

DACA: DEFERRED ACTION FOR CHILDHOOD ARRIVALS

WHAT IS DACA?

Deferred Action is a kind of administrative relief from deportation. The purpose of DACA is to protect eligible immigrant youth who came to the United States when they were children from deportation. DACA gives young undocumented immigrants: **1) protection from deportation** and **2) a work permit**. The program **expires after two years**, subject to renewal.

PLEASE NOTE: DACA does not grant a path to permanent residency or citizenship.

The DREAM Act, which would lead to permanent residency, has not passed.

WHAT ARE THE REQUIREMENTS FOR DACA?

- You came to the United States **before your 16th birthday**;
- You have lived continuously in the United States from **June 15, 2007** until the present;
- You were physically present in the United States on **June 15, 2012** and at the time you apply;
- You came to the United States without documents before **June 15, 2007**, or your lawful status expired as of **June 15, 2012**;
- You are currently studying, or you graduated from high school or earned a certificate of completion of high school or GED, or have been honorably discharged from the Coast Guard or military. (Technical and trade school completion also qualifies); and
- You have NOT been convicted of a felony, certain serious misdemeanors (including a single DUI), or three or more misdemeanors of any kind. Consult with an attorney about ANY contact you have had with law enforcement or immigration authorities.

WHAT'S THE PROCESS? Consult a qualified attorney or accredited BIA representative before submitting any application to immigration authorities.

- **Step 1 → Get help:** Don't apply alone. You can find non-profits near you here: <https://www.immigrationadvocates.org/legaldirectory/> who may be able to help. Plenty of immigration attorneys in private practice may also be able to offer reduced rates to help you.
- **Step 2 → Collect Evidence:** See reverse for a detailed list of required documents. Remember to only send **copies** (not originals) of supporting documents.
- **Step 3 → Complete Applications:**
 - FORM I-821D**—Consideration of Deferred Action for Childhood Arrivals;
 - FORM I-765**—Application for a work permit; &
 - FORM I-765WS**—Worksheet explaining your economic need to work

- **Step 4** → **Submit applications, supporting documents, 2 passport photos, & fees:**
 - Address to send application depends on where you live and is listed here: <https://www.uscis.gov/forms/all-forms/direct-filing-addresses-for-form-i-821d-consideration-of-deferred-action-for-childhood-arrivals>
 - **FEE = \$495.00** (Check or money order payable to Dept. of Homeland Security) or you can pay by credit card if you are filing at a USCIS lockbox.
- **Step 5** → You will receive by mail a **receipt** which contains your receipt number AND an **appointment notice** to get your fingerprints taken for a background check.
- **Step 6** → Once you have been fingerprinted, you will receive either a letter asking for additional information (called a Request for Evidence) OR a final decision.

LIST OF DOCUMENTS:

**Start collecting supporting documents for your application-
the more organized you are, the easier the process will be!**

Proof of My Identity & Date of Birth

- € Birth Certificate
- € Passport
- € Consular I.D./National I.D./Cédula
- € School ID

Proof that I was physically present in the US on 6/15/2012

- € A **verifiable, formal** document with my name and the date 6/15/2012 **OR**
- € An official document with my name and a date just before 6/15/2012 and another dated just after 6/15/12)
(Examples: school records, pay check stubs, bank statements, credit card receipts, etc.)

Proof that I have had Continuous Residence in the U.S. (June 15, 2007 – Present)

(If you don't have school records/transcripts showing that you were present in the US continuously for the past 5 years, provide 1 document for every three months from June 15, 2007 – Present).

- € School Records
- € Financial Records (taxes, bank statements, credit card bills, rent receipts, utility bills, phone bills)
- € Employment Records (pay stubs)
- € Medical Records (physicals, vaccination records, prescriptions, dental records, etc.)
- € Other records: religious certificates, volunteer records, personal statements, etc.

Proof that I am in School, Have a High School Diploma/GED, or Honorably Discharged from Military

- € School Transcript or Report Cards if currently studying or proof of enrollment in a GED program
- € High School Diploma **OR** GED Certificate
- € **OR** Military Discharge Papers

Proof that I entered the US before the age of 16

- € School records
- € Medical records (vaccinations, physicals, etc.)

- € Expired visa, I-94 card, or passport with entry stamp
- € Other: _____

Proof that I am not ineligible due to a criminal conviction or a threat to national security/public safety

All applicants will be fingerprinted and subject to a background check of all police, juvenile, and immigration records. If you have ever had contact with the police or immigration authorities, get a copy of your records to review with an attorney before applying. (We can explain how to do this.)

- € Examples: Criminal court records, Juvenile court records, Driving record from DMV, State criminal background check results, FBI background check results, etc.

Passport Photos

- € Two passport-size color photos.