

Steps to Take if Your DACA Renewal is Delayed

June 2015

*The suggestions in this document are specifically about applying to **renew DACA**.
For answers to questions mainly about applying for DACA **for the first time**,
see www.nilc.org/FAQdeferredactionyouth.html.*

Have your initial Deferred Action for Childhood Arrivals (DACA) and employment authorization expired, or will they expire soon? Have you already submitted your DACA renewal application?

If you have submitted your renewal application but are concerned because your DACA and work authorization have expired or will expire before your DACA is renewed, consider following the steps described here to get information about the status of your renewal application and, if appropriate, to ask U.S. Citizenship and Immigration Services (USCIS) to process your renewal more quickly.

USCIS suggests that you submit your completed renewal application about 150 days (5 months), but no later than 120 days (4 months), before your current DACA and employment authorization document (EAD) expire. Because of delays in USCIS's processing of renewal applications, **we recommend that you apply as near as possible to 150 days before your DACA's expiration date**. An online calculator on the National Immigration Law Center's website — www.nilc.org/dacarenewalcalculator.html — can help you figure out the best time to submit your DACA renewal application to USCIS. For more information on the DACA renewal process, see the NILC's FAQ at www.nilc.org/dacarenewalprocess.html.

There are certain **factors that will likely lead to a longer processing time for your renewal application**, including *travel under advance parole* and *new arrests or criminal convictions*. If you traveled using advance parole or have been arrested or convicted since you first got DACA, you should apply for renewal about 150 days before your DACA expires. For more information about what "criminal background" issues might trigger a delay, see this table that lists and describes the crime-related bars to DACA: www.ilrc.org/resources/crimes-related-bars-to-dapa-daca. (The table was created by the Immigrant Legal Resource Center and the National Immigration Project of the National Lawyers Guild.)

Many people who have applied to renew their DACA have not received their renewal before their DACA and work authorization expired. The suggestions or tips described below were developed based on our experience helping people who are in this situation. *Even if you did not submit your DACA renewal application within the time period that USCIS recommends, you may still be able to take some of the steps described below to speed up the processing of your renewal application*. Some of the options described may be more effective than others, depending on your particular case. Therefore, we recommend following up on as many of them as you can.

When you take any of these steps, be prepared to provide:

- your full name
- your alien registration/USCIS number (A#)
- your application receipt numbers
- the expiration date of your DACA and employment authorization document (EAD)

- information you provided in the renewal application forms (I-821D and I-765)
(If you made copies of the forms before you submitted them, have them on hand so you can refer to them.)

Below are the steps we suggest you take to follow up on your DACA renewal application.

Check your case status online

You can monitor your case's status by using USCIS's online "**My Case Status**" tool, at <https://egov.uscis.gov/cris/Dashboard/CaseStatus.do>. You will need to enter the receipt number for either your DACA application or your employment authorization application. (You should have received a receipt for each application after you submitted your renewal application.) USCIS's online case status tool may show that your renewal application has been approved before you receive your new EAD in the mail, so we recommend you check your case status online regularly.

Contact the National Customer Service Center (NCSC)

Their number is **1-800-375-5283**. Be prepared to wait on hold for a long time. You will be able to speak to someone who may be able to answer your questions. You will be given a case confirmation number. Write it down and keep it where you can find it, since it's the number that USCIS uses to track your case inquiry.

Contact your local USCIS field office

Make an appointment to speak directly with a USCIS Immigration Services Officer at your local office through USCIS's **InfoPass** system. Appointments may be made online at infopass.uscis.gov. We have received varying accounts about how much information or help USCIS officers provide during these meetings. You may be told to just wait, and you will be given a case confirmation number.

Contact the USCIS Ombudsman's office

NOTE: *Contact the Ombudsman's office only after your DACA renewal application has been pending for 105 days.* The Ombudsman's office recommends that you do not contact them until after you've completed steps 1-3, above.

The Ombudsman's office reviews cases and may be able to provide you with information about yours. You can file a **Case Assistance Form DHS-7001** online with the USCIS Ombudsman at <https://cisomb.dhs.gov/oca/form7001.aspx>.

To ask for **expedited handling** of your renewal application (to ask that USCIS process your renewal faster), follow these instructions that the Ombudsman's office has provided: When you file the DHS-7001 form online, state in the form (a) the reason(s) you are asking for expedited handling (such as that you may lose your current job), (b) the steps you have already taken to find out the status of your case, and (c) what the local USCIS field office has told you about your case.

Once you have completed and submitted the online form, you should be issued an Ombudsman-specific case number. Then you can contact, by email, one of these Ombudsman staff people:

- Rena.cutlip-mason@hq.dhs.gov
- Margaret.gleason@hq.dhs.gov
- Messay.berhanu@hq.dhs.gov

Submit an “Outside Normal Processing Time” inquiry

You can also use the electronic form at the following link to make an online inquiry about a delayed case:

<https://egov.uscis.gov/e-request/displayONPTForm.do?entryPoint=init&sroPageType=onpt>

We were told by USCIS that DACA renewal applicants may use this online inquiry form **after their application has been pending for 105 days** (3.5 months), and that they should ignore the language on the webpage that says that it should be used only after an application has been pending for 6 months, since that doesn’t make sense for DACA renewals.

When to submit an inquiry: Complete and submit this online form if your case is “outside [the] normal processing time.” To see what is considered the normal processing time, go to <https://egov.uscis.gov/cris/processTimesDisplayInit.do>. Under “Service Center,” use the drop-down menu to find the *service center listed on your receipt notice* as the one that is handling your case, then look for “Form I-821D renewal” and “Form I-765” processing times.

For example, the table row below shows that the Nebraska Service Center has a 3.5-month processing time for DACA Form I-821D renewal applications. If your receipt notice says that your case is being processed by the Nebraska Service Center, and it has been pending for more than 3.5 months (105 days), then you may submit an online inquiry.

I-821D	Consideration of Deferred Action for Childhood Arrivals	Renewal	3.5 Months
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Contact the appropriate USCIS Service Center by email

The receipt notices you received after you filed your Form I-821D and Form I-765 will state which service center is handling your case. You can email an inquiry about your case to the appropriate service center. The service center email addresses are:

- California Service Center: csc-ncsc-followup@dhs.gov
- Vermont Service Center: vsc.ncscfollowup@dhs.gov
- Nebraska Service Center: NSCFollowup.NCSC@uscis.dhs.gov
- Texas Service Center: tsc.ncscfollowup@dhs.gov

If you do not receive a response within 21 days of emailing the service center, you may email the USCIS Headquarters Office of Service Center Operations at SCOPSSCATA@dhs.gov.

When to contact your service center: Email the appropriate USCIS service center 30 days after you contact the National Customer Service Center (step 2, above), if you have not received a response from the NCSC.

Contact your congressional representative

Call your congressperson’s office and ask to speak with the *immigration caseworker*. You can find out who your congressperson is and get his or her contact information by entering your zip code at www.house.gov/representatives/find/. Explain your problem to the caseworker, who may be able to ask USCIS for information about your case.

***Contact the National Immigration Law Center (NILC) or
the Immigrant Legal Resource Center (ILRC)***

If you submitted your renewal application at least 120 days before your expiration date, you can contact NILC for help at reply@nilc.org. (Please write “**DACA renewal delay**” in the *subject line* of your email message.)

In addition, if you have received a Request for Evidence (RFE), a Notice of Intent to Deny (NOID), or a denial, you may provide your contact information to the ILRC by filling out and submitting this online form: https://ilrc.formstack.com/forms/case_example_database. ILRC may decide to contact USCIS about your case.