LEGAL UPDATES PUBLISHED: SEPTEMBER 6, 2017

The End of DACA: What Employers Should Know

Services

Business Immigration and Global Mobility

Labor & Employment

Professional

TONI H. BLACKWOOD
KANSAS CITY:
816.983.8000
TONI.BLACKWOOD@
HUSCHBLACKWELL.COM

On September 5, 2017, the Department of Justice announced that the Trump administration would end the Deferred Action for Childhood Arrivals (DACA) program, which provides work authorization and protection from deportation for qualifying undocumented immigrants who were brought to the United States as children. As a result,employees will lose their DACA-based work authorization and may be placed in deportation proceedings when their work authorization expires.

Since the DACA program's inception, many DACA grantees have entered the workforce. Those who currently are working pursuant to DACA authorization will continue to possess work authorization until the expiration date on their employment authorization card. DACA grantees whose work authorization expires on or before March 5, 2018, may file to renew their work authorization by October 5, 2017. After that time, DACA extensions will not be accepted.

What This Means to You

The Department of Homeland Security has indicated it will not terminate previously approved work authorizations while they remain valid. Therefore, employers are cautioned against terminating the employment of a worker who the employer knows has been granted DACA protections based solely on the future expiration date of the employee's employment authorization document. Employers should also not assume that someone who presented an employment authorization document has been authorized for employment through the DACA program.

However, once a DACA grantee's work authorization expires, he or she will no longer possess valid authorization to be employed in the United States through DACA, though the DACA grantee may be eligible for work authorization through another immigration benefit. Unless these employees obtain

© 2026 HUSCH BLACKWELL LLP. ALL RIGHTS RESERVED

immigration status and/or work authorization through other means, they may be placed in deportation proceedings once their DACA approval expires.

Contact Us

For more information about how rescission of the DACA program may impact your organization, contact Toni H. Blackwood or Kelli J. Stout of Husch Blackwell's Immigration team.

© 2026 HUSCH BLACKWELL LLP. ALL RIGHTS RESERVED