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Immigration Magazine

Deferred Actions for Young People of Low Enforcement Priorities (similar to the never-enacted DREAM Act)

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The U.S. Department of Homeland Security (DHS) announced today (June 15, 2012) , effective immediately, certain young people who were already brought to the United States as young children may be considered for deferred action (temporary discretionary relief from facing removal/deportation) for two years, upon meeting stipulated criteria through verifiable documentation. Once granted deferred actions, applicants may apply for employment authorization documents and renewal of deferred actions. The criteria for being considered for deferred actions are:

1. Came to the United States under the age of sixteen;
2. Have continuously resided in the United States for a least 5 years preceding the date of this memorandum and are present in the United States on the date of this memorandum;
3. Are currently in school, have graduated from high school, have obtained a general education development certificate, or are honorably discharged veterans of the Coast Guard or Armed Forces of the United States;
4. Have not been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise pose a threat to national security or public safety; AND
5. Are not above the age of thirty.

Deferred actions are adjudicated on a case-by-case basis. Deferred actions do not confer immigration status or right to citizenship, but such individuals may apply for employment authorization document. These deferred actions are where immigration exercises prosecutorial discretion of deferring prosecution of removal/deportation of

these individuals.

The U.S. Citizenship and Immigration Services (USCIS) and U.S. Immigration & Customs Enforcement (ICE) are expected to begin implementation of the application processes within 60 days.

June 15, 2012: By Aik Wan Kok Fillali, Attorney USA Immigration Services, at Tiya; Tel: 703-772-8224; Email: koka at tiyalaw dot com

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We represent companies, employers, individuals and families in green card, work visa and citizenship matters in U.S. immigration law. We also have a focus on self-petition green card cases such as extraordinary ability and national interest waiver.

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