



Deferred Action for Childhood Arrivals

DACA: WHAT DO WE KNOW?

Agenda

- ▶ What are the terms of the DACA rescission?
- ▶ Implications for JMU students?
- ▶ JMU Support
- ▶ Government next steps
- ▶ What should DACA recipients do now?

What does a VA DACA student gain?

- ▶ In-state tuition in Virginia (and many other states)
- ▶ Unrestricted work authorization
- ▶ Eligibility for Social Security Number and Driver's License
- ▶ Ability to travel internationally with advance permission
- ▶ Potential eligibility to change or adjust status
- ▶ Legal presence in the United States

Rescission of DACA

- United States Citizenship and Immigration Service (USCIS) will not accept any new applications after September 5, 2017
- Renewal applications for any Employment Authorization Document (EAD) that expires on or before March 5, 2018 will be accepted until October 5, 2017
- No Advance Parole requests will be processed and those already pending will be returned, and money refunded
- [FAQ's for DACA Rescission](#)

What does this mean for Dreamers?

- ▶ If you are in possession of a valid EAD, it remains valid until its expiration
- ▶ If your EAD will expire sometime between now and March 5, 2018, **SUBMIT AN APPLICATION FOR ITS RENEWAL IMMEDIATELY.** The application must be received by USCIS by October 5, 2017
- ▶ Do **NOT** travel outside the country; there is no guarantee that you will be permitted back in, even if you hold a valid Advance Parole Document

JMU Support

- ▶ President Alger's Statement
- ▶ Communication with VA Attorney General's Office
- ▶ Administration wants to make clear that JMU will do everything legally possible to enable all of our students to graduate
- ▶ JMU's DACA Resource Page:

<http://www.jmu.edu/international/iss/resources/daca-resource.shtml>

What happens when a DACA EAD expires?

- ▶ Individual's status reverts to pre-DACA status
- ▶ In-state tuition *MAY* change to Out-of-State;
 - ▶ JMU is awaiting guidance from the VA AG's office;
 - ▶ Any changes do not generally come in the middle of an academic year

What are government next steps?

- ▶ Four current “stand-alone” pending laws:
 - ▶ Dream Act: Sens. Dick Durbin, D-Ill., and Lindsey Graham, R-S.C.
 - ▶ Basic same requirements as DACA, but with eventual path to citizenship
 - ▶ Recognizing America’s Children Act: Rep. Carlos Curbelo, R-Fla.
 - ▶ Similar to Dream Act, with slightly different path to citizenship
 - ▶ The American Hope Act: Rep. Luis Guterierrez, D-Ill.
 - ▶ Grants protections to any non-criminal brought to the country in childhood and provides faster path to citizenship
 - ▶ Bridge Act: Rep. Mike Coffman, R-Colo.
 - ▶ Codifies DACA and extends for 3 years, to give Congress longer to pass more comprehensive plan; no path to citizenship

What Should DACA Recipients Do Now?

- ▶ Determine whether there is eligibility for other immigration provision
- ▶ Encourage all friends, neighbors, family to petition Congress for a fix
- ▶ Prepare for changes in education and employment
 - ▶ Try not to live in fear, but be realistic

For younger DACA students

- ▶ Unlawful presence laws
 - ▶ Unlawfully present more than 6 months: barred from obtaining visa for 3 years
 - ▶ Unlawfully present more than 1 year: barred from obtaining visa for 10 years
 - ▶ Does not begin to accrue until 18th birthday (if DACA was applied for before 18th birthday, unlawful presence still hasn't begun)

Preparing for the Worst Case Scenario

- ▶ Consider completion of a Power of Attorney
- ▶ Know your rights
 - ▶ <http://iamerica.org/know-your-rights>
- ▶ Understand deportation basics
 - ▶ <http://cis.org/deportation-basics>
- ▶ Prepare for potential interview
 - ▶ <https://www.avvo.com/legal-guides/ugc/immigration-interview-tips>
- ▶ **Develop a relationship with an attorney ahead of time**

Questions?

Delo Blough, J.D.

Executive Associate Director
Center for Global Engagement

Madison Hall, 2nd Floor

(540) 568-6336

bloughda@jmu.edu