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Deferred Action for Childhood Arrivals program (DACA). The DACA program began in 2012 and granted temporary status and work permits to the “dreamers” who came here as ...

**Greg Berk** • Sep. 13, 2017



USCIS announced on September 5, 2017, that they are phasing in a rescission of the Deferred Action for Childhood Arrivals program (DACA). The DACA program began in 2012 and granted temporary status and work permits to the “dreamers” who came here as children without visas. Here’s a summary of how the new rules will impact your employees that have DACA status:

- **First-Time DACA Requests:** All initial requests for DACA status will be rejected. However, as a practical matter, 99% of the people who qualified for DACA presumably have already filed previously.
- **Current DACA and EAD holders:** Those currently holding DACA status and that have employment authorization documents (EAD’s) can continue to use them through the end of their EAD validity. Their employer will not need to prematurely terminate them. If Congress extends DACA before their EAD expires,

then they could re-file for a new work permit and upon issuance of the new

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- **Sunset:** DACA will completely sunset by March 4, 2020, and much sooner for most DACA holders.
- **Travel:** For those who have an approved advance parole travel document, they may use it, but must of course re-enter the U.S. before the expiration date. For those who have pending applications for an advance parole travel document, they will be cancelled and the filing fee refunded.
- **No Automatic EAD Extensions:** As in the past, there is no automatic extension of a DACA EAD –which has the code “c (33)” on it. The employee will therefore need to show their employer a [new EAD before the expiration of their current EAD](#) in order to keep working.

Background Information: For additional information, see [here](#).

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