

## San Mateo County Immigrant Forum

December 19<sup>th</sup>, 2024

### ILRC Updates:

1. Settlement for JOP v DHS: this case stems from a 2019 policy limiting young people's rights in the asylum process. On November 25<sup>th</sup>, 2024, a final settlement was approved. February 24, 2025 is the deadline for joining the class action suit. The incoming administration may try to challenge this settlement. Details available at <https://nipnlg.org/work/litigation/iop-v-dhs>
2. [Asylum Final Rule](#): DHS has finalized the rule for the Application of Certain Mandatory Bars in Fear Screenings. Bars to asylum can now applied during the threshold credible fear interview, which is earlier in the asylum process than they were previously applied.
3. DACA: experts are anticipating that the Supreme Court will likely rule on DACA in the coming years.
4. Birthright citizenship: Legal experts do expect attempts to challenge birthright citizenship, however, birthright citizenship is a constitutional right under the 14<sup>th</sup> amendment.

### Know Your Rights: Train the Trainer: [See toolkit](#)

5. Many rights come from the Constitution. Legal experts do not expect these basic constitutional rights to change.
6. Experts anticipate more immigration enforcement activity in places like courthouses, as well as workplace raids.
7. 4<sup>th</sup> Amendment rights do exist in the workplace, and California AB 450 states that employers cannot provide consent for ICE to enter a PRIVATE space. However, it is unclear what the remedies for violations would be.
8. Opening a door to officials does not technically indicate consent to enter/search, but can be interpreted as such. This is why KYR materials instruct individuals NOT TO OPEN THE DOOR.

### USCIS Updates:

#### [Local Outreach:](#)

9. [Overview of Asylum](#) - Thursday, Dec. 19 at 5:00 pm PST. Webex, Meeting number: 2828 075 8046, and password: K36d7YNuKHj\$ (53637968 when dialing from a phone or video system)  
<https://uscis.webex.com/uscis/j.php?MTID=mcb611ef96c3644e47c71980c86a35738>
10. [Overview of Provisional Unlawful Presence Waiver, Form I-601A](#) - Thursday, Jan. 9 at 5: 00 pm PST. Webex, Meeting number: 2829 443 9336, and password: UAajZKin?278 (82259546 when dialing from a phone or video system). <https://uscis.webex.com/uscis/j.php?MTID=mcdcee25653896545e33e0c94211eda5f>
11. [How to Petition for Relatives](#) - Thursday, Jan. 16 at 5:00 pm PST. Webex, Meeting number: 2823 943 0001, and password: MsRvhXRX\$334 (67784979 when dialing from a phone or video system).  
<https://uscis.webex.com/uscis/j.php?MTID=mf52d0872725aa244a87a12b9d9c6fe65>
12. [How to Become a U.S. Citizen](#) - Thursday, Jan. 23 at 5:00 pm PST. Webex, Meeting number: 2830 589 7219, and password: 3Wyd9b8VTDm@ (39939288 when dialing from a phone or video system).  
<https://uscis.webex.com/uscis/j.php?MTID=me400f7ff3472149d97ca34b39ed09484>

#### [Announcements:](#)

13. **USCIS Updates Guidance on Case Assistance and Feedback**, announced on Dec. 18, 2024: U.S. Citizenship and

Immigration Services [announced](#) that it is updating Volume 1, Part A, of the [USCIS Policy Manual](#) to reflect the available avenues for case assistance or feedback. Specifically, the update:

- i. Recommends that stakeholders submit [changes of address](#) through the self-service tool available in their [USCIS online account](#) as soon as possible following a move or when an update is required;
- ii. Updates information on our current case assistance tools and resources to reflect the expansion of online tools and resources;
- iii. Includes a link to our [Contact Us](#) webpage, where stakeholders can find information on how to contact us, including detailed, program-specific assistance information; and
- iv. Updates and clarifies information on providing feedback to USCIS.

14. DHS Announces **Permanent Increase of the Automatic Extension Period for Certain Employment Authorization Document Renewal Applicants**, announced on Dec. 10, 2024. The Department of Homeland Security (DHS) announced a final rule that will support U.S. employers, foster economic growth, and improve access to employment authorization documents (EAD) for eligible individuals by permanently increasing the automatic extension period of employment authorization and employment authorization documentation from up to 180 days to up to 540 days for eligible noncitizens who file a timely request to renew their work authorization. For a list of categories that will be covered by the automatic EAD extension: <https://www.uscis.gov/eadautoextend>

15. **USCIS Revised Form I-485, Application to Register Permanent Residence or Adjust Status**, announced Dec. 10, 2024: On Dec. 10, 2024, we published a new edition of Form I-485, Application to Register Permanent Resident or Adjust Status, which includes updates to questions and instructions. Starting Feb. 10, 2025, we will accept only the 10/24/24 edition of Form I-485 and will reject any older editions of Form I-485. The new edition of Form I-485 features these major changes:

- i. Requires applicants who need to submit a Form I-693, Report of Immigration Medical Examination and Vaccination Record, or a partial Form I-693 (such as a vaccination record), to submit the Form I-693 or partial Form I-693 with their Form I-485. If the applicant does not submit the Form I-693 with Form I-485 when it is required, the Form I-485 may be rejected;
- ii. Enables applicants who are exempt from the Form I-864, Affidavit of Support Under Section 213A of the INA, requirement to request the exemption on Form I-485 rather than submitting Form I-864W, Request for Exemption for Intending Immigrant's Affidavit of Support. Form I- 864W has been discontinued and removed it from [uscis.gov](#);
- iii. A clarification of the form questions about the public charge ground of inadmissibility. The questions now will require an applicant to identify their immigrant category so that we can more easily determine whether or not they are exempt from this ground of inadmissibility and can adjudicate the application accordingly.

16. **Instructions for Submitting Certain Applications in Immigration Court and For Providing Biometric and Biographic Information to U.S. Citizenship and Immigration Services**, posted Dec. 16, 2024: Asylum applicants in EOIR proceedings no longer need to provide USCIS a copy of the I-589, and USCIS will no longer be scheduling all defensive asylum applicants for a biometrics appointment. DHS will reuse previous biometrics whenever possible and will only schedule applicants where no previous encounters exist or info can't be reused.

- i. Updated Pre-Order Instructions as of 12/16/2024 – explains the new process and clarifies that submitting a copy of the I-589 to USCIS is no longer needed: <https://www.uscis.gov/sites/default/files/document/legal-docs/DEFA-pre-order-instructions.pdf>
- ii. Updated webpage: Immigration Benefits in EOIR Proceedings – includes an FAQ regarding the new process, including when it is appropriate to reach out to the USCIS Contact Center: <https://www.uscis.gov/laws-and-policy/other-resources/immigration-benefits-in-eoir-proceedings>
- iii. Updated Pre-Order Instructions as of 12/16/2024 – explains the new process and clarifies that submitting a copy of the I-589 to USCIS is no longer needed: <https://www.uscis.gov/sites/default/files/document/legal-docs/DEFA-pre-order-instructions.pdf>