

Consideration of Deferred Action for Childhood Arrivals Fee Exemption Guidance

To request consideration of deferred Action for childhood arrivals, you must file Form I-821D, Consideration of Deferred Action for Childhood Arrivals; Form I-765, Application for Employment Authorization; and Form I-765WS, Form I-765 Worksheet. The fee to request consideration of deferred action for childhood arrivals is \$465 and cannot be waived.

Fee exemptions are available in very limited circumstances. In order to be considered for a fee exemption you must submit a letter and supporting documentation demonstrating that you meet one of the following conditions:

- You are under 18 years of age, homeless, in foster care, or under 18 years of age and otherwise lacking any parental or other familial support and your income is less than 150% of the U.S. poverty level,
- You cannot care for yourself because you suffer from a serious chronic disability and your income is less than 150% of the U.S. poverty level, or
- You, at the time of the request, accumulated \$25,000 or more in debt in the past 12 months as the result of unreimbursed medical expenses for yourself or an immediate family member and your income is less than 150% of the U.S. poverty level.

A request for a fee exemption must be filed and favorably adjudicated before you file a request for consideration of deferred action for childhood arrivals without a fee. If you submit Forms I-821D, I-765 and I-765WS to a USCIS Lockbox facility without a fee and there is no record a fee exemption request has been approved, both forms will be rejected and returned to you.

Steps to Request an Exemption from the Deferred Action for Childhood Arrivals Filing Fee

- Step 1:
You must:
- Send a letter in English requesting the exemption. USCIS must be able to identify the individual who needs the exemption and the exemption category requested.
 - Attach documentation (copies are acceptable) supporting your request. The supporting documents must be in English or accompanied by a certified translation.
 - The letter must be signed by the individual requesting consideration for the fee exemption. If the individual needing the exception cannot sign, provide an explanation and evidence that the person who does sign is a parent or legal guardian.
 - Each person requesting to be exempt from paying the filing fee should submit their own letter. Multiple individuals should not be grouped into one letter.
 - Mail your request to:
U.S. Citizenship and Immigration Services
Attn: Deferred Action for Childhood Arrivals Fee Exemption Request
P.O. Box 75036

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Washington, DC 20013

- Step 2:
USCIS
will:
- Review your letter and supporting documents to determine if you are in a circumstance to warrant an exemption.
 - Request additional evidence if needed.
 - Approve or deny your request.
 - Send you an approval or denial letter.
- Step 3:
You must:
- If approved, attach a copy of the fee exemption approval letter to the front of your request package, which must include Forms I-821D, I-765 and I-765WS.
 - If denied, submit the \$465 filing fee with your forms or resubmit your fee exemption request with corrections or additional documents.
 - File the Forms I-821D, I-765 and I-765WS according to the form instructions.

What documents must I submit with my request? This depends on the category for which you are requesting an exemption from the fee. USCIS must be able to determine your eligibility by examining your supporting documents. The supporting documents must be legible and in English or accompanied by a certified translation.

What are some examples of acceptable documentation? This list contains examples of acceptable documentation and is not exhaustive:

- **Exemption: You are under 18, homeless, in foster care, or otherwise lacking any parental or other familial support and your income is less than 150% of the U.S. poverty level.**
 - Evidence you are under 18, such as a birth certificate or school records.
 - Affidavit from a community-based or religious organization that attests to your homelessness or lack of parental or familial support.
 - Letter or statement from an agency that you are currently in foster care.
 - Evidence of your current income, such as tax returns, banks statements or paystubs, or an affidavit from you or a third party stating you do not file tax returns, have no bank accounts and/or have no income or evidence to prove your income level.
- **Exemption: You cannot care for yourself because you suffer from a serious, chronic disability and your income is less than 150% of the U.S. poverty level.**
 - Medical records or insurance records that describe your serious, chronic disability.
 - Evidence of your current income, such as tax returns, banks statements or paystubs, or an affidavit from you or a third party stating you do not file tax returns, have no bank accounts and/or have no income or evidence to prove your income level.

- **Exemption: You have accumulated \$25,000 or more in debt in the past 12 months as a result of unreimbursed medical expenses for yourself or an immediate family member and your income is less than 150% of the U.S. poverty level.**
 - Medical bills, insurance records, or other reliable evidence of unreimbursed medical expenses of at least \$25,000.
 - Evidence of your current income, such as tax returns, banks statements or paystubs, or an affidavit from you or a third party stating you do not file tax returns, have no bank account, and/or have no income or other evidence to prove your income level.

How will USCIS make a decision on my request? Our decision is made by reviewing your letter and supporting documentation. Here are some reasons why we may deny your request:

- Your letter or supporting documents are not in English or accompanied by a certified translation.
- Your letter is not signed.
- Your supporting documentation does not demonstrate you fall into any of the categories exempt from the fee.
- You did not submit supporting documentation.
- We were unable to determine your current income.
- The documentation is not legible.
- You did not respond timely or completely to our request for additional evidence.
- You submitted your request with forms and fees. (We will deny your request and forward the forms and fees to the Lockbox facility for processing.)

How long will it take to make a decision on my request? This depends on the number of requests we receive. Our goal is to respond to you within 90 days.

How can I determine if my income is 150% of the U.S. poverty level? Please reference the charts in the 2012 Health and Human Services Poverty Guidelines.

2012 Health and Human Services Poverty Guidelines:

48 Contiguous States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, and the Commonwealth of the Northern Mariana Islands

Household Size	150% of HHS Poverty Guidelines
1	\$16,755
2	\$22,695
3	\$28,635
4	\$34,575
5	\$40,515
6	\$46,455
7	\$52,395

8 \$58,335

For families with more than 8 persons, add \$5940 for each additional person.

Alaska

Household Size	150% of HHS Poverty Guidelines
1	\$20,955
2	\$28,380
3	\$35,805
4	\$43,230
5	\$50,655
6	\$58,080
7	\$65,505
8	\$72,930

For families with more than 8 persons, add \$7425 for each additional person.

Hawaii

Household Size	150% of HHS Poverty Guidelines
1	\$19,290
2	\$26,115
3	\$32,940
4	\$39,765
5	\$46,590
6	\$53,415
7	\$60,240
8	\$67,065

For families with more than 8 persons, add \$6825 for each additional person.

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