

Attorney General Jeff Sessions Announces the Rescission of DACA

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On Sept. 5, 2017, Attorney General (AG) Jeff Sessions announced that the Trump Administration will end the Deferred Action for Childhood Arrivals (DACA). DACA is a mode of temporary relief given to children (now college-aged or older) who entered the United States without inspection with their parents and allowed them to apply for temporary work authorization if they met certain criteria. This policy was established through an Executive Order issued June 2012 by the Obama Administration. Since then, DACA has undergone scrutiny and much debate, and with the change of administrations, it has been clear that this policy would change, if not end.

AG Jeff Sessions announced that DACA will end, with a wind-down process overseen by the Department of Homeland Security (DHS). Effective immediately, the following will happen as per the recently released [DHS memo](#):

- DHS will adjudicate, on a case by case basis, initial requests that have been accepted as of today (Sept. 5).
- After today (Sept. 5), DHS will reject all DACA first-time applications.
- DHS will adjudicate all properly-filed renewal applications as of today, and will continue to adjudicate applications for those whose benefits will expire by March 5, 2018. Those applications will only be accepted until Oct. 5, 2017. All other renewal requests will be rejected.
- Current approvals and valid employment authorization document (EAD) cards will not be revoked and will remain valid until the expiration dates.
- No new advance parole (AP) applications (an AP is permission to travel) will be accepted or approved and current/pending AP applications will be closed (fees refunded). Currently, valid Advance Parole will still be valid and U.S. Customs and Border Protection (CBP) will retain the discretion to admit a person based on the AP.
- Discretion will be retained by DHS to terminate or deny deferred action at any time deemed appropriate.

- U.S. Citizenship and Immigration Services (USCIS) will not provide this information proactively to Immigration and Customs Enforcement (ICE) and CBP for enforcement proceedings, but this policy may be modified.

Additional FAQ can be found on the [DHS website](#).

AG also announced that the administration will leave it to Congress to legislatively address this issue, should they choose, during this wind-down process. In his announcement, AG Sessions stated that DACA was a circumvention of immigration law and that it was unconstitutional. Furthermore, he stated DACA denies jobs to hundreds of thousands of Americans. He stressed that the role of the administration was to preserve the Constitution and serve the interests of the American people, and for immigrants to abide by U.S. immigration policy. In addition, he announced that the Department of Justice will not defend this overreach should any lawsuits arise.

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