



U.S. Citizenship and Immigration Services

Important Information for Some DACA Recipients Who Received Three-Year* Work Authorization: Fact Sheet

If you are a DACA recipient who received a three-year Employment Authorization Document (EAD) after February 16, 2015, it was likely mistakenly issued and must be returned.

Approximately 2,100 DACA recipients were issued three-year Employment Authorization Documents, rather than two-year EADs, *after* the February 16, 2015, court injunction was in place. USCIS has taken action to correct this issue for these individuals and has updated their records to reflect a two-year period of deferred action and employment authorization. USCIS has re-issued and mailed the corrected two-year EADs to these individuals. USCIS has also notified these individuals that the three-year EADs are no longer valid and must be immediately returned, along with any related approval notices. USCIS is carefully tracking the number of returns of these invalid EADs and continues to take steps to collect the remaining cards.

Separately, about 500 three-year EADs that were approved and issued *before* the February 16, 2015, injunction were returned to USCIS as undeliverable by the U.S. Postal Service. These cards were subsequently re-mailed to an updated address *after* the injunction. USCIS has also taken action to correct this issue for these individuals and has updated their records to reflect a two-year period of deferred action and employment authorization. USCIS is re-issuing corrected two-year EADs to these individuals. USCIS has also notified these individuals that the three-year EADs are no longer valid and must be immediately returned, along with any related approval notices. USCIS is carefully tracking the number of returns of these invalid EADs and continues to take steps to collect the remaining cards.

Individuals who are required to return three-year EADs and have not done so will be contacted by USCIS by phone or in-person. For the purpose of retrieving these three-year EADs, USCIS may visit the homes of those individuals who have not yet returned their invalid 3-year EAD or responded to USCIS. When contacting individuals in person, the USCIS employees will show the individuals their credentials. USCIS will make every attempt to call the individual in advance of the visit.

This action does **not** apply to the approximately 108,000 three-year EADs that were approved and mailed by USCIS **on or before** the February 16, 2015, injunction date and that have never been returned or reissued by USCIS.

*Note: The term “three-year EADs” includes some cards that were issued with validity periods of greater than two years but not equal to three years.

The reason for this action is that, after a court order in *Texas v. United States*, No. B-14-254 (S.D. Tex.) was issued, USCIS could approve DACA deferred action requests and related employment authorization applications only for two-year periods.

Individuals who have questions or concerns, including whether they are included in the group that must return their three-year EADs, should call the USCIS National Customer Service Center at 1-800-375-5283 (TDD: 1-800-767-1833) and select Option 8.

If you...	Then...	What to do...
<p>Have a three-year* Employment Authorization Document that was issued to you after the February 16, 2015, court order.</p> <p><i>*“Three year” refers to any Employment Authorization Document valid for a period longer than two years.</i></p>	<p>Your three-year card is no longer valid and you must return it. USCIS has sent you a replacement card valid for two years and one or more letters instructing you to return your three-year EAD.</p> <p>If you keep the invalid three-year card, USCIS will terminate your DACA and all employment authorizations, and may consider your actions as a negative factor in weighing any future requests for deferred action, or any other discretionary requests.</p>	<p>Return your invalid three-year card as directed in the two separate notices mailed to your address in our records.</p> <p>If you receive a Notice of Intent to Terminate your DACA, follow the instructions to appear for a required appointment at a USCIS office to return the card or certify that there is a good reason you cannot return it or that you have already returned it.</p> <p>If you have any questions, call 1-800-375-5283 (TDD: 1-800-767-1833) and select Option 8.</p>
<p>Have a three-year* Employment Authorization Document that was initially issued to you on or before the February 16, 2015, court order, but then re-mailed to an updated address after the court order.</p>	<p>Your three-year card is no longer valid and you must return it. USCIS is sending you a replacement card valid for two years.</p> <p>If you keep the invalid three-year card, USCIS will terminate your DACA and all employment authorizations, and may</p> <p>AILA Doc. No. 15071661. (Posted 7/21/15)</p>	<p>Follow the instructions in the Notice of Intent to Terminate your Deferred Action and Employment Authorization that was mailed to your address of record. The notice will direct you to mail in your invalid three-year card or appear at a USCIS office to return the card or certify that there is a good reason you cannot return it.</p>

If you...	Then...	What to do...
<i>*“Three year” refers to any Employment Authorization Document valid for a period longer than two years.</i>	consider your actions as a negative factor in weighing any future requests for deferred action, or any other discretionary requests.	If you have any questions, call 1-800-375-5283 (TDD: 1-800-767-1833) and select Option 8.

This content is also available as a printable Fact Sheet (PDF).

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