



Office of Migration and Refugee Services
Immigration Legal Services Program

Locations:

St. Augustine Tower
7800 Detroit Ave, Cleveland, Ohio 44102

Key Bank Professional Building
8 North State Street, Suite 455, Painesville, OH 44077

Blessed Trinity Parish
300 East Tallmadge Ave, Akron, Ohio 44310

Phone: 216-939-3769

The Current State of the Deferred Action for Childhood Arrivals (DACA) Program

(This document was updated on September 6, 2017)

Please note that this document is based on information available on September 6, 2017, but the situation is fluid and may change. It is always best to consult with an immigration attorney or accredited representative before taking action.

The Deferred Action for Childhood Arrivals (DACA) program was started by the Obama Administration in 2012. If an individual was approved for DACA, they could apply for employment authorization and were protected from deportation/removal during the period for which their DACA was valid.

On September 5, 2017, the Trump Administration rescinded the Obama Administration memo which created the program, effectively ending DACA with a few exceptions. How this may affect individuals who have previously applied for or were granted DACA is explained below.

Currently I do not have DACA, but I think I am eligible. Should I apply?

- No, it is no longer possible to apply for DACA. United States Citizenship and Immigration Services (USCIS) will not accept any new DACA applications (for individuals who had not previously been granted DACA) after September 5, 2017.
- If someone tells you it is still possible to apply and offers to help you for a fee, be cautious, it is likely a scam. You should consult with an experienced immigration attorney or a representative accredited by the Department of Justice to receive accurate information on options other than DACA that may be available to you.

I have DACA and it will expire between September 5, 2017 and March 5, 2018. What should I do?

- You have the opportunity to apply to renew DACA until October 5, 2017. USCIS will not accept any renewal applications after this date. If you apply for renewal before October 5, 2017, USCIS has said they will process these applications on a case by case basis. You will receive notices from USCIS about the progress of your case.
- You should **IMMEDIATELY** consult with an experienced immigration attorney or a representative accredited by the Department of Justice to discuss if you should renew DACA before October 5, 2017 and also to receive accurate information on options other than DACA that may be available to you.

I applied for DACA for the first time before September 5, 2017, but I have not yet received a decision. What will happen with my application?

- USCIS has said they will continue to process these applications on a case by case basis. You will receive notices from USCIS about the progress of your case.
- You should consult with an experienced immigration attorney or a representative accredited by the Department of Justice to receive accurate information on options other than DACA that may be available to you.

I was granted DACA in the past, and I submitted my renewal application before September 5, 2017, but have not yet received a decision. What will happen with my application?

- USCIS has said they will continue to process these applications on a case by case basis. You will receive notices from USCIS about the progress of your case.
- You should consult with an experienced immigration attorney or a representative accredited by the Department of Justice to receive accurate information on options other than DACA that may be available to you.

I have DACA and want to travel outside of the United States with advance parole. Is this still possible?

- USCIS will not approve any more applications for advance parole (permission to travel outside the United States) for individuals with DACA. If you are currently outside of the United States, you should return to the United States before your advance parole expires. If you have applied for advance parole, but it has not yet been granted, your application will be administratively closed and the fee you paid to the government will be returned.
- If you have been granted advanced parole but have not yet left the United States, you should consult with an experienced immigration attorney or a representative accredited by the Department of Justice before leaving the United States.

I have DACA. Can I continue to work and am I protected from removal/deportation?

- Yes, anyone with approved DACA can continue to work and will be protected from removal/deportation until the date when their DACA expires. However, if you commit a crime or other offense in violation of immigration law, you could risk losing DACA and could then be removable.
- All individuals with DACA should consult with an experienced immigration attorney or a representative accredited by the Department of Justice to receive accurate information on options other than DACA that may be available to you.