



# WHAT DO I NEED TO KNOW IF THE DACA PROGRAM ENDS?

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There are some reports that President Trump may end the Deferred Action for Childhood Arrivals (DACA) program soon. At this time, we do not know when or if the DACA program will be terminated or what the end of the program may look like. For example, will those with DACA continue to be protected from deportation and able to use their work permits until they expire? Or will DACA approvals and work permits be revoked? While **the DACA program remains in effect at this time**, below are some things to keep in mind should the program end.

## I. Work Permits

Employment Authorization Documents (EADs), also known as work permits, are generally valid until they expire or the government demands they be returned. Unless the government demands that you return your work permit, the following points should apply.

- If the DACA program ends but you are allowed to keep your work permit, you have the right to work legally until your work permit's expiration date.
- Even if the DACA program ends, you have no obligation to inform your employer that DACA has ended. Your employer does not have the right to ask you whether you are a DACA recipient or how you got your work permit.
- Your employer does not have the right to fire you, put you on leave, or change your work status until after your work permit has expired. If your expiration date is nearing, your employer may ask you for an updated work permit but cannot take any action against you until after it is expired.
- For more information about your rights as an employee see this advisory by the National Immigration Law Center: <https://www.nilc.org/issues/daca/daca-and-workplace-rights/>.

## II. Social Security Numbers (SSNs)

Your SSN is a valid SSN number for life, even once your work permit and DACA approval expires.

- If you have not done so already, apply for a SSN while your DACA and work permit are still valid.
- You can and should continue to use the SSN you got under DACA as your SSN even after your work permit expires. You can use your SSN for education, banking, housing and other purposes.
- Your SSN contains a condition on it that requires a valid work permit to use it for employment purposes.

## III. Driver's Licenses and Other Identification Cards

Eligibility for these depends on the state in which you live. If you have not already done so, apply for a driver's license or state identification card if your DACA is still valid and that makes you eligible for a driver's license or state-issued identification card in your state.

## IV. Travel on Advance Parole

DACA recipients should be cautious about travel abroad on advance parole.

- **If you are outside the country with advance parole, make sure to return right away** and while your advance parole and EAD are valid. If the DACA program ends, it is not clear that people with advance parole based on DACA will be able to return. The safest route is to return as soon as possible, before an announcement ending DACA.
- If you have been granted advance parole under DACA but have not yet left the United States, or are interested in applying for advance parole, speak with an attorney to determine potential risks before doing anything.

## V. Other Immigration Options

Many DACA recipients may be eligible for another immigration option to get a work permit or even a green card.

- Talk to an immigration services provider to understand your legal options and if you might be eligible for another immigration benefit. Find low-cost immigration legal services: <https://www.immigrationlawhelp.org>
- Avoid fraudulent service providers: confirm their credentials, ask for a written contract and a receipt for any payments, and if you have doubts, get a second opinion.

## VI. Criminal Issues

Any criminal arrest, charge, or conviction can put you at risk with immigration authorities.

- Avoid contact with law enforcement that may result in a criminal arrest. If you end up being arrested, make sure to consult an expert immigration attorney.
- If you have a criminal conviction, find out if it can be changed to lessen the impact on a future immigration case you may have.

## VII. Know Your Rights

Everyone – both documented and undocumented persons have rights in this country. At all times, carry a red card to exercise your right to remain silent in case you are stopped or questioned by ICE (<https://www.ilrc.org/red-cards>).

### You have constitutional rights:

- **DO NOT OPEN THE DOOR** if an immigration agent is knocking on the door.
- **DO NOT ANSWER ANY QUESTIONS** from an immigration agent if they try to talk to you. You have the right to remain silent.
- **DO NOT SIGN ANYTHING** without first speaking to a lawyer. You have the right to speak with a lawyer.
- If you are outside of your home, ask the agent if you are free to leave and if they say yes, leave calmly.
- **GIVE THIS CARD TO THE AGENT.** If you are inside of your home, show the card through the window or slide it under the door.

I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.

I do not give you permission to enter my home based on my 4<sup>th</sup> Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door.

I do not give you permission to search any of my belongings based on my 4th Amendment rights.

I choose to exercise my constitutional rights.

*These cards are available to citizens and noncitizens alike*

## VIII. Updates and Information

Follow the news carefully and go to reliable sources for information on the status of the DACA and other immigration programs. Don't fall for scams about new fees or false information about your DACA work permit. Good sources of information include [www.unitedwedream.org](http://www.unitedwedream.org), [www.informedimmigrant.com](http://www.informedimmigrant.com), [www.defenddaca.com](http://www.defenddaca.com), [www.ilrc.org](http://www.ilrc.org), [www.nilc.org](http://www.nilc.org) and [www.weareheretostay.org](http://www.weareheretostay.org).