



Immigration Update: The Supreme Court of the United States on the Deferred Action for Childhood Arrivals (DACA) Program

On June 18, 2020 the Supreme Court of the United States held that the Trump Administration's termination of the Deferred Action for Childhood Arrivals (DACA) program in 2017 was unlawful, thus allowing almost 800,000 DACAmented community members, including 45,000 residents of New York, who call the United States of America home to breathe a sigh of relief knowing that the program has not been eliminated and continues to stand.

What does the decision mean?

- The Supreme Court's decision specifically takes issue with the way the Trump administration ended the program in 2017. The Court held that the way the program was terminated was improper. It did not hold that DACA was lawful or good policy.
- The Supreme Court's decision means that the DACA program should be restored completely, which means that first time applicants should be able to apply. It is unclear when the United States Citizenship and Immigration Services (USCIS) will begin taking on new applications. Individuals currently with DACA continue to remain eligible to renew their DACA for two more years.
- It is possible that Advance Parole may again allow DACA recipients to travel outside the United States and return. However, details of this are still unclear, and the potential impact of the COVID-19 pandemic may limit the ability to travel.
- All DACA eligible individuals should consult with a legal service provider for information about applying for DACA for the first time, renewing their existing DACA, and/or getting screened for eligibility for other, more permanent immigration options.

This decision is an enormous victory for our immigrant communities and their allies who mobilized to protect the DACA program. However, it is important to keep in mind that the Trump administration can again attempt to end the program through other means, and that only an act of Congress can afford DACAmented community members true permanent status in the United States.

We will continue to update our website with more information as it becomes known.

To make an appointment with Catholic Migration Services for free legal assistance applying for or renewing DACA, call us at (718) 236-3000 (Brooklyn office) or (347) 472-3500 (Queens office).