



DACA: What Does Rescission Mean?

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On September 5, 2017, the Department of Homeland Security (DHS) issued a [memo](#) rescinding the Deferred Action for Childhood Arrivals (DACA) program established by President Obama on June 15, 2012 for those in the US in undocumented status who entered the US before their 16th birthday and who meet certain other criteria. This means that DACA status will end for all applicants between March 6, 2018 and March 5, 2020, at the latest. President Trump has passed the DACA ball to Congress, stating in his tweet on September 5, 2017 that Congress should now decide whether to legislate status for those who fit DACA criteria.

In brief, the memo provides that DHS will:

- Adjudicate pending applications for initial (first-time) DACA status if the application was received by September 5, 2017
- Reject all initial applications received after September 5, 2017
- Accept renewal applications from those whose DACA status expires on or before March 5, 2018, if received before October 5, 2017, and if approved, will grant two years extension of DACA status
- Reject all DACA renewal applications filed after October 5, 2017

In addition:

- All those in current DACA status will keep their status for the remainder of their validity periods
- No new applications for Advance Parole based on DACA status will be approved as of September 5, 2017, including any pending Advance Parole applications
- Those in DACA status with Advance Parole may continue to travel outside the US and re-enter with parole if they travel within the validity periods of their parole documents. Of course, as before, US Customs and Border Protection (CBP) retains discretion to refuse to admit any applicant for parole.

As ever, if you are a client of GLA, attorney Margaret O'Donnell, please email your questions to info@globallawadvocates.com; if you have consulted with us, please also email your questions. If you are not a client, please contact us for a consultation at 206-774-8758. For some of those who are DACA-eligible, there may be other immigration options, such as adjustment of status, the U visa, VAWA, special immigrant juvenile status, asylum, and the T visa. This is not an exclusive list. Please make an appointment for a consultation to determine if you may be eligible for any of these options.

Most of all, if you have DACA: Remember that is the employer's obligation to re-verify whether you have permission to work in the US, not your obligation. Remember that your Social Security number is yours for life, you may keep your Washington state driver's license, you may continue to attend school, and that DHS has confirmed that ICE is not seeking to deport DACA recipients whose status expires. Band together with the majority of the US who support a path to residence for the undocumented, and fight for permanent legal status for those who are undocumented. Contact our Washington State senators [Patty Murray](#) and [Maria Cantwell](#), and the representatives [in your district](#), to insist on comprehensive immigration reform now.

Keep up to date on community action for immigration reform at the [Northwest Immigrant Rights Project \(NWIRP\)](#) site, and read this [DACA fact sheet](#) for answers to common questions.

And to encourage all of us, Washington State Attorney General Bob Ferguson issued the following statement on September 4, 2017:

"If President Trump follows through on his reported decision to cancel DACA after a six-month delay, the Washington Attorney General's Office will file suit to halt this cruel and illegal policy and defend DACA recipients," Ferguson said. "We have been working closely with legal teams around the country, and we expect to be joined by other states in this action. As Attorney General, I will use all the legal tools at my disposal to defend the thousands of Dreamers in Washington State."

For appointments call 206-774-8758 or email
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