# DACA

## Renewal Rules

<https://www.uscis.gov/humanitarian/deferred-action-childhood-arrivals-response-january-2018-preliminary-injunction>

You may request renewal of DACA if you met the [initial 2012 DACA guidelines](https://www.uscis.gov/node/41177)and you:

* Did not depart the United States on or after Aug. 15, 2012, without advance parole;
* Have continuously resided in the United States since you submitted your most recent DACA request that was approved;
* Have not been convicted of a felony, a significant misdemeanor, or three or more other misdemeanors; and
* Do not otherwise pose a threat to national security or public safety.

As noted above, you may only request renewal of DACA if you previously received DACA and your DACA expired (or will expire) on or after Sept. 5, 2016. If you previously received DACA and your DACA expired before Sept. 5, 2016, or your most recent DACA grant was previously terminated, you cannot request DACA as a renewal, but may instead submit a new initial DACA request with evidence that you meet the initial DACA guidelines.

the person can request a renewal of DACA if

the person met the initial 2012 DACA guidelines and

the person was previously approved for DACA and

the person’s current DACA expired (or will expire) on or after Sept. 5, 2016 and

the person did not depart the United States on or after Aug. 15, 2012, without advance parole; and

the person has continuously resided in the United States since submitting the most recent DACA request that was approved; and

the person has not been convicted of a felony offense, a significant misdemeanor offense, three or more misdemeanor offenses, or otherwise poses a threat to national security or public safety;

the person has continuously resided in the United States since submitting the most recent DACA request that was approved if

IntervalAlways(the date of the person’s most recent DACA request that was approved, the current date, the person is a U.S. resident (temporal))

the person’s current DACA expired (or will expire) on or after Sept. 5, 2016 if

the date of the person’s current DACA expiration >= 2016-09-05

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| the date of the person’s current DACA expiration | |
| AddYears(the date of the person’s most recent DACA request that was approved, 2) | the date of the person’s most recent DACA request that was approved < 2014-11-24 |
| AddYears(the date of the person’s most recent DACA request that was approved, 3) | the date of the person’s most recent DACA request that was approved < 2015-02-16 |
| AddYears(the date of the person’s most recent DACA request that was approved, 2) | otherwise |

## Initial Rules

<https://www.dhs.gov/xlibrary/assets/s1-exercising-prosecutorial-discretion-individuals-who-came-to-us-as-children.pdf>

The following criteria should be satisfied before an individual is considered for an exercise of prosecutorial discretion pursuant to this memorandum:

* came to the United States under the age of sixteen;
* has continuously resided in the United States for a least five years preceding the date of this memorandum (6/15/2012) and is present in the United States on the date of this memorandum;
* is currently in school, has graduated from high school, has obtained a general education development certificate, or is an honorably discharged veteran of the Coast Guard or Armed Forces of the United States;
* has not been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise poses a threat to national security or public safety; and
* is not above the age of thirty.

the person met the initial 2012 DACA guidelines if

the person was an undocumented immigrant on June 15, 2012 and

the person came to the U.S. under the age of 16 and

the person has continuously resided in the United States for at least five years up to and including June 15, 2012 and

the person was present in the United States on June 15, 2012 and

the person was in school, had graduated from high school, had obtained a general education development certificate, or was an honorably discharged veteran of the Coast Guard or Armed Forces of the United States, as of June 15, 2012 and

the person has not been convicted of a felony offense, a significant misdemeanor offense, three or more misdemeanor offenses, or otherwise poses a threat to national security or public safety; and

the person was not above the age of thirty as of June 15, 2012

the person has continuously resided in the United States for at least five years up to and including June 15, 2012 if

IntervalAlways(2007-06-15, 2012-06-15, the person is a U.S. resident (temporal))

the person was above the age of thirty as of June 15, 2012 if

YearDifference(the person’s date of birth, 2012-06-15) > 30

## Inputs

the date the person first came to the U.S.

the person’s date of birth

the interval (of residence in the U.S.)

* start date
* end date
* the nature of presence during the interval (present as resident, present as non-resident)

the person has not been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise poses a threat to national security or public safety;

the date of the person’s current DACA expiration

the date of the person’s most recent DACA request that was approved

the person departed the United States on or after Aug. 15, 2012, without advance parole

the person was present in the United States on June 15, 2012 and

## Intermediate inferences

the person is a U.S. resident (temporal) if

TemporalFromRange(the intervals, the interval start date, the interval end date, true)