



Deferred Action for Childhood Arrivals

It seems like a long time since we've had a positive change in immigration policy to report. You may have heard by now about "Deferred Action" – a new type of immigration benefit. It's one that could be life-changing for many, many people.

The title means that the Department of Homeland Security (under which the Citizenship and Immigration Service operates) will put off deportation of some undocumented immigrants who arrived in the United States as children. This has long been touted by immigration proponents as the only sensible and humane thing to do for young adults who had no control over the circumstances that led to their presence in the US. The benefits are similar in some aspects to the DREAM Act, which failed to pass the Senate in late 2010.

This is not an amnesty program, and does not provide a Green Card, Citizenship, or even lawful status. It does provide a two-year EAD (Employment Authorization Document), which allows an individual to then apply for a Social Security number. There are several requirements that must be met for an application to be approved. The applicant must be at least 15 years old, but less than 31 as of June 15, 2012. He/she must have entered the US before their 16th birthday. They must have resided continuously in the US since June 15, 2007, although in some cases short trips abroad may be okay. They must be physically present in the US when they file, and when the policy was announced on June 15.

An applicant cannot have been convicted of a felony, and even some misdemeanors may be a deal-breaker. Also, the applicant must be 1] in school; 2] graduated from high school; 3] obtained a GED; or 4] be an honorably discharged veteran. The application for Deferred Acton must include documentation that the above requirements have been met. It's filed with CIS forms I-812D, I-765, and I-765WS. The filing fee is \$465.

Homeland Security has stated that information about the applicant and the applicant's family will not be routinely shared with ICE (Immigration and Customs Enforcement) for purposes of removal (deportation). So although

the risk involved is small, it must be carefully considered.

This is an amazing opportunity for hundreds of thousands of young people, so spread the word and call a lawyer! Consulting a [reputable immigration attorney](#) will allow you to further understand what your risks might be, whether you meet the requirements, and how to document the requirements. There is currently no deadline for this program, but in all cases you must file before you turn 31.

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