



May 2017

WHAT YOU NEED TO KNOW ABOUT YOUR DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) REQUEST

How do I get my DACA request to U.S. Citizenship and Immigration Services (CIS)?

You are responsible for mailing your DACA request via certified mail at a U.S. Postal Service (USPS) post office. You should mail it to the USCIS Phoenix Lockbox Facility at:

USCIS
P.O. Box 20700
Phoenix, AZ 85036-0700

You must include a money order for \$495.00 made payable to U.S. Department of Homeland Security, as well as two (2) passport-sized photos for your work permit application.

You will need to complete the certified mailing forms at the post office and pay USPS the cost of mailing. The USPS worker will tell you the precise fee. He or she also will stamp the certified mail receipt and return it to you. Save this receipt because the number on it allows you to track the delivery of your DACA request to CIS. You can go to the website for USPS (www.usps.com) and input the tracking number to confirm that your DACA request was delivered. USPS keeps records of deliveries for two years.

After USPS delivers your application to CIS, it mails you a green postcard that indicates the date it delivered your DACA request to CIS. You should receive this postcard within three weeks from the date you mailed your DACA request. Save this postcard in a safe place, as it proves the date your DACA request was delivered to CIS.

How do I know that CIS has accepted my DACA request and deemed it properly filed?

If you submitted Form G-1145 with your DACA request, CIS will send you an email or text message confirming its receipt. CIS will then mail you two notices – one that they received your DACA request (I-821D) and the other that they received your work permit application (I-765) – within a few weeks from the date they were filed. Approximately one month later you will get a notice for an appointment for biometrics processing (to have your fingerprints and other identifying information collected by CIS).

What should I do if I have not gotten my receipts within ten weeks of filing my DACA request?

You should contact Student Legal Services:

**UCLA Student Legal Services
A239 Murphy Hall
Box 951439
Los Angeles, CA 90095
310.825.9894
Fax: 310.825.1068
slegal@saonet.ucla.edu**

What should I do if I change my address?

You must file an AR-11 Change of Address form within ten days of moving. You can file this form electronically at www.uscis.gov. You also must notify the CIS office processing your DACA request of your change of address. Filing the AR-11 alone will not be sufficient. You can notify the appropriate office of your new address online, and will be instructed how to do so when you file the AR-11 electronically. You should save any electronically-sent verification that you have complied with change of address requirements.

If you do not have access to the internet, you must send a completed AR-11 by certified mail. You must follow the instructions on the form, and keep a copy of the form you mail along with the certified mail receipt that will be returned to you after your form is received. You must also advise the CIS office processing your DACA request of your new address. You can do this by calling 1-800-375-5283.

Ask the US post office for help sending your AR-11 form by certified mail if you are not certain how to send an item via certified mail. Note that if you move and you never receive information from CIS about your DACA request and it is later denied, it will be your burden to prove that you timely filed an AR-11 and notified the CIS office which is processing your DACA request of your new address. CIS has said that if your DACA request is denied because it mailed a Request for Evidence (RFE) to the wrong address even though you had submitted an AR-11, there is a way in which you can request a review of the denial – making it extremely important that you have proof that you changed your address properly with CIS.

If you anticipate moving more than once in the next two years, you should consider obtaining a P.O. Box so that you have a fixed address where CIS can send you mail.

What happens after CIS receives my DACA request?

As explained above, you should receive your DACA request receipt and work permit application receipt within a few weeks of filing them. Approximately one month later you should also receive a biometrics appointment. You need to appear at this appointment with a valid identity

document – such as a current school I.D. or passport or consular ID card – so that CIS can take your fingerprints and obtain other identity information used for CIS background checks.

If you fail to appear at your biometrics appointment, CIS may deny your DACA request. You will have to pay the filing fees again if you choose to re-file your request. If for some reason you cannot appear at the biometrics appointment, you must contact CIS to reschedule. Student Legal Services is unable to assist you in rescheduling these appointments. The CIS notice will provide information on how to reschedule a biometrics appointment on your own.

What happens after I appear at the biometrics appointment?

After your biometrics appointment, CIS will review your DACA request. If CIS needs more information before it can approve your request, they will send you an RFE and you will be given a deadline for responding. If CIS approves your DACA request, they will send you an approval notice, and CIS will then process your employment authorization document (work permit). If CIS intends to deny your DACA request, you will be sent a Notice of Intent to Deny. CIS will go straight to denial only where an individual is clearly ineligible for DACA. If you are denied, CIS will send you a checklist with the reasons for the denial checked off. CIS is estimating that it will take four months to process the initial DACA request. Once you have receipt numbers for your DACA request and your work permit application, you can check their status online at www.uscis.gov. There, you can also create an electronic CIS account if you like so that CIS will email you whenever it takes action on your case.

How can I obtain legal assistance if I receive an RFE or face other legal issues relating to my DACA request?

Student Legal Services may be able to assist you or provide a referral for you. You should contact Student Legal Services immediately if you receive an RFE, and not delay seeking legal advice.

What happens if I am stopped and questioned by U.S. Immigration and Customs Enforcement (ICE) agents?

We advise you to carry an extra copy of the CIS receipt verifying that you have filed a DACA request. (Note that you should not carry your only copy with you; you should make an extra copy for this purpose.) Unless ICE agents are alleging that you are removable from the United States for a crime, you should not be subject to detention by ICE, and should not be placed in removal proceedings. Once your DACA request is granted, you are protected from detention and deportation for a two-year period, unless DHS terminates your DACA. After you receive your work permit, you should carry it with you as proof of your DACA status.

What if I am arrested by local police?

It is extremely important that you advise your criminal lawyer of your immigration status, and obtain advice from an immigration attorney prior to pleading to any crime, no matter how minor. We also caution that a wide range of convictions could make you ineligible for DACA and

subject to detention and deportation. Similarly, after you are granted DACA, a wide range of criminal convictions could result in DHS terminating your original DACA grant.

Once I am granted DACA, can I travel outside the United States?

You may not travel outside the U.S. while your DACA application is pending. After a DACA grant, it may be possible to obtain advance parole, which is permission from CIS to travel abroad and then return to the United States. You should not apply for advance parole or travel abroad without consulting with an experienced immigration lawyer. Rules regarding trips abroad are complex, and many people cannot travel abroad without harming their immigration options for the future.

After I receive a work permit, what other kinds of documents can I obtain?

Once you receive a work permit, you should go to the nearest Social Security Administration (SSA) office and obtain a valid Social Security Number (SSN). You must visit an SSA office in person to complete and sign an application for a SSN. Find your local office at www.socialsecurity.gov/locator. You must bring your CIS-issued work permit (Employment Authorization Card I-766) and proof of age and identity. Once you have a valid SSN, you will also be able to apply for a California ID or a California Driver's License.

How can I receive updates about DACA and other changes in immigration law?

Go to www.publiccounsel.org. Public Counsel attorneys will provide updates on the Immigrants' Rights Project section of the website. You can also visit www.uscis.gov for updates on the latest DACA developments and other immigration-related news.