



President Obama's New Deferred Action Program: Important Information for Farmworkers

President Obama announced a new program - Deferred Action for Parents of Americans (DAPA). The program is for parents who have been in the US since January 1, 2010 or earlier and who have a child who is a US citizen or a Lawful Permanent Resident (LPR). The President is also expanding DACA.

WARNING! AVOID IMMIGRATION FRAUD: There is NO application process yet for DAPA and the expanded DACA programs. Right now, these programs are temporarily on hold because of a court order. The court order is not final and the Obama Administration is fighting the order in court. You should continue to prepare for DAPA or expanded DACA so you are ready to apply when the programs open. The regular DACA program is still working and accepting new DACA applications and renewal applications.

What is DAPA? With DAPA you will...

- have protection from deportation for three years.
- be able apply for a work permit for three years.
- be able to re-apply after three years.
- be able to apply for a social security number and, in some states, for a driver's license.
- NOT have permanent immigration status. DAPA may change or end in the future.

DAPA Program Eligibility Requirements

You may be eligible if:

1. You have a child who is a US citizen or LPR, and who was born on or before November 20, 2014,
2. You have lived in the US since January 1, 2010 or earlier, AND
3. You were in the US and did not have lawful immigration status on November 20, 2014.

You must also pass a background check. If you have a record of criminal or immigration law violations, you should consult with an attorney to determine if they might affect your eligibility. Application cost = \$465.

Future Changes to Expand DACA Eligibility

The current DACA program is still open for applications and renewals. Expanded DACA is not yet in effect. When expanded DACA goes into effect, deferred action and work authorization will last for three years instead of two. **Expanded DACA applicants must meet the following requirements:**

1. You came to the US before the age of 16 (there is no longer an upper age limit to apply),
2. You have lived in the US since January 1, 2010 or earlier,
3. You were in the US and did not have a lawful immigration status on June 15, 2012, AND
4. You are enrolled in school or adult education classes, or you have a GED or high school diploma.

You must also pass a background check. You should consult with an attorney or BIA accredited representative if you have any criminal convictions to determine if they affect your eligibility.

How to Prepare for the DAPA Program
Remember: There is no application process yet.

Begin saving money to pay the \$465 application fee.

Start collecting documents now to help prove you meet the requirements:

- **Proof of your identity:** such as your passport, *matrícula consular*, or birth certificate *and* a photo ID. Visit your country's consulate to obtain one of these documents if you do not already have them.
- **Proof that you were in the US on November 20, 2014:** Provide proof that you were in the US on a date as close as possible to November 20, 2014. See the list of examples below.
- **Proof that you have a US citizen or LPR child:** For example, your child's birth certificate with your name on it.
- **Proof that you have been in the country for 5 years since January 1, 2010:** Collect documents that include your name and date to show you have been in the US since January 1, 2010 or earlier.

Examples of documents that may be used to show presence in the US:

- Proof of employment: W-2 tax forms, tax returns, pay stub or other pay receipts from your jobs; photocopies of checks if you are paid by check
- Union membership records
- Bank statements, cancelled checks or money order receipts
- Billing statements or receipts (phone, electricity, water, rent, insurance, car insurance, etc.)
- Leases, rental agreements, or property titles (house, car)
- Medical records or bills: yours or your child's if it includes your name
- Driver's license or photo ID (the date issued on the card can be used)
- School records or other attendance certificates

If you have had encounters with law enforcement or immigration enforcement or are not sure, obtain your criminal records and/or immigration papers. You should also collect any proof that you complied with any requirements for tickets or convictions. Certain criminal convictions, terrorist or gang activity, or immigration violations may disqualify you from DAPA and/or expose you to removal proceedings. You should consult with an attorney or a BIA accredited representative about your circumstances.

Help Prevent Immigration Fraud: Share with your friends and family that DAPA has not started yet and no one can apply for the new DAPA program yet. Some people may try to make money or earn business by giving out false or misleading information. If you are not sure if the person offering to help you is telling the truth, check with another reliable source, like a trusted community organization. Remember, in the US, *notarios públicos* are *not* lawyers and cannot give you legal advice or fix your immigration papers.

For more information visit www.farmworkerjustice.org and www.sisepuede.org.

OR CONTACT THE ORGANIZATION BELOW: