DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)

Fact Sheet

Deferred Action is a form of prosecutorial discretion that provides a work permit and relief from removal for two years to certain eligible undocumented youth.

**What are the benefits of Deferred Action for Childhood Arrivals (DACA)?**
- Protects the youth from being placed into removal proceedings and from being removed.
- Provides an employment authorization document that allows the youth to work.
- Can obtain a Social Security Number.
- DACA can be renewed after two years.
- In certain states, a DACA-recipient can apply for a state identification card and a driver’s license.

**Who is eligible for DACA?**
An undocumented youth that is currently living in the United States may be eligible for DACA. The youth can request DACA, even if they are currently in removal proceedings or have a final order of removal. If the youth is detained, he or she can also request DACA or ask to be released based on prima facie DACA eligibility.

**What are the requirements for DACA?**
A youth can request DACA if he or she:
- Is at least 15 years old at the time of filing his or her request.
  - Exception: a youth that is currently in removal proceedings or has a final order of removal, or a voluntary departure order can request DACA under the age of 15.
- Was under the age of 31 as of June 15, 2012;
  - However, if the youth has entered and left the United States before age 16, he or she will have to show established residency in the U.S. before age 16.
- Came to the United States before his or her 16th birthday;
  - If the youth has entered and left the United States before age 16, he or she will have to show established residency in the U.S. before age 16.
- Has continuously resided in the United States since June 15, 2007, up to the present time;
- Was physically present in the United States on June 15, 2012, and at the time of making his or her request for DACA;
- Entered without inspection before June 15, 2012, or his or her lawful immigration status expired as of June 15, 2012 (i.e. person was undocumented as of June 15, 2012);
- Is currently in school, has graduated or obtained a certificate of completion from high school, has obtained a general education development (GED) certificate, or is an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
- Has not been convicted (as an adult) of a felony, significant misdemeanor, three or more other misdemeanors, and does not otherwise pose a threat to national security or public safety.

Source: Immigrant Legal Resource Center (ILRC)