

Deferred Action for Childhood Arrivals

USCIS says that Dream Act eligible candidates that meet the criteria of the “Deferred Action for Childhood Arrivals” program will not be deported. It is expected that exact guidelines and procedures for this program will be put into place sometime during August, 2012, detailing how eligible candidates can apply for this status of deferred prosecution of removal from the United States. If granted, an individual also may be eligible for work authorization. The program is for those immigrants who:

- 1) Came United States under the age of sixteen
- 2) Have continuously resided in the United States for at least five years preceding June 15, 2012 and have been physically present in the United States on June 15, 2012
- 3) Are currently in school, have graduated from high school, have obtained a general education development certificate, or have been honorably discharged as a veteran of the Coast Guard or Armed Forces of the United States
- 4) Must not have been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise pose a threat to national security or public safety
- 5) Must not be above age thirty

This program is available to those in removal or deportation proceedings and even those not in removal proceedings. The program will also be available for those who have had their removal cases administratively closed or terminated, which are terminations of removal proceedings but do not grant work authorization. Deferred action may allow work authorization. However, the program will not offer permanent lawful status – green card, but instead will provide a temporary solution to a problem Congress must solve.

Contact the immigration attorneys at Cundy & Martin, L.L.C. to learn more about this program.

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