroft Way
Berkeley, California 94704

Telephone: (510) 540-5296
Fax: (510) 540-5907
Urgent/Toll Free: (800) 548-0956

Monday, Tuesday, Wednesday:
10:00 AM - 4:00 PM
Thursdays: Appointment Only
(office is CLOSED)
Friday: 10:00AM - 4:00PM



Other Important Websites:

www.uscis.gov/childhoodarrivals

<http://nwirp.org/dream>

<http://www.lsc-sf.org/>

The DREAM Hotline :

1(855)31-DREAM

CENTRO LEGAL

Strengthening our Community

DE LA RAZA

Working for Justice

3022 International Blvd Suite 410
Oakland, CA 94601

Phone: (510) 437-1554
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E-Mail: info@centrolegal.org

We are open to the public:
Monday through Thursday
9:00am - 12:00pm
2:00pm - 4:00pm

Web: <http://www.centrolegal.org/>