

This toolkit helps DACA recipients and impacted communities stay informed about the current status of the DACA program, highlights key resources amid a constantly shifting landscape, and offers tools to elevate the voices of DACA recipients and impacted communities and drive the message that DACA recipients strengthen the social and institutional fabric of the United States.



Note: Links and references to organizational resources do not indicate an endorsement of said resources or associated organization. Please contact each organization directly with questions.



Note: This toolkit provides a reference to resources, but it is not a replacement for legal advice. Seek legal advice about your specific case from a local immigration attorney or Board of Immigrant Appeals accredited representative.

DACA RIGHT NOW

On June 18, 2020, the U.S. Supreme Court declared the Trump Administration's 2017 attempt to terminate DACA unlawful. Following that decision, **on December 4, 2020, a federal judge in New York City ruled that the government must fully reinstate the DACA program.**

Meanwhile, there is a separate court case in which nine states led by Texas have argued that the DACA program itself was illegally created and thus must be terminated. On July 16, 2021, the judge in this case issued a decision finding the DACA program unlawful and vacating the original DHS DACA memo from 2012 that created the program. Due to this decision, the DACA program has once again been limited. The Department of Justice has appealed the decision. **We are currently awaiting a ruling from the U.S. Court of Appeals for the Fifth Circuit located in New Orleans following the oral arguments that took place on July 6, 2022. Any ruling is likely to be appealed to the U.S. Supreme Court by the party that is not satisfied with it. It's important to note that even if the Fifth Circuit rules DACA is unlawful, it won't necessarily mean an immediate end to DACA.**

Currently, until further decision in the case out of Texas, if an individual has a current DACA grant on or before July 16, 2021, that grant and the attendant work authorization continues to be valid. Any current DACA recipients are able to continue renewing and applying for advance parole. However, USCIS has been ordered to stop processing or granting any initial DACA applications, which means that the DACA program is closed to those individuals who had initial applications pending or were planning on submitting an initial application after July 16, 2021.



Click [here](#) to view the current USCIS webpage for DACA that was last updated on April 12, 2022.

Executive and Legislative Actions

- Currently, there is no new form of relief or immigration benefit besides DACA that Dreamers can apply for. The political momentum built by DACA recipients and other directly impacted community members have resulted in some attempts to provide paths to citizenship for Dreamers, including through budget reconciliation process. Unfortunately, they have not yet resulted in permanent protections of DACA recipients and undocumented Dreamers. Congress's yearslong inability to find a permanent legislative solution for Dreamers appears unlikely to change as the midterm elections draw closer and tensions over immigration and border security are strong. Although now is the time to keep pushing on the Biden Administration and Congress to live up to their values and promises of reform.
- On his first day in office, President Biden signed a presidential memorandum directing the Attorney General and the Secretary of DHS to take all actions appropriate to preserve and fortify DACA. On September 28, 2021 the Department of Homeland Security published a proposed federal regulation announcing its intent to codify DACA. The proposed rule keeps the same eligibility criteria as initial DACA program set up in 2012 and would codify the following:
 - Employment authorization would require a separate application and be optional. Although the total fees will remain the same (\$495), persons can pay \$85 when requesting DACA (Form I-821D) and have the option to request a work permit, which would cost an additional \$410 (Form I-765). The request for a work permit can be submitted at the same time or subsequently. The grant period for the work authorization will end when DACA status expires.
 - DACA recipients are lawfully present in the United States under the Social Security regulations.
 - DACA recipients do not accrue unlawful presence while their status remains valid.
 - DACA recipients are eligible to apply for Advance Parole to travel outside of the US for urgent humanitarian or significant public benefit reasons. DACA recipients returning with Advance Parole can satisfy the "inspected and admitted or paroled" requirement for adjustment of status purposes under INA § 245(a).

HOW THIS AFFECTS ELIGIBILITY, FIRST-TIME APPLICATIONS, AND RENEWALS

Eligibility at a Glance

Currently, the Department of Homeland Security:



Will NOT process first-time DACA applications. USCIS can still accept first-time DACA applications, but the agency cannot process or grant these requests. If you have a yet to be cancelled biometrics appointment or pending Request for Evidence, you should consult with a trusted legal representative about still making these deadlines.



Note: for those who obtained DACA on or before 7/16/2021, even if this is an individual's first DACA grant, their deferred action status and work permit will continue to be valid.



Will continue to process and grant advance parole applications for current DACA recipients. Any time a DACA recipient wishes to travel outside the country, they should consult a trusted legal representative about potential risk.



Will continue to accept DACA renewal applications for those who have or have had DACA until there is a court order saying otherwise.



Are those without DACA at greater risk of removal now?: The Texas Judge’s order clearly states that the court decision does “not require DHS or the Department of Justice to take any immigration, deportation, or criminal action against any DACA recipient, application, or any other individual”. DHS has also made it clear that Dreamers are not a priority for enforcement actions.

What you Need to Know about Renewal Applications

- Renewal applications are accepted, and the duration for deferred action and employment authorization has returned to two years.
- USCIS encourages renewal applications to be filed between 120-150 days prior to expiration.
- USCIS will accept renewal applications before 150 days but may not process them until at the 150 day mark.
- Stay consistent. Reference previous application for content but [use the most recent forms from USCIS](#): I-821D; I-765; I-765WS; G-1145. Your application will be rejected if you use old forms.
- Make a checklist of your application packet:
- \$495 Money Order (use the [USCIS Fee Calculator](#) to confirm your amount at time of filing)
- Cover letter (include a bulleted list of all items)
- Completed forms: I-821D; I-765; I-765WS; G-1145 with copies of all supporting evidence
- **Note:** Use paperclips, not staples, to combine papers
- When ready to send your application packet:
- Check [the USCIS website for filing addresses](#)
- Track the package. Use priority shipping with a tracking number
- To pay for your application:
- If you need assistance with application fees, you may be able to request funds from [United We Dream's DACA Renewal Fund](#); contact the organizations listed on the directory to verify services and scholarships
- Locate local pro bono legal services using [Informed Immigrant’s Legal Service Directory](#) or [Immigration Advocates Network’s National Immigration Legal Services Directory](#)
- DACA beneficiaries of Mexican origin can approach their consulates for an immigration screening and individualized legal assistance. Visit [United We Dream’s list of resources and Mexican Consulates](#). You can also call 855-463-6395.



Note: It is strongly recommended to speak with an immigration attorney or a BIA accredited representative for an individual assessment before submitting an advance parole application or DACA renewal application.



Note: Given ongoing litigation challenging the legality of the DACA program and DHS’s proposed rule concerning DACA, it is important to keep up to date with the latest developments to the DACA program and eligibility. This resource will be updated regularly to best reflect ongoing changes.

Renewal Resources

- **Process pathway:** [Step-by-step DACA renewal process instructions](#) courtesy of Informed Immigrant, United We Dream and National Immigration Law Center (NILC)

- [Steps to Take if Your DACA Renewal is Delayed](#) (Updated July 19, 2021) by the National Immigration Law Center (NILC)
- United We Dream’s [Guidance for DACA Recipients and Legal Practitioners – Frequently Asked Questions](#) (published July 20, 2021)
- **Form completion assistance:** [Sample forms with tips for completing the various required application documents](#) provided by Immigrant Legal Resource Center (ILRC):
- **Answers to commonly asked questions:** [Bi-lingual FAQ in Spanish and English from the ILRC](#) and NILC)
- United We Dream’s **Top 5 Things to Know** in [English](#) and [Spanish](#)
- Application Fee Assistance:
- United We Dream’s [DACA Renewal Fund](#)
- Informed Immigrant’s [guidelines on how to fund your renewal](#)

ELEVATE YOUR VOICE | DIGITAL ADVOCACY TOOLS

The Cities for DACA campaign will provide multiple platforms to assist you—and advocates—highlight what DACA does for you, your city, county, economy, and broader communities. The campaign is a multi-pronged effort that focuses on keeping both city governments informed as well as assisting community members and community-based organizations to disseminate on-point information that may help individuals and families in their networks. Our aim is to make clear that this story isn’t simply about DACA: it’s about who we are as a country.

The following Cities for DACA Digital Advocacy Tools are available to help you, your families, neighbors, and local advocacy groups to take action to help protect immigrants, particularly DACA recipients, within your local jurisdictions. Please use our messaging, graphics, and guidance to stay informed about the frequently changing guidelines of the DACA program, share resources with your networks, help educate decision makers, and increase awareness about DACA amongst local elected leaders.

Share Our Videos

The Cities for DACA film series highlights the lived experiences, stories and contributions of DACA recipients throughout the country, ultimately showcasing what #DACADOES and why America needs permanent solutions for Dreamers and their families.

The Cities for DACA film series is available via the Cities for Action website: www.citiesforaction.us/citiesforDACA. We encourage you to check out the videos, comment, and share widely! This [social media toolkit](#) includes messaging to help you share the films.

Engage on Social Media

Follow Cities for Action  Twitter: [@CitiesforAction](https://twitter.com/CitiesforAction)

We’ve created a number of [community-facing social media posts](#). Please follow us, drive conversation, and share them within your network

Use Hashtags

Use the following hashtags when referencing Cities for DACA on social:

All things DACA:

#DACAdoes

#CitiesforDACA

Narrative driven:

#wearehome

#homeishere

#familiesbelongtogether

Write & Publish an Op-ed

Cities for Action encourages you to transform your knowledge of and concern for your city's DACA community into a compelling op-ed. By drawing upon your insights and lived experiences, you can help the Cities for DACA campaign reach folks across the country.

Check out these examples:

- *Chicago Tribune, May 29, 2020 – "Commentary: Mayor Lori Lightfoot: Chicago has led the nation in supporting DACA recipients"*
- *Houston Business Journal, June 29, 2020 – "Op-ed: Houston mayor explains how Dreamers take care of us during a crisis"*
- *The Salt Lake Tribune, November 27, 2020 – "Erin Mendenhall: America thrives when Dreamers thrive"*
- *El Paso Matters, December 16, 2020 – "Marcelino Serna was a World War I hero. He still has a lot to teach us"*
- *Cambridge Chronicle, December 23, 2020 – "MAYOR OP-ED: It's time to provide permanent protection for our Dreamers"*
- *The Columbus Dispatch, February 8, 2021 – "Column: DACA residents contribute here, deserve a permanent solution"*
- *Gotham Gazette, February 11, 2021 – "The Health of Our Cities Depends on DACA, and a Path to Citizenship for Dreamers"*
- *Washington Blade, March 18, 2021 - "For LGBTQ Dreamers, no equality without citizenship"*
- *The Mercury News, April 7, 2021 - "Opinion: DACA recipients have lived in the shadows for far too long"*

NATIONAL RESOURCES

National organizations across the country can help ensure you have the most accurate and current information to support you. There are also multiple ways to get engaged to link up with people across the country to elevate your voice and advocate for change. Below are a few examples of organizations to connect with for more resources.

Stay Current with Changes to Program:

- NILC provides regular [updates and analysis of changes made by the administration](#).
- UWD provides guidance for DACA recipients and legal practitioners on [this FAQ](#)

Access Legal Support and Know Your Rights

- [Immi](#) is dedicated to increasing access to justice for low-income immigrants. They provide free online screenings, legal information, and referrals to nonprofit legal services.
- [Immigration Law Help](#) provides an easy-to-use online directory of legal services providers, as well as the ability to search for nonprofit legal services by state, county, and detention facility—searchable by languages spoken. It is available in English and Spanish.
- [Immigrant Legal Resource Center](#) provides resources that help people assert their rights and defend themselves in many situations, such as when ICE agents go to a home.
- [Immigrants Rising](#) has a vast list of resources related to law & policy; legal support; starting and growing a business; funding for higher education- scholarships and grants; improving institutional practices; and resources for allies and advocates.

Support Your Mental Wellness

- [Informed Immigrant’s Mental Health Toolkit](#) includes signs for recognizing anxiety and depression and resources for finding and giving emotional support
- Find support locally by entering your zip code into Informed Immigrant’s [service directory](#) to find organizations that work with immigrants and provide healthcare and mental health services
- How to Support Undocumented Students' Mental Health: [Dealing with Trauma and Anxiety](#)
- To find a health center near you, go to findahealthcenter.hrsa.gov
- To find a free or charitable clinic, go to nafclinics.org/find-clinic
- The local government of Santa Clara, CA outlines how to access mental health resources in [Mental Health Guide for Immigrants](#)
- The Los Angeles County Department of Mental Health has published [multilingual materials](#) with advice on how to cope with stress and anxiety during the pandemic
- Reach out for free and confidential 24/7 support from:
 - Crisis Text Line: Text HOME to 741741
 - National Suicide Prevention Hotline call or text: **988**
 - You can call or text 988 and be connection with a trained crisis counselor. When you **call**, you can access support in **Spanish by pressing 2**. Interpretation services are available in over 150 languages.

Engage with Advocacy Organizations:

Consider reaching out to the following organizations to connect with other DACA recipients and further support outreach initiatives.

- [United We Dream / Home is Here](#)
- [Black Alliance for Just Immigration](#)
- [Immigration Equality](#)
- [UndocuBlack Network](#)
- [Informed Immigrant / FWD.US](#)

Pinpoint Data for Advocacy Efforts

- New American Economy’s financial data on [Undocumented Immigrants & DACA-Eligible People](#)
- [Overcoming the Odds: Contributions of DACA-Eligible Immigrants to the U.S. Economy](#)

- New American Economy’s [Spotlight on DACA-Eligible Population](#)
- Center for American Progress’s profile of [DACA recipients on frontlines of the coronavirus response](#)

LOCAL RESOURCES

Locate local resources via the following methods:

- 1** Connect with a national organization and search its directories for trusted local partner organizations.
- 2** Check to see if your city or county government can connect you to local resources.
- 3** Ask local immigration attorneys to connect you to local organizations.



Cities for DACA is an initiative of Cities for Action.
For more information, visit www.citiesforaction.us.