

DACA Risks & Benefits

If you are eligible for DACA, find out the risks of applying, as well as benefits to applying. This chart provides some of the possible downsides and opportunities that may be experienced with DACA, but seek legal help to make the best decision for your case.

RISKS

BENEFITS

DACA offers no long-term benefits. This initiative is not a path to permanent residency or citizenship. A future president can choose to discontinue DACA or provide more opportunities through DACA.

Key DACA benefits: Two-year relief from removal and a work permit, with an option for renewal.

There are no protections to ensure that the information you provide for your DACA application will not be used against you at a later date.

You can apply for a social security number and use this number widely to obtain access to other items such as a credit card, loan, or mortgage etc.

DACA applications require that you submit information about your entry into the country and criminal record, which could lead to deportation, particularly for those with previous arrests or convictions.

You may obtain a driver license.

DACA is not amnesty and will not free you of legal consequences for past infractions, which may still disqualify you from other immigration processes.

If your DACA application is successful, you will not be accumulating unlawful presence (which may affect future immigration options) because DACA grants you authorized stay.

Using Advance Parole (travel permission from USCIS) could have consequences. Because the two agencies lack coordination, U.S. Customs and Border Protection (CBP) may still attempt to detain you even if USCIS has given you permission to travel.

You have the possibility of traveling outside of the U.S. with Advance Parole if you pay a filing fee to apply and if USCIS approves your reasons for travel.

DACA benefits vary by state
Accessibility of both direct benefits, such as a driver license, or fringe benefits, like in-state tuition, may vary depending on which state you live in.

Some state laws and college systems allow you to qualify for in-state tuition. You may also qualify for state financial aid or scholarships (not federal financial aid).

Revealing undocumented family members on DACA applications can also put them at risk.

Those who are currently in removal proceedings, have a final removal order, or have a voluntary departure order can also file for DACA. You can also apply if you have been detained, but released, by ICE.

Consult an immigration attorney or BIA representative- let them know about any criminal or immigration offenses because these offenses could affect you or your family. This will help you determine your risk and help you decide if applying for DACA will benefit you.

Additional social and economic benefits (a job with benefits like healthcare, applying for a credit card, using a legal I.D. when going out, increased independence/agency, etc.)