

DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)⁴

On June 15, 2012, President Obama signed a memo calling for deferred action for certain undocumented young people who came to the U.S. as children and have pursued education or military service here. Applications under the program which is called Deferred Action for Childhood Arrivals (DACA) began on August 15, 2012.

What does “deferred action” mean?

Deferred action is a discretionary grant of relief by the Department of Homeland Security (DHS). It can be granted to individuals who are in removal proceedings, who have final orders of removal, or who have never been in removal proceedings. Individuals who have deferred action status can apply for employment authorization and are in the U.S. under color of law. However, there is no direct path from deferred action to lawful permanent residence or to citizenship and it can be revoked at any time.

Who is eligible for DACA?

Individuals who meet the following criteria can apply for deferred action for childhood arrivals:

- Were born on or after June 16, 1981
- Came to the U.S. while under the age of 16;
- Have continuously resided in the U.S. since June 15, 2007 to the present. (For purposes of calculating this five year period, brief and innocent absences from the United States for humanitarian reasons will not be included);
- Entered the U.S. without inspection before June 15, 2012, or individuals whose lawful immigration status expired as of June 15, 2012; and must not have a lawful immigration status at the time of application
- Be at least 15 years old, unless currently in deportation proceedings, have a voluntary departure order or have a deportation order and are not in immigration detention (in these cases can apply before the age of 15)
- Are currently in school, have graduated from high school, have obtained a GED, or have been honorably discharged from the Coast Guard or armed forces;
- Have not been convicted of a felony offense, a significant misdemeanor, or more than three misdemeanors and do not pose a threat to national security or public safety.

Applicants will have to provide documentary evidence of the above criteria. In addition, every applicant must complete and pass a biographic and biometric background check and pay an application fee.

How does the DACA renewal process work?

Individuals that were granted DACA and continue to meet the guidelines for DACA, may submit an application to renew DACA. They must also meet the following requirements in order to qualify for DACA renewal:

- Must not have departed the U.S. on or after August 15, 2012, without first having been granted advance parole.
- Must have resided continuously in the U.S. from the time the initial request for DACA was submitted until the present time.
- Must not have been convicted of a felony, a significant misdemeanor, or three or more misdemeanors, and must not otherwise pose a threat to national security or public safety.

⁴ Information retrieved from the National Immigration Law Center [<http://www.nilc.org/dreamdeferred.html>]

DACA RESOURCES IN THE RIO GRANDE VALLEY

Below you can find a list of organizations that offer legal assistance during the deferred action application process. The list is not meant as an endorsement of their services.

General Resources:

Texas Law Help has a **map of DACA assistance** available in Texas counties.

United We Dream offers personalized **DACA renewal reminders**.

In the Rio Grande Valley:

La Union del Pueblo Entero

San Juan Office
Corner of Cesar Chavez Rd. and Business 83
P. O. Box 188
San Juan, TX 78589
956-787-2233

Pharr Office
1701 W. Las Milpas Rd.
Pharr, TX 78577
956-787-5557

Alton Office
201 W. Main St.
Alton, TX 78573
956-584-3636

Mercedes Office
1225 N. FM 491
Mercedes, TX 78570
956-565-2761

South Texas Immigration Council (STIC)

Harlingen Office
Casa Mexico Bldg.
4793 W. Expressway 83
Harlingen, TX 78552
956-425-6987

McAllen Office
1201 Glaveston St.
McAllen, TX 78501
956-682-5397

Brownsville Office
4 E. Levee St.
Brownsville, TX 78520
956-542-1991