

To: All State Title I, Part C Migrant Education Program Directors

From: Roger Rosenthal, NASDME Executive Consultant

The U.S. Department of Homeland Security has announced that the agency is accepting DACA renewal applications from certain individuals at this time.

It is extremely important that any individual who needs to file a DACA renewal application and did not do so prior to October 5, 2017 do so IMMEDIATELY, without any delay. The reason for this is that the Government is seeking a reversal of the recent federal court order that the Government must continue to accept DACA renewal applications. Should that order be reversed, the renewal process will be closed immediately. That could happen in a matter of days. (Presumably, if the process is closed by court order, all renewal applications in the pipeline will be dealt with according to the procedures in place at this time.)

Here are the current rules and explanations for who may renew at this time. (The reference to USCIS is the United States Citizenship and Immigration Services bureau of the Department of Homeland Security):

1. **1. If your DACA expired on or after September 5, 2017**, you may send USCIS DACA renewal applications. This means you must fill out the latest versions of Form I-821D, Form I-765 Application for Employment Authorization, and Form I-765WS Worksheet.
2. **2. If your DACA expired before September 5, 2016**, you must *re-apply* through an initial application, not renew. Everyone must include the date your DACA expired or will expire on Part 1 of the Form I-821D.
3. **3. USCIS will not accept any first-time DACA applications.** No new or first-time DACA applications will be accepted by USCIS.
4. **4. Requests for advance parole** from DACA recipients **will not be accepted.**

The official page on the USCIS website with links to the relevant forms for each category of renewal applicant is found below. Please note that the 2016 dates found in the announcement would appear to be a typo.

<https://www.uscis.gov/humanitarian/deferred-action-childhood-arrivals-response-january-2018-preliminary-injunction>