



CONSUMER ADVISORY

Deferred Action for Childhood Arrivals (DACA): Don't Get Scammed!

On June 15, 2012, DHS announced that certain young people who entered the U.S. before age 16 will no longer be removed from the United States. Qualified individuals will be granted "deferred action" and be eligible for a work permit. On August 3, 2012, USCIS issued [revised FAQs](#) further detailing the deferred action eligibility criteria and following this, began accepting DACA applications on August 15, 2012.

DHS has made all necessary forms and instructions available at www.uscis.gov/childhoodarrivals.

While the basic DACA requirements appear straightforward, for many, determining whether they actually qualify can be far more complex. Keep in mind that if your request is denied, you will not be able to appeal the decision. **It is strongly recommended that you consult with an attorney before submitting a deferred action application.**

- **To find a DACA informational session or workshop near you, visit www.weownthedream.org/events**
- **Consult with a [qualified immigration attorney](#) before requesting deferred action.**

Be an informed consumer – Don't go to a [notario](#) or "immigration consultant"! You should only trust information from a reliable source, such as an [official government website](#) or [reputable legal](#) or [charitable organizations](#).

Eligibility: According to the August 3, 2012 FAQs, an individual who meets the following criteria may apply for deferred action:

1. Was under the age of 31 as of June 15, 2012;
2. Came to the U.S. before reaching his/her 16th birthday;
3. Has continuously resided in the U.S. since June 15, 2007, up to the present time;
4. Was physically present in the U.S. on June 15, 2012, and at the time of application to USCIS;
5. Entered without inspection before June 15, 2012, or lawful immigration status expired as of June 15, 2012;
6. Is currently in school, has graduated or obtained a certificate of completion from high school, has obtained a GED, or is an honorably discharged veteran of the U.S. Coast Guard or the U.S. Armed Forces; and
7. Has not been convicted of a felony, a ["significant misdemeanor,"](#) three or more other misdemeanors, or does not otherwise pose a threat to national security or public safety;

If you believe you are eligible for deferred action but face imminent removal from the United States, contact either the Law Enforcement Support Center's

hotline at 1-855-448-6903 (staffed 24/7) or the ICE Office of the Public Advocate at 1-888-351-4024 (staffed 9am – 5pm, Monday – Friday) or EROPublicAdvocate@ice.dhs.gov.

Requests for deferred action will be reviewed on a case-by-case basis, **and not every young immigrant will qualify**. **Individuals who are found to be ineligible due to criminal history, fraud in the application, or because they represent a danger to the community may be subject to removal or other immigration enforcement action.** DHS considers many misdemeanor convictions to be “significant misdemeanors,” including driving under the influence (DUI), regardless of any sentence imposed. If you have ever been arrested by the police, talk to a qualified immigration attorney before applying for deferred action.

Don’t get scammed! Forms and instructions are available directly from USCIS free of charge. Do NOT pay anyone for access to [government forms or information](#), or who says they can expedite your application for you! You should NOT “turn yourself in” to start the process. However, in order to be prepared, you CAN begin gathering the documents that you will need to apply for deferred action:

- 1) Documents, such as a birth certificate or passport, showing age on June 15, 2012;
- 2) Financial records, medical records, school records, employment records, and military records that demonstrate an individual came to the U.S. before the age of 16, resided in the U.S. since June 15, 2007 up to the present time and was physically present in the U.S. on June 15, 2012;
- 3) School records, including diplomas, GED certificates, report cards, school transcripts and other evidence of enrollment, or documentation as an honorably discharged veteran of the U.S. Armed Forces or Coast Guard.

More information is available at: www.aila.org/deferredaction ; www.uscis.gov/childhoodarrivals , www.ice.gov ; USCIS hotline at 1-800-375-5283, (staffed from 8 a.m. to 8 p.m), ICE Office of the Public Advocate hotline at 1-888-351-4024 (staffed 9am – 5pm, Monday – Friday). You can also visit www.weownthedream.org.