

Trump Administration Rescinds The Deferred Action For Childhood Arrivals Program

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On September 5, 2017, the Trump administration announced that it was ending the Deferred Action for Childhood Arrivals (DACA) program. DACA, which provided legal status to certain individuals who entered the U.S. illegally before the age of 16 years old, was effectuated by the Obama administration in 2012 through executive action. Citing legal and constitutional defects with DACA, the Trump administration stated that it chose the least disruptive option by choosing to wind the program down in an orderly fashion to protect beneficiaries in the near-term while working with Congress to pass legislation. Some of the important components of the announcement include: (1) individuals currently with DACA will not have their current status or work authorization revoked; (2) all DACA applications which were filed prior to September 5, 2017 will be adjudicated by the U.S. Department of Homeland Security (DHS) on an individual, case-by-case basis; (3) any DACA applications filed after September 5, 2017 will be rejected by DHS; and (4) individuals with a DACA expiration date prior to March 5, 2018 may apply for a two-year renewal, but only if the renewal application is filed prior to October 5, 2017. With these timelines, attention now turns to whether Congress will pass new legislation in the next six months.

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