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U.S. Immigration
and Customs
Enforcement

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ICE

Deferred Action for Childhood Arrivals (DACA)

Important information about DACA requests: Consistent with [DACA Decision in State of Texas, et al., v. United States of America, et al. 1:18-CV-00068, \(S.D. Texas July 16, 2021\)](#) (“Texas II”) ([PDF, 401.59 KB](#)), DHS will continue to accept the filing of both initial and renewal DACA requests, as well as accompanying requests for employment authorization. However, pursuant to the July 16, 2021 order from the Southern District of Texas, DHS is prohibited from granting initial DACA requests and accompanying requests for employment authorization. Also consistent with that order, DHS will continue to grant or deny renewal DACA requests, according to existing policy.

For more information, visit [Consideration of Deferred Action for Childhood Arrivals \(DACA\)](#).

On July 16, 2021, the U.S. District Court for the Southern District of Texas held that the DACA policy “is illegal.” The Court granted summary judgment on plaintiffs’ Administrative Procedure Act (APA) claims; vacated the June 15, 2012 DACA memorandum issued by former Secretary of Homeland Security Napolitano; remanded the memorandum to DHS for further consideration; and issued a permanent injunction prohibiting the government’s continued administration of DACA and the reimplementing of DACA without compliance with the APA. The Court, however, temporarily stayed its order vacating the DACA memorandum and its injunction with regard to individuals who obtained DACA on or before July 16, 2021, including those with renewal requests.

Does this process apply to me if I am currently in removal proceedings, have a final removal order, or have a voluntary departure order?

This process is open to any individual who can demonstrate he or she meets the guidelines for consideration, including those who are in removal proceedings, with a final order, or with a voluntary departure order. All deferred action decisions will be made by U.S. Citizenship and Immigration Services (USCIS).

If you are currently in immigration detention

If you are currently in immigration detention and believe you meet the guidelines for Deferred Action for Childhood Arrivals (DACA), you must:

- Identify yourself to your case officer explaining you believe you are DACA eligible. Your case officer will review your case along with the local Office of the Principal Legal Advisor. If you appear to meet the DACA requirements, you may be released on an alternative form of supervision to allow you to pursue your case with USCIS.
 - If your case officer is unavailable, you can submit a request using the [ERO Contact Form](#) or contact the ICE Detention Reporting and Information Line at 1-888-351-4024 (staffed 8 a.m. – 8 p.m., Monday – Friday) and the appropriate action will be taken in a timely manner.

If you are not in immigration detention

If you are not in immigration detention and want to affirmatively request consideration of deferred action for childhood arrivals, you must submit your request to USCIS – not ICE – pursuant to these [procedures](#) established by USCIS.

Updated: 03/12/2024

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[for Childhood Arrivals \(flyer\)](#)

 [ICE Director Memo about Individuals Who Entered the United States as Children](#)

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 [How Do I Request Consideration of Deferred Action for Childhood Arrivals Brochure](#)

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U.S. Immigration and Customs Enforcement



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