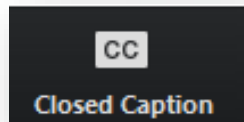


What is happening with DACA?

- Recorded Session
- Recording link will be shared to the registration email
- Closed Captioning is available



Click tab to enable live captions

- Utilize Q & A for questions throughout the webinar
- Panelists will utilize the chat feature to share links & resources

Brief History of DACA

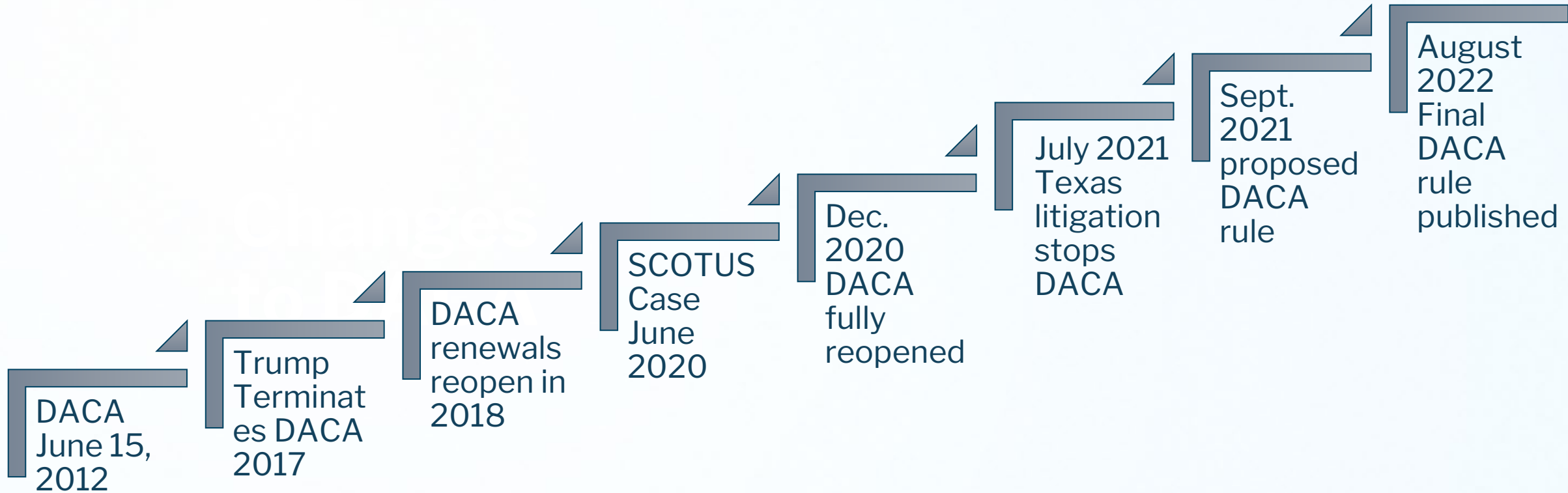
What is DACA?



DACA=Deferred Action for Childhood Arrivals

- Created in 2012 by Obama Administration
- Protection from deportation and an EAD for 2-year period with opportunity to renew
- More than 525,000 people enrolled in the program (total of 800,000 since its inception in 2012)

DACA Timeline



DACA Final Rule

DACA Rule Overview

- Effective date Oct. 31, 2022
- Seeks to remedy APA notice and comment requirement—changing DACA from executive policy
- Keeps same DACA requirements
- Rescinds the Napolitano Memo from 2012

Why is there a DACA rule?

- DACA now part of federal register/DACA went through “notice and comment”
 - Federal Register: Proposed Rule→Comment Period→Reviews Comments→Final Rule Published
 - Effective date of a rule must be at least 30 days from the date of publication

What is in the final DACA rule?

- DACA Requirements are the same
- No separation of EAD and Deferred Action
- Expunged convictions continue to be accepted and are not automatic bars to DACA
- A Notice of Intent to Terminate is needed before USCIS terminates DACA
- Generally, protects information about DACA recipients

Does the rule change DACA today?

NO!

- Current DACA recipients can continue renewing and should continue renewing
- Previously issued DACAs continue to be valid until expiration date
- DHS acknowledges the injunction from Texas Federal court order, and will not process DACA initials while injunction in place

Will initial DACAs be processed starting 10/31/22?

Unknown now, but it will depend on:

- The resolution of the current DACA lawsuit
- Will there be other lawsuits
- Other factors

DACA & Pending Litigation

DACA Litigation

- Supreme Court case 2020 (*DHS v. Regents*)
 - Challenged the termination of DACA
 - Decision: Trump Administration's attempt at termination was arbitrary and capricious
- Texas case 2021 (*Texas v. United States*)
 - Challenging the legality of DACA itself
 - Decision: Obama Administration's DACA memo was actually a rule so notice and comment required

Texas v. United States

- July 16, 2021, U.S. District Court of the Southern District of Texas held that DACA was unlawful
 - Vacated the original DACA memo from June 15, 2012.
 - Issued a permanent injunction prohibiting the government's continued administration of DACA.
 - Temporarily stayed its order and injunction in regard to individuals who obtained DACA on or before July 16, 2016.

What is next?

- Court of Appeals for the 5th Circuit—decision still pending on whether DACA is lawful or not
 - Briefing on new DACA rule submitted 9/1 to 5th Circuit
- Could there be other litigation on DACA?

Who is eligible for DACA?

Current Status of DACA

- USCIS is accepting, processing, and granting DACA renewals
- Eligible to renew if:
 - Current DACA recipient
 - DACA expired less than 1-year ago
- DACA recipients are eligible to apply and travel on Advance Parole

Advance Parole

To Apply:

- Fill out **Form I-131** (Application for Travel Document) + \$575 Fee and Submit to USCIS
- **Include Supporting Evidence**
 - **Employment:** Conference Programs, Letters from Employer
 - **Humanitarian:** Letters from physician/hospital/social worker to prove family member illness or extreme age
 - **Educational:** Evidence of educational enrollment and why education program requires travel

When should I Renew?

- If DACA expires 6 months from now, renew ASAP
- If your DACA expires 6 months to 1 year, you could consider renewing, but speak to a service provider
- If your DACA expires in 1 year or more from now, might not be worth it...

Next Steps

What can you do now?

1. Renew your DACA
2. Get an immigration screening
3. Stay informed

Renew Your DACA!

- Eligible individuals should continue to renew their DACA
- No need to wait until Oct. 31 to submit a renewal

Immigration Screening

- Make an appointment to speak with an immigration attorney about any of the following:
 - Eligibility for you or your family members for lawful immigration status
 - Understanding your options, benefits, or risk when applying for DACA and/or Advance Parole
 - Answers to immigration-related questions
 - Receive representation in your case

Common Forms of Immigration Relief

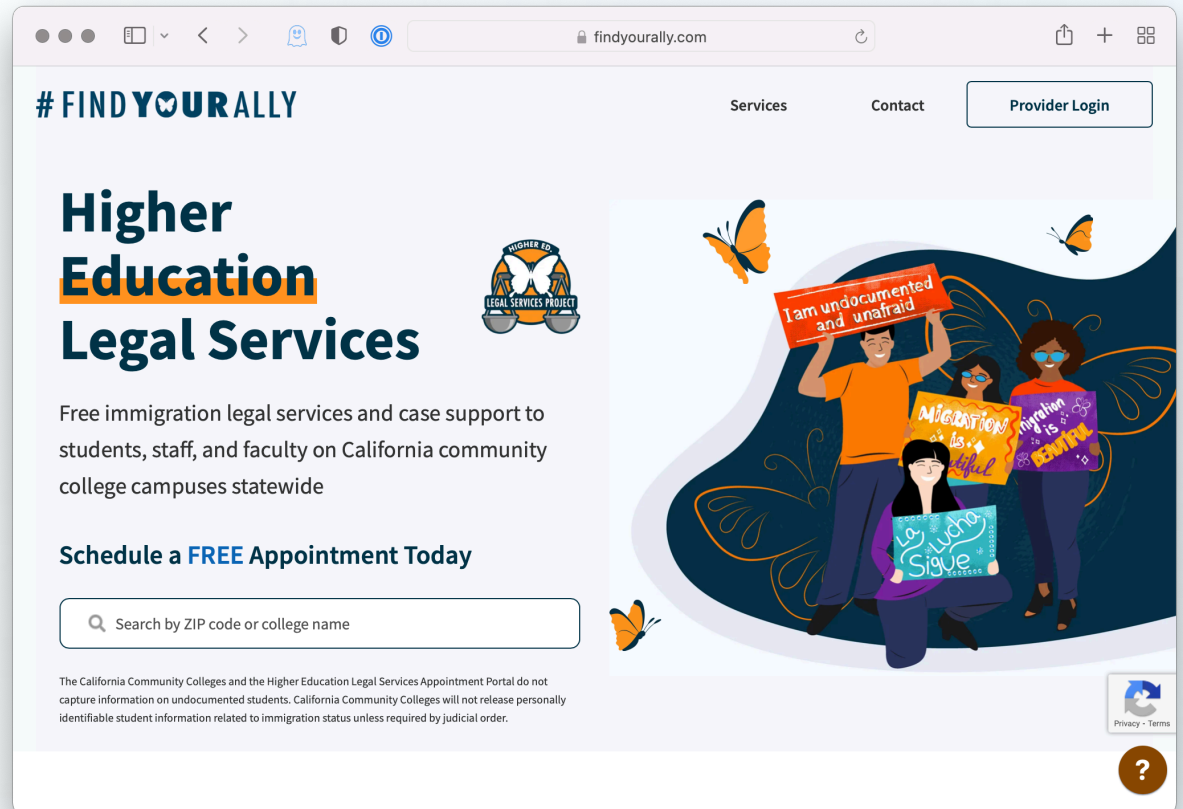
- Family-Based Immigration
- VAWA & U visa
- Asylum & Temporary Protected Status
- Special Immigrant Juvenile Status
- Parole-in-Place
- Acquisition and Derivation of Citizenship
- Non-LPR Cancellation of Removal

Services

- Contact your campus to make an appointment to talk to us or reach out through findyourally.com

Services are:

- Provided in your best language
- Free and confidential
- Available regardless of immigration status
- Available to CSU and community college students, and potentially recent alumni, family members, employees, and staff



Stay Informed!

- Pending developments for DACA—
 - 5th circuit decision pending
- Possibility of more litigation
- Potential changes on who is eligible for DACA

Thank you!