

## I-821D INTERACTIVE FORM COPY: QUESTIONS, INSTRUCTIONAL AND HELP TEXT, AND OTHER COPY

### Fee Rule NPRM Changes: Edits Made

Copy in gray boxes is approved copy from previous forms and should not be edited

Heading	Sub-Heading	Body Text	Revised Body Text	Link	CTA	Notes
I-821D, Consideration of Deferred Action for Childhood Arrivals		<p>Use this form to request that USCIS exercise prosecutorial discretion in your favor under the Deferred Action for Childhood Arrivals (DACA) process. You may also use this form to request renewal of deferred action.</p> <p>Anyone who receives deferred action will not be placed into removal proceedings or removed from the United States for a specified period of time, unless the Department of Homeland Security (DHS) chooses to terminate the deferral. USCIS considers deferring action (including renewal of deferred action) on a case-by-case basis.</p> <p>Requesters filing Form I-821D must also file Form I-765, Application for Employment Authorization, and Form I-765 Worksheet, Form I-765WS. You must fill out the paper <a href="#">Form I-765WS</a> and upload the completed copy with your application.</p> <p>Learn more about <a href="#">DACA</a>.</p>		<p><a href="https://www.uscis.gov/sites/default/files/document/forms/i-765ws.pdf">https://www.uscis.gov/sites/default/files/document/forms/i-765ws.pdf</a></p> <p><a href="http://www.uscis.gov/DACA">www.uscis.gov/DACA</a></p>		Form I-821D, Instructions, page 1
Before You Start Your Request	Eligibility	<p>To request DACA, you must be at least 15 years old, unless you are currently in removal proceedings or have a final removal or voluntary departure order.</p> <p>You may be considered for initial deferred action if you:</p> <ul style="list-style-type: none"> <li>•Were under the age of 31 as of June 15, 2012;</li> <li>•Came to the United States before reaching your 16th birthday;</li> <li>•Have continuously resided in the United States since June 15, 2007, up to the present time;</li> <li>•Were physically present in the United States on June 15, 2012, and at the time of making your request for consideration of deferred action with USCIS;</li> <li>•Had no lawful status on June 15, 2012, meaning that you never had a lawful immigration status on or before June 15, 2012, or any lawful immigration status or parole that you obtained prior to June 15, 2012, had expired as of June 15, 2012;</li> <li>•Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education - development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and</li> <li>•Have not been convicted of a felony, significant misdemeanor, or three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.</li> </ul> <p>You may be considered for renewal of DACA if you meet all the requirements for initial DACA and:</p> <ul style="list-style-type: none"> <li>•Did not depart the United States on or after August 15, 2012 without advance parole;</li> <li>•Have continuously resided in the United States since you submitted your most recent request for DACA that was approved up to the present time; and</li> <li>•Have not been convicted of a felony, a significant misdemeanor, or three or more misdemeanors, and do not otherwise pose a threat to national security or public safety.</li> </ul> <p>We may consider deferring action in your case even if you have been arrested or detained by any law enforcement officer and charges were filed, or if charges were filed against you without an arrest. We will evaluate the totality of the circumstances in reaching a decision on deferred action. If we determine that you have been convicted of a felony, a significant misdemeanor, or three or more misdemeanors not occurring on the same date and not arising out of the same act, omission, or scheme of misconduct, or that you otherwise pose a threat to national security or public safety, we are unlikely to defer action in your case.</p> <p>CAUTION: If you file this request more than 150 days prior to the expiration of your current period of deferred action, USCIS may reject your submission and return it to you with instructions to resubmit your request closer to the expiration date. USCIS encourages renewal requestors to file as early in the 150-day period as possible - ideally, at least 120 days prior to the DACA expiration date.</p> <p>If you are currently in immigration detention, you may not request consideration of Renewal of DACA from USCIS. If you think you meet the guidelines of this process, you should identify yourself to your deportation office.</p> <p>Note: You must submit this form with Form I-765 online. We will add Form I-765 for you to complete after you sign your Form I-821D.</p>		<p><a href="https://www.uscis.gov/i-821d">https://www.uscis.gov/i-821d</a></p> <p><a href="https://www.uscis.gov/DACA">https://www.uscis.gov/DACA</a></p>		Form I-821D, Instructions, page 1-2; 11
	Fee	<p><b>Fee:</b> \$0. All requesters must pay a <b>\$410 filing fee for Form I-765</b> and a <b>\$85 biometric services fee</b>. Once you complete and sign Form I-821D and Form I-765, you will pay all fees and submit both forms.</p> <p>Please refer to the instructions for the form(s) you are filing for additional information or you may call the USCIS Contact Center at 800-375-5283. For TTY (deaf or hard of hearing) 800-767-1833.</p>	<p><b>Fee:</b> We will automatically calculate the cost for you before you submit your application. See <a href="#">Form G-1055</a>, available at <a href="http://www.uscis.gov/g-1055">www.uscis.gov/g-1055</a>, for specific information about the fees applicable to this form. Once you complete and sign Form I-821D and Form I-765, you will pay all fees and submit both forms.</p> <p>Please refer to the instructions for the form(s) you are filing for additional information or you may call the USCIS Contact Center at 800-375-5283. For TTY (deaf or hard of hearing) 800-767-1833.</p>			Form I-821D, Instructions, page 11

	<b>Documents you may need</b>	At the end of your request, we will highlight certain documents that you should provide with your request for DACA. At the time of filing, you must submit all evidence and supporting documentation listed. Refer to <a href="https://www.uscis.gov/i-821d">uscis.gov/i-821d</a> if you need additional information about evidence requirements.	<a href="https://www.uscis.gov/i-821d">https://www.uscis.gov/i-821d</a>	Specific to digital environment and part of global template previously approved by OMB
	<b>Biometric services appointment</b>	Individuals requesting DACA must submit biometrics. You may receive a notice scheduling you to appear at an Application Support Center (ASC) for biometrics collection. Failure to comply with the notice may result in the denial of your deferred action request. USCIS may, in its discretion, waive the collection of certain biometrics.		Specific to digital environment and part of global template previously approved by OMB
<b>After You Submit Your Request</b>	<b>Track your case online</b>	After you submit your form, you can track its status through your USCIS account. Sign in to your account often to check your case status and read any important messages from USCIS.		Specific to digital environment and part of global template previously approved by OMB
	<b>Respond to requests for information</b>	If we need more information from you, we will send you a Request for Evidence (RFE) or Request for Information (RFI). You can respond to our request and upload your documents through your USCIS account.		Specific to digital environment and part of global template previously approved by OMB
	<b>Receive your decision</b>	We will review your request to determine whether the exercise of prosecutorial discretion is appropriate in your case. Each case will be considered on an individual, case-by, case basis. Even if you satisfy the threshold criteria for consideration of DACA, we may determine that deferred action is not warranted in your case. You will be notified of the decision in writing. There is no motion to reopen/reconsider the decision and there is no right to appeal.		Form I-821D Instructions, page 12
<b>Completing Your Form Online</b>	<b>Filing online</b>	Submitting your request online is the same as mailing in a completed paper form. They both gather the same information.		Specific to digital environment and part of global template previously approved by OMB
	<b>Complete the Getting Started section first</b>	You should answer all questions in the Getting Started section first so we can best customize the rest of your online form experience.		Specific to digital environment and part of global template previously approved by OMB
	<b>Provide as many responses as you can</b>	We encourage you to provide complete responses. Incomplete fields or sections and missing information can slow down the process after you submit your form		Specific to digital environment and part of global template previously approved by OMB
	<b>We will automatically save your responses</b>	We will automatically save your information when you select next to go to a new page or navigate to another section of the form. We will save your information for 30 days from today, or from the last time you worked on the form.		Specific to digital environment and part of global template previously approved by OMB
	<b>How to continue filling out your form</b>	After you start your form, you can sign in to your account to continue where you left off.		Specific to digital environment and part of global template previously approved by OMB
	<b>DHS Privacy Notice</b>	<p><b>AUTHORITIES:</b> The information requested on this form, and the associated evidence, is collected under the Immigration and Nationality Act, section 101, et seq.</p> <p><b>PURPOSE:</b> The primary purpose for providing the requested information on this form is to determine if you should be considered for deferred action as a childhood arrival. The information you provide will be used in making a decision whether to defer removal action in your case as an exercise of prosecutorial discretion.</p> <p><b>DISCLOSURE:</b> The information you provide is voluntary. However, failure to provide the requested information or any requested evidence, may delay a final decision in your case or result in denial of your form.</p> <p><b>ROUTINE USES:</b> The information you provide on this form may be shared with other federal, state, local, and foreign government agencies and authorized organizations following approved routine uses described in the associated published system of records notices [DHS/USCIS-001 - Alien File, Index, and National File Tracking System and DHS/USCIS-007 - Benefits Information System] and the published privacy impact assessments [DHS/USCIS/PIA-003(a) Integrated Digitization Document Management Program (IDDMP), DHS/USCIS/PIA-016a Computer Linked Application Information Management System and Associated Systems, and DHS/USCIS/PIA-056 USCIS Electronic Immigration System] which can be found at <a href="http://www.dhs.gov/privacy">www.dhs.gov/privacy</a>.</p> <p><b>OTHER DISCLOSURE INFORMATION:</b> Information provided in this request is protected from disclosure to U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) for the purpose of immigration enforcement proceedings unless the requestor meets the criteria for the issuance of a Notice To Appear or a referral to ICE under the criteria set forth in USCIS' 2011 Notice to Appear guidance (<a href="http://www.uscis.gov/NTA">www.uscis.gov/NTA</a>). The information may be shared with national security and law enforcement agencies, including ICE and CBP, for purposes other than removal, including for assistance in the consideration of deferred action for childhood arrivals request itself, to identify or prevent fraudulent claims, for national security purposes, or for the investigation or prosecution of a criminal offense. The above information sharing clause covers family members and guardians, in addition to the requestor. This policy is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.</p>	<p>Form I-821D Instructions, page 13</p> <p>Form I-821D Instructions, page 13</p> <p>Form I-821D Instructions, page 13</p> <p>Form I-821D Instructions, page 13</p>	

**Paperwork Reduction Act**

An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 2.5 hours per response, including the time for reviewing instructions and completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to:

U.S. Citizenship and Immigration Services  
Office of Policy and Strategy, Regulatory Coordination Division  
5900 Capital Gateway Drive, Mail Stop #2140  
Camp Springs, MD 20588-0009

**Do not mail your completed Form I-821D to this address.**

OMB No. 1615-0124  
Expires: 03/31/2023

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page 13-14

**Security reminder**

If you do not work on your application for more than 30 days, we will delete your data in order to prevent storing personal information indefinitely.

Start

Specific to digital environment  
and part of global template  
previously approved by OMB