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 U.S. Immigration and Customs Enforcement under the criteria set forth in USCIS’s Notice to Appear guidance at www.uscis.gov/NTA. Individuals whose cases are deferred pursuant to the consideration of deferred action for childhood arrivals process will not be referred to ICE. 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, 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 This policy, which may be modified, superseded, or rescinded at any time without notice, is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at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.

Key Information

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For more copies of this guide, or information about other customer guides, please visit www.uscis.gov/howdoI.

You can also visit www.uscis.gov to download forms, e-file some applications, check the status of an application, and more. It's a great place to start!

If you don't have Internet access at home or work, try your local library.

If you cannot find what you need, please call Customer Service at: 1-800-375-5283

Hearing Impaired TDD Customer Service: 1-800-767-1833

Disclaimer: This guide provides basic information to help you become generally familiar with our rules and procedures. For more information, or the law and regulations, please visit our website. Immigration law can be complex, and it is impossible to describe every aspect of every process. You may wish to be represented by a licensed attorney or by a nonprofit agency accredited by the Board of Immigration Appeals.

Key USCIS web sites referenced in this guide

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I Am a Young Person Who Arrived in the United States as a Child (Childhood Arrival)

How Do I...Request Consideration of Deferred Action for Childhood Arrivals?

On June 15, 2012, the Secretary of Homeland Security announced that certain people who came to the United States as children and meet several key guidelines may request consideration of deferred action for a period of two years, subject to renewal, and would then be eligible for work authorization.

Only individuals who can prove through verifiable documentation that they meet these guidelines will be considered for deferred action. Determinations will be made on a case-by-case basis under the guidelines set forth in the Secretary of Homeland Security’s memorandum.

How do I know if I may request consideration of deferred action for childhood arrivals?

You may request consideration of deferred action for childhood arrivals if you:

1. Were under the age of 31 as of June 15, 2012;
2. Came to the United States before reaching your 16th birthday;
3. Have continuously resided in the United States since June 15, 2007, up to the present time;
4. 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;
5. Entered without inspection before June 15, 2012, or your lawful immigration status expired as of June 15, 2012;
6. 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
7. Have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

How do I request consideration of deferred action for childhood arrivals?

You must submit Form I-821D, Consideration of Deferred Action for Childhood Arrivals. This form must be completed, properly signed and accompanied by a Form I-765, Application for Employment Authorization, and a Form I-765WS, Form I-765 Worksheet. Failure to submit a completed Form I-765 (along with the
accompanying filing fees for that form), will preclude consideration for deferred action. While there is no filing fee for Form I-821D, you must submit the $380 filing fee for Form I-765, which includes the Form I-765WS, and a biometric services fee of $85 required for the Application for Employment Authorization. For more information, see the USCIS website at www.uscis.gov/1-821D and www.uscis.gov/1-765.

Please Note: Once you receive a receipt confirming that your request is properly filed, you will be sent an appointment notice to visit an Application Support Center for biometric services. Please make sure you read and follow the directions in the notice. Failure to attend your biometrics appointment may delay processing of your request for consideration of deferred action, or may result in a denial of your request.

Where do I file my request for consideration of deferred action for childhood arrivals?

Requests of consideration of deferred action for childhood arrivals will be filed by mail to the USCIS Lockbox. Please visit the USCIS website at www.uscis.gov/1-821D or contact the USCIS National Customer Service Center at 1-800-375-5283 for the most current information and instructions on where to file your request.

What evidence should I submit with my request for consideration of deferred action for childhood arrivals?

Evidence, including supporting documents, that you file your request. Your request for consideration of deferred action for childhood arrivals will be reviewed on an individual, case-by-case basis. You will be notified of USCIS’s determination in writing. USCIS may request more information or evidence, or may request that you appear at a USCIS office. There is no appeal or motion to reopen/reconsider the denial of a request for consideration of deferred action for childhood arrivals.

Can I extend the period for which removal action will be deferred in my case?

Yes. Unless terminated, individuals whose case is deferred pursuant to the consideration of deferred action for childhood arrivals process will not be placed into removal proceedings or removed from the United States for a period of two years. You may request consideration for an extension of that period of deferred action. You must also request an extension of your employment authorization at that time. Your request for an extension will be considered on a case-by-case basis.

If USCIS does not exercise deferred action in my case, will I be placed in removal proceedings?

If your request for consideration of deferred action for childhood arrivals is denied, USCIS will apply its policy guidance for criminal aliens, as well as its policies and procedures governing the determination to defer removal action as an act of prosecutorial discretion and does not provide you with lawful status.

What protections from disclosure are in place for persons who receive deferred action for childhood arrivals?

No. Deferring action is only a discretionary determination to defer removal action as an act of prosecutorial discretion and does not provide you with a lawful status.

What protections from disclosure are in place to protect information I share in my request for consideration of deferred action for childhood arrivals from being used for immigration enforcement purposes?

Information provided in this request is protected...