

# DACA TODAY

A Resource Guide

Feb. 14, 2018

## DACA Today: A Resource Guide

As the fight for a Clean Dream Act continues, a significant court ruling yesterday brought important yet impermanent relief for DACA recipients. The decision, issued by a federal court in New York, was the second court ruling to find the President's decision to rescind Deferred Action for Childhood Arrivals (DACA) was unlawful. This most recent injunction, similar to an injunction issued by a federal court in California, requires the government begin accepting and processing renewal applications on a case-by-case basis.

Since the signing of the executive order over six months ago, undocumented activists and community members across the country have been waging an intense campaign demanding Congress pass a #CleanDreamAct that protects immigrant youth without hurting other immigrants. **We have updated our resource guide below** to reflect the latest changes and provide useful information for community members and service providers as the fight rages on to preserve DACA. We stand alongside our partners and the hundreds of thousands of Californians with DACA status in calling on Congress to pass a Clean Dream Act.

We continue to actively monitor actions affecting DACA grantees and assess how California lawmakers can best serve the needs of immigrant youth and all undocumented community members impacted by this decision. We urge everyone in the community to:

1. Get informed;
2. Take action; and
3. Take care of yourself

To that end, we have updated this guide to contain the following:

- Information on key policy issues that impact the lives of DACA grantees, including drivers' licenses, employment, and travel abroad;
- Ways to join the fight for a Clean Dream Act; and
- Mental health and other resources available to current DACA grantees.

**We are committed to working alongside our communities and grassroots partners to organize, fight for, and defend young immigrants that call California home.**

### WHAT WE KNOW TODAY

**Presently, USCIS is accepting applications for renewal. Now is the time for each person who has DACA to strongly consider all options and make the best decision.** USCIS is still processing renewal applications submitted between the first executive order rescinding DACA and the original September 5 deadline.

## LEGAL & APPLICATION FEE ASSISTANCE

There are steps immigrants can take now to prepare and protect themselves. Every individual with current DACA status or undocumented status should consult with a qualified immigration attorney or accredited legal assistance organization to determine whether they are eligible for another form of immigration relief, and check if any of their family members have an opportunity to adjust their status or apply for citizenship. Immigrants should only go to trusted, qualified legal service providers, and ask for translation assistance if they need it.

**Update:** In September 2017, the State of California invested an additional \$20 million to fund immigration services including application assistance and payment of DACA renewal fees through the “One California” California Department of Social Services (CDSS) Immigration Services Funding.

### **Legal Resources:**

Visit the links below to find contact information for organizations that offer *free or low cost* legal screenings and legal assistance near you:

- **Immigration Legal Help Directory:** [Click here](#)
- **“One CA” State-funded legal services providers:** [Click here](#)
- **DACA Renewal Fee Assistance:** <http://lc4daca.org/>

## ADVANCE PAROLE

Based on [the memorandum](#) issued by DHS on September 5, **we recommend DACA grantees avoid travel outside of the country at this time**, as the Department has been explicit that Customs and Border Patrol (CBP) agents can determine eligibility for individuals seeking to be paroled back into the country. Remaining inside the country is the only way to *guarantee* that a DACA grantee will not be barred from re-entry.

**Update:** The most recent court order does *not* require USCIS to accept applications for advance parole and USCIS is no longer issuing advance parole to DACA grantees. Some DACA grantees may still have valid advance parole permits that have not yet expired; nonetheless, we continue to advise all DACA grantees to avoid travel outside the country regardless of previous authorization.

## GET INFORMED:

### Policy Issues Impacting the Health and Safety of DACA Grantees

#### DRIVERS' LICENSES

California affords eligibility for driving privileges to all residents, regardless of immigration status.

**Update:** In January, California began to issue licenses and ID cards under the federal REAL ID Act, which requires more stringent verification of lawful presence status for the issuance of state drivers' licenses and identification cards used for federal purposes (including boarding a commercial flight).

DACA grantees are eligible for a California REAL ID license or card so long as their DACA grant remains valid. **We recommend DACA grantees apply to the California DMV for a REAL ID driver's license or state identification card.** Please be advised that the license or card issued will be set to expire when the license or card holder's DACA grant expires. Accordingly, California drivers with DACA status can transition to a non-REAL ID (or what was previously referred to as an AB 60) driver's license by the time their DACA status expires.

[Click here](#) to learn how to apply for a non-REAL ID/AB 60 driver's license. For more information, please refer to [this resource](#).

As before, individuals who are undocumented should consider their own individual situation and needs before determining whether to apply for a non-REAL ID AB 60 license. For more information, please refer to this [Know Your Rights document](#) or consult an attorney

#### EDUCATION ASSISTANCE

**Update:** In September, the State of California invested \$10 million to increase financial aid for California's AB 540 students at public colleges and universities:

- \$1 million for UC students
- \$2 million for CSU students
- \$7 million for community college students

March 2nd is the priority financial aid filing deadline for most colleges and universities.

[Click here](#) for more information.

## EMPLOYMENT AUTHORIZATION & PROTECTIONS

If you are a DACA grantee, **your work authorization continues to be valid** until the expiration date indicated on your individual Employment Authorization Document (EAD).

Your existing employer **may not** ask you for new or different documents to establish your authorization to work in the US while your employment authorization remains valid. You **do not have** to inform your employer of the circumstances of your employment or respond to any questions from your employer regarding the DACA announcement or your ability to work in the US. While your work authorization is valid, your employer does not have the right to fire you or adjust your employment based on the President's decisions regarding DACA. Once your work authorization expires, the employer is required by law to re-submit employment documents for verification of work authorization.

*Social Security Number (SSN):* If your employment authorization expires and you have applied for and received a social security number (SSN) through your DACA status, **you may continue to use your SSN for non-employment purposes, such as establishing identity, applying for housing or financial aid and banking purposes**, among others. If you are a current DACA grantee and you have not yet applied for a SSN, **we recommend applying for a SSN as soon as possible** for the non-employment purposes previously mentioned.

**Note:** If your currently valid EAD is lost, stolen or otherwise damaged, you may request a replacement by filing a new form I-765. For further information or if you believe you have experienced a labor violation related to employment verification or retaliation please consult the below resources.

### Employment Resources:

**Immigrant Worker Protection Act:** [Click Here](#)

**Legal Aid at Work: Legal Clinics & Helplines:** [Click Here](#)

**ILRC Know Your Rights & Best Practices for Employers** (and employees) [Click Here](#)

**National Immigration Law Center, United We Dream, Advancing Justice-ALC:** [Click Here](#)

**CIPC E-Verify Factsheet** [English](#) / [Spanish p1](#) , [Spanish p2](#) / [Chinese p1](#) , [Chinese p2](#)

**CIPC Know Your Rights: If Your Employer Uses E-Verify** [English](#) / [Spanish](#) / [Chinese](#)

**CA Labor & Workforce Development Agency Advisory:** [Click Here](#)

**Immigrants Rising** was created by Educators for Fair Consideration (E4FC) to encourage all immigrants, regardless of legal status, to create their own opportunities, earn a living and thrive through entrepreneurship.

## HEALTH CARE

All immigrants who are lawfully present in the U.S., including DACA grantees, are eligible for full-scope “comprehensive” Medi-Cal if they meet the income requirements. In the event that the DACA program is rescinded, former DACA grantees **will continue to be eligible for full-scope Medi-Cal** as individuals who have Permanent Residence Under the Color of Law (PRUCOL).

Personal information provided to Covered California, Medi-Cal or the county safety-net is **not** shared with immigration enforcement entities, even if a member of the family is undocumented. These health programs can only use personal information to determine eligibility for health care coverage.

**Health4All Kids** Full-scope “comprehensive” Medi-Cal for all children and youth under the age of 19, regardless of immigration status, ensuring that undocumented children and youth have access to routine and preventive health care. In the event that the DACA program is rescinded, any former DACA grantees **will be eligible for full-scope Medi-Cal, if they meet the income requirement and are under the age of 19.**

**County Safety-Net** In California, some counties provide healthcare to undocumented residents. Visit [your local county office](#) for information regarding Medi-Cal and other health care options in your county.

**Restricted-Scope “Emergency” Medi-Cal** provides emergency care and other critical services to all low-income Californians who meet the [income requirements](#), regardless of immigration status. Limited-scope Medi-Cal may also cover care and services related to an emergency medical condition (including dialysis services).

**Pregnancy-Related Care Through Medi-Cal** Women with households up to 213% of the federal poverty level (FPL) who receive pregnancy related care can receive comprehensive services provided through Medi-Cal, regardless of immigration status. This includes preventive care, speciality care, dental, mental health services and substance abuse treatment.

**Find the CA health care program for which you are eligible:** [click here](#)

**Find a community clinic near you:** [click here](#) or call (855) 899-7587

### **Health Resources:**

**[Get Healthy California!](#)** A healthcare resource for undocumented and uninsured Californians. Includes directory for: Counseling/Mental Health, Urgent Care and Specialists.

[Is It Safe to Apply for Health Insurance or Seek Health Care?](#) A guide created by the National Immigration Law Center to provide immigrants with information on patient rights and protections.

[Access to Health Care Post-DACA](#) A guide created by CIPC to provide immigrant youth information on how to access health care.

[DACA Rescission Frequently Asked Questions](#) A document created by the Department of Health Care Services (DHCS) to provide DACA recipients information on their continued eligibility for full-scope Medi-Cal.

## **TAKE ACTION:**

### **Join the Fight to Stop Deportations of Immigrant Youth**

Undocumented immigrant youth won DACA in 2012. While the President's decision to initiate the phase-out of DACA is a loss for our community, we must ground ourselves in the values of organizing and advocacy, with those most impacted at the forefront. We must continue to lay the groundwork for future victories, while protecting our communities as we go. We need to protect and prevent deportations of those who have benefited from DACA. We must also fight to save TPS, which is also being dismantled by the Trump administration. We must fight against deportations of undocumented immigrants. We must fight against Police-ICE entanglement, and once and for all get ICE out of our communities and our local and state agencies.

Here are some ways to take action to protect everyone in our communities from detention and deportations:

**Text "DACACall" to 877877**  
to receive calls to action from WeAreHereToStay  
& visit their [website](#) for ways to pass a #CleanDreamAct

Visit Undocublack's Clean Dream Act webpage [here](#) for more information.

Follow the National Korean American Service & Education Consortium (NAKASEC) on [Twitter](#) to learn about the latest actions in DC.

## **TAKE CARE OF YOURSELF:** Mental Health Services for DACA Grantees

**[National Suicide Prevention Lifeline](#) 1-800-273-8255**

**[The Trevor Project Lifeline](#) 1-866-488-7386**

**[CRISIS Text Line](#) Text “HOME” to 741741  
to reach a trained crisis counselor 24/7**

**[California Community College Students](#) Text “COURAGE” to 741741  
for 24-hours/7 days a week counseling services for mental health emergencies**

**[WeAreHereToStay](#)** offers a mental health [toolkit](#) with resources compiled to assist current DACA grantees during this time, including mindfulness breathing and tips for self-care; they have also compiled a [list of mental health resources](#), including suicide prevention and mental health services.

**[UndocuHealing](#)** A project aimed at contributing to a larger movement to return to what is sacred, which is being ushered in by the global collective resistance of people who have historically lived on the margins. This unique way is exemplified by 3 core values: RECONCILIATION, BALANCE, & CONNECTION.

**[Pol\[ICE\] in my head](#)** Report on the mental health effects Police/ICE collaboration has on immigrant youth.

**[Black Immigrant Network](#)** A national network of people and organizations serving black immigrant and African American communities who are focused on supporting fair and just immigration, as well as economic and social policies that benefit these communities and all communities of color in order to create a more just and equitable society.

**[UPLIFT, Los Angeles](#):** An Undocumented Asian and Pacific Islander (API) youth-led organization, based in Los Angeles. UPLIFT raises awareness of various immigrant and civil rights issues in the API community, advocates for equality and uplifts the narratives of API undocumented youth in the immigrant rights movement.

**[ASPIRE, Bay Area](#):** ASPIRE’s work is grounded in the personal experience of being undocumented and Asian Pacific Islander. ASPIRE is part of the 1.5 million undocumented Asian Pacific Islanders living in the United States and brings visibility to their unique issues through sharing personal stories—stories that have gone invisible for too long.

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