



Deferred Action for Childhood Arrivals (DACA): Frequently Asked Questions

(Current as of 8/24/2020)

What is DACA?

DACA status confers protection from deportation and work authorization and as of July 28, must be renewed every year.

DACA does NOT provide a path to permanent residence or citizenship.

What is happening with DACA now?

The U.S. Supreme Court rejected the Trump administration's decision to end the Deferred Action for Childhood Arrivals (DACA) program. The Trump administration decided not to follow the Supreme Court decision. Instead, it is continuing to refuse any new DACA applications and restricting renewals. A July 28 memorandum said that DHS will reject initial DACA applications and applications for advance parole, and will only renew DACA for one year increments.

Several lawsuits are challenging the administration's actions.

I currently have DACA. When should I submit my renewal application?

In an August 21, 2020 memorandum, USCIS said that it will generally reject renewal applications received more than 150 days before the current grant of DACA expires, and advised DACA recipients to file renewal requests between 150 and 120 days before their current DACA status expires.

Recently, renewal applications have been processed within about three months.

Please contact ILCM at 651-641-1011 on Mondays, Tuesdays, and Wednesdays from 9 a.m. to 4 p.m. and on Thursdays from 1 p.m. to 7:30 p.m. for assistance.

I currently have DACA, and I have already submitted a renewal application. Do I need to do anything more to obtain the renewal?

No. Your DACA renewal application should be processed normally. Recently, renewal applications have been processed within about three months. In the future, renewals will only be good for one year. ***You will have to reapply every year.***

I do not have DACA, but I may have been eligible for DACA if the program had not ended in 2017. Can I apply for DACA now?

No. Based on the Supreme Court's decision, you should be able to apply for DACA now. At this point, however, USCIS is refusing to accept any new applications.

If court decisions or administrations change, you may be able to apply in the future.

In the meantime, it is helpful to familiarize yourself with the requirements for DACA. To apply, you will have to pay a \$495 application fee and provide proof in your application that you:

- came to the U.S. before turning 16 and were under age 31 as of 6/15/2012;
- have continuously resided in the United States since 6/15/2007;
- are currently a student, or have completed high school, or are an honorably discharged veteran;
- have not been convicted of a felony, significant misdemeanor, or 3 or more other misdemeanors; and
- do not threaten national security or public safety.

I previously had DACA, but I did not renew it. Can I renew it now?

Yes, but the process will depend on how long ago your DACA expired. If your DACA status expired less than a year ago, you can file a basic renewal packet. If your DACA status expired more than a year ago, you will need to file a new "initial " application, which means you must file all the documentation to show you are eligible for DACA.

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I previously had DACA, but I was later denied renewal. Can I renew now?

That depends on why your renewal was denied. The requirements for DACA have not changed. If, for example, you were denied because you were convicted of a significant misdemeanor, then you are still not eligible to renew. If you were denied for a technical problem such as missing your fingerprint appointment, then yes, you can renew.

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For more information, see:

- [DACA Fact Sheet \(8.24.2020\)](#)
- [ILCM's press release, "DHS Memorandum on DACA: Ethically, Morally, and Legally Wrong"](#)
- [ILCM summary of Supreme Court decision on DACA](#)
- [Text of DHS August 21, 2020 memorandum \(PDF\)](#)