

DACA Application

DACA, or Deferred Action for Childhood Arrivals, was created to help people who came to the United States as children. Eligible applicants get deferred action for two-year increments. This means they have to renew their DACA every two years. For those two year periods, DACA recipients also get employment authorization, or work permits. However, deferred action is not a path to a green card or citizenship. It is just a way for participants to stay in the United States without fear of deportation.

DACA Overview

What is DACA?

Deferred action basically means that Immigration knows you are here, but they do not intend to do anything about it. There are different types of deferred action, and DACA specifically protects people who came to the United States before they were 16 years old. Deferred action not only allows you to stay in the United States, but also allows you to apply for a work permit. In addition, this allows you to get a Social Security number and a driver's license.

Can I lose DACA?

Any immigrant can lose deferred action for criminal behavior, or for leaving the country without permission to return.

Do I Qualify for DACA?

First-Time DACA Requirements

In order to receive DACA, you must show Immigration that you qualify. The basic requirements for DACA are:

1. You have to be at least 15 years old, unless you are:
 - In removal proceedings,
 - Have a final order of removal, or
 - Have an order of voluntary departure;
2. You must have been under the age of 31 as of June 15, 2012;
3. You must have come to the United States before reaching your 16th birthday;
4. You must have continuously resided in the United States since June 15, 2007, up to the present time;
5. You must have been 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;
6. You must have had no lawful status on June 15, 2012;
7. You must be 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
8. You must not have 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.

DACA Dates

It's important to remember that some things on the list above have to be true as of June 15, 2012, and others have to be true only as of the date that you first apply for DACA.

As of June 15, 2012, you must:

- Be under the age of 31 years old;
- Be physically present in the United States; and
- Have no lawful status.

As of the date you first apply for DACA, you must:

- Have resided continuously in the U.S. since June 15, 2007;
- Have come to the United States before your 16th birthday
- Be physically present in the United States; and
- Be in school, have graduated from high school in the United States, or have a GED; or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States.

DACA Proof

What kind of evidence do I need for DACA?

To prove that you are eligible for DACA, you need to give Immigration evidence that you meet each requirement. Some pieces of evidence may be used to prove more than one requirement. However, you need to make sure that you account for every requirement.

Proof of identity:

- Passport or national identity document from your country of origin
- Birth certificate with photo identification
- School or military ID with photo
- Any U.S. government, Immigration, or other document bearing your name and photo

Proof you came to U.S. before your 16th birthday:

- Passport with admission stamp
- Form I-94/I-95/I-94W
- School records from the U.S. schools you have attended
- Any Immigration and Naturalization Service or DHS document stating your date of entry (Form I-862, Notice to Appear)
- Travel records
- Hospital or medical records
- Employment records (pay stubs, W-2 Forms, etc.)
- Official records from a religious entity confirming participation in a religious ceremony

- Copies of money order receipts for money sent in or out of the country
- Birth certificates of children born in the U.S.
- Dated bank transactions
- Automobile license receipts or registration
- Deeds, mortgages, rental agreement contracts
- Tax receipts, insurance policies

Proof of immigration status:

- Form I-94/I-95/I-94W with authorized stay expiration date
- Final order of exclusion, deportation, or removal issued as of June 15, 2012
- A charging document placing you into removal proceedings

Proof of presence in U.S. on June 15, 2012 and proof you continuously resided in U.S. since June 15, 2007:

- Rent receipts or utility bills
- Employment records (pay stubs, W-2 Forms, etc)
- School records (letters, report cards, etc)
- Military records (Form DD-214 or NGB Form 22)
- Official records from a religious entity confirming participation in a religious ceremony
- Copies of money order receipts for money sent in or out of the country
- Passport entries
- Birth certificates of children born in the U.S.
- Dated bank transactions
- Automobile license receipts or registration
- Deeds, mortgages, rental agreement contracts
- Tax receipts, insurance policies

Proof of your student status at the time of requesting DACA*:

- Official records (transcripts, report cards, etc) from the school that you are currently attending in the United States.
- U.S. high school diploma or certificate of completion
- U.S. GED certificate

Proof you are an honorably discharged veteran of the Coast Guard or Armed Forces of the U.S.*:

- Form DD-214, Certificate of Release or Discharge from Active Duty
- NGB Form 22, National Guard Report of Separation and Record of Service
- Military personnel records
- Military health records

*You need to prove that you had student status or that you are an honorably discharged veteran of the United States. **You do not need to be both.**

What Will Make You Ineligible for DACA?

Criminal Convictions

You do not qualify for DACA if you have been convicted of a felony, a significant misdemeanor, or three or more other misdemeanors.

Remember, the definitions of certain crimes differ between the state and federal governments. Immigration cases follow the criminal definitions according to the federal government. Here are the federal definitions for these crimes:

- Felony conviction
 - A felony is a federal, state, or local criminal offense for which you could be imprisoned for more than one year.
- Significant misdemeanor
 - According to Immigration, a significant misdemeanor is a misdemeanor as defined by federal law. Specifically, one for which the maximum term of imprisonment could be one year or less, but greater than five days.

Additionally:

- Regardless of the sentence given, it is an offense of domestic violence; sexual abuse or exploitation; burglary; unlawful possession or use of a firearm; drug distribution or trafficking; or, driving under the influence; or
 - If not an offense listed above, it is one for which the individual was sentenced to time in custody of more than 90 days. The sentence must involve time to be served in custody, and therefore does not include a suspended sentence.
- Non-significant misdemeanor

- A crime is considered a non-significant misdemeanor (maximum term of imprisonment is one year or less, but greater than five days) if it:
 - Is not an offense of domestic violence; sexual abuse or exploitation; burglary; unlawful possession or use of a firearm; drug distribution or trafficking; or, driving under the influence; and
 - Is one for which the individual was sentenced to time in custody of 90 days or less.
- National Security Concerns
 - Immigration will not grant your deferred action if they think that you are a terrorist or a threat to national security or public safety. For example, if Immigration believes that you are a member of a gang, you cannot get DACA.

Important DACA Reminder

The requirements for DACA are very different from the requirements for other types of immigration benefits. There are things that you may admit to on a DACA application, which will not impact your DACA eligibility, but may make you ineligible for family based immigration. For example, you may have been in the United States for more than one year without immigration status, leave the United States, and then re-enter without Immigration's permission. This might have no impact on your DACA application, but it would make you permanently ineligible for family based immigration.

How to Apply for DACA

Steps to Apply

To apply for DACA, first you need to gather the evidence needed for your case (outlined above). Any document you send that is not in English must be accompanied by a certified translation. You also need to complete and submit Form I-821D, Consideration of Deferred Action for Childhood Arrivals. This will include a filing fee, which is listed on [USCIS.gov](https://uscis.gov).

Also, it is important to remember that DACA does not automatically come with a work permit if you do not apply for one. You have to apply for both. However, this employment authorization application is a little different because you have to show

why you need to work. You have to fill out both the regular application for a work permit (Form I-765) but also a worksheet that goes with it (Form I-765ws). The worksheet asks you to explain why you need to work. For example, you can explain that you want to save for your education, support your children, buy a house, or pay the rent. It can be whatever reasons that you need to work.

Always keep a copy of everything you send to Immigration. When you mail your application, use “return receipt requested” so you can prove when Immigration got it. Once you send in your DACA application, you will receive a notice for a biometrics appointment to have your fingerprints and a digital photo taken at Immigration. Both should be valid for two years.

After your biometrics appointment, you will eventually receive notice in the mail about your applications. Depending on how busy Immigration is, this could take a few weeks or a few months. Check [USCIS.gov](https://uscis.gov) for more information about [case processing times](#).

Immigration might send you a request for more information, to which you should reply as soon as possible. A request for more information does not necessarily mean that anything is wrong. But this is why it is important to keep your address up-to-date with Immigration. If you move while you have any case with Immigration pending, you need to let them know right away.

If your request for DACA has been approved, you will get an approval notice. Also, if your application for a work permit has been approved, you will receive an Employment Authorization Document (EAD). This work permit will allow you to get a driver’s license or state ID.

Frequently Asked Questions

Last updated on July 01, 2025.

How often do I have to renew my DACA?

DACA expires every two years. USCIS recommends submitting DACA renewal requests about five months before the current period of deferred action will expire. At the same time, you will also renew your work permit. Learn more about the steps to renew on our [DACA renewal article](#).

Can DACA recipients vote?

No. Only U.S. citizens can vote in elections in the United States.

Can you receive unemployment if you have DACA?

As long as you meet the other requirements for unemployment eligibility, your protection under DACA will not stop you from receiving unemployment. To receive unemployment, among other requirements, you must be “eligible to work” in the United States. Since DACA allows you to get an Employment Authorization Document (EAD), or work permit, you are therefore eligible to work in the United States.

Can I use my DACA status to get lawful permanent residency or a green card?

No, right now, DACA does not lead to lawful permanent residency or a green card.

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Table of Contents

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