

DACA statistics — Philippines: 5,619; Mexico: 627,142

Written by MICHAEL J. GURFINKEL, ESQ.
Friday, 12 December 2014 19:46



Recently, the USCIS published 2014 statistics concerning filing of DACA applications, by the various countries.

Although the Philippines has traditionally been one of the top-filing countries when it comes to immigration benefits, for some reason, Filipinos are not fully taking advantage of the marvelous immigration benefits presented through DACA.

Those benefits include:

- work authorization
- relief/protection from deportation
- SS number

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- Driver's license

- ability to go to college and possible scholarships

According to USCIS statistics, Mexico leads the way in DACA filings with 627,142 young people applying.

They are followed by El Salvador, Guatemala and Honduras.

However, the Philippines trails in applications, with only 5,619 young people applying.

There are tens of thousands of more young Filipinos who may be eligible for DACA, and am baffled why they (or their parents) are not taking advantage of this benefit for the children.

I've heard many arguments or reasons for not applying, such as:

- DHS will use the information to come after the parents.

President Obama and DHS have stated they will not use the information in the application to go after either the applicant or the applicant's family members, nor turn them over to ICE (unless, of course, they are terrorists or criminals.)

- The work authorization is only good for two years.

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Under President Obama's recent executive action, the work authorization and relief from deportation is now extended additional years (good for three years), and can be renewed.

- If a Republican is elected president in 2016, this program could be ended.

I do not believe the Republicans would take steps to cancel DACA benefits for those who already obtained them.

It would enrage the Latino and immigrant population.

When DACA first came out in 2012, the Republican-controlled House criticized it, but did nothing about it.

It would be too hot a political issue for them to take away.

- I was over 31 when DACA became available.

President Obama has removed the age cap on DACA eligibility.

Therefore, even if you may not have been eligible under the "old" version of DACA, you may now be eligible under the new version.

The basic requirements for "new" DACA eligibility (and work authorization) are:

- Entered the U.S. before your 16th birthday, and before Jan. 1, 2010.

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- Lived continuously in the U.S. since Jan. 1, 2010, were physically present in the U.S. on Nov. 20, 2014, and were out of status on Nov. 20, 2014.
- It does not matter how old you are now, as long as you entered before your 16th birthday and were in the U.S. on Jan. 1, 2010.
- Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a General Educational Development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
- Have not been convicted of a felony, a significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

I know there are more than 5,619 Filipinos who are eligible, and there really is no reason for letting this marvelous benefit slip by.

If you believe you are eligible, you should consult with an attorney.

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