

**San Mateo County Immigrant Forum**  
**Meeting Notes**  
**3/16/2023**

**1. Welcome & Introductions: Jennifer Llamas**

- a. Thank you to all for joining us on Zoom. The Immigrant Forum will be held virtually until further notice.

**2. USCIS Updates: Sai Phavisith, Community Relations Specialist, USCIS**

- a. Upcoming National Engagements:  
Institute of Museum and Library Services Webinar:  
Unauthorized Practice of Immigration Law  
Thursday, March 23, 2023  
1 to 2 p.m. Eastern  
U.S. Citizenship and Immigration Services (USCIS) invites museum and library employees to participate in a webinar on Thursday, March 23, from 1 to 2 p.m. Eastern
  - i. During this webinar, subject matter experts will share information on recent immigration scams and provide tips and best practices on how museums and libraries can partner with USCIS to combat scams and the unauthorized practice of immigration law (UPI). They will conclude with a question-and-answer session
  - ii. USCIS is presenting this webinar as part of the federal partnership with the Institute of Museum and Library Services to provide citizenship and immigration information to library and museum professionals
  - iii. Attendees can register [here](#)
- b. U.S. Citizenship and Immigration Services is issuing policy guidance in the USCIS Policy Manual to clarify the validity period of employment authorization for F-1 nonimmigrant students experiencing severe economic hardship due to emergent circumstances (also known as special student relief (SSR)) who are work authorized under the SSR provisions of 8 CFR
  - i. The update clarifies that in cases of severe economic hardship due to emergent circumstances, we may grant off-campus SSR employment authorization to an F-1 nonimmigrant student for the duration of the Federal Register notice validity period. This employment authorization may not extend past the student's academic program end date. This update notes that they may issue employment authorization documents for the duration of the Federal Register notice, which is typically an 18-month validity period, as permitted by the relevant SSR Federal Register notice
  - ii. Emergent circumstances are events that affect F-1 nonimmigrant students from a particular region and create severe economic hardship. These events may include, but are not limited to, natural disasters, financial crises, and military conflicts
- c. USCIS is issuing policy guidance in the USCIS Policy Manual to address how they provide mobile biometrics services. The purpose of the new guidance is to reduce barriers for benefit requestors who are unable to attend appointments at Application Support

Centers to provide biometrics, such as fingerprints, required for certain benefit requests. The guidance describes the circumstances when they may offer mobile biometrics services and when they may use the services of other agencies closer to the address of the requestor

### 3. Legal Updates: Alison Kamhi, Legal Program Director, ILRC

- a. Overview of Asylum Ban—Notice of Proposed Rulemaking (NPRM)
  - i. On 2/21/23, the Biden administration [proposed a rule](#) that would illegally ban many refugees from seeking asylum in the United States. Groups have been anticipating this rule and [voicing their strong opposition](#) for weeks. Human First also issued an in-depth [asylum ban fact sheet](#). Human Rights First experts have quickly reviewed (and issued a statement, [here](#)), and are sharing a basic overview for partners and allies (and we, and partners, will have more to share soon). **Please note that this is not intended to be a comprehensive analysis.** For questions, please email Becky Gendelman ([gendelmanb@humanrightsfirst.org](mailto:gendelmanb@humanrightsfirst.org)) Madhu Grewal ([grewalm@humanrightsfirst.org](mailto:grewalm@humanrightsfirst.org)).
  - ii. This is a combination of a third-country transit ban and an entry ban. **We should be referring to it as an asylum ban, full stop.**
  - iii. It is also an attempt to make access to asylum for refugees at the southern border (and only the southern border) contingent on CBPOne, a [notoriously bad](#), not very accessible, and routinely oversubscribed and glitchy smartphone app. And of course, many other tech/surveillance experts (and [MOCs](#)) have also raised significant privacy concerns with this app. **The connection of access to asylum with access to a smartphone app should worry everyone.** The attempt to largely limit access to asylum at POEs to those who are able to get appointments also raises concerns the system will be used for illegal metering (and based not on wait time but on the luck, tech skills or resources to secure an appointment).
  - iv. Under the proposed rule, asylum seekers who enter the United States between ports of entry or who present themselves at a port of entry without a previously scheduled appointment will be presumed to be ineligible for asylum unless they applied for and were denied protection in a country they traveled through on their way to the United States, subject to certain exceptions. Like the Trump administration's asylum transit ban, this rule would deny refugees asylum and block and rapidly deport refugees without access to asylum hearings through expedited removal.
  - v. **The asylum ban violates U.S. law and treaty obligations.** None of this has a basis in the U.S. asylum statute, which has clear provisions providing for access to asylum.

1. [8 U.S.C. 1158\(a\)\(1\)](#) provides that people seeking refugee protection may apply for asylum regardless of manner of entry.
  2. 8 U.S.C. §1158(a)(2) and 8 U.S.C. §1158(b)(2) delineate specific exceptions where an individual would not be eligible for asylum, including where a person was “firmly resettled” in another country or if the United States has a formal “Safe Third Country” return agreement with a country where refugees are both safe from persecution and have access to fair asylum procedures.
  3. 8 U.S.C. §1158(d)(5)(B) provides that the administration may not issue regulations that are inconsistent with these provisions. Barring asylum seekers based on transit through a third country is inconsistent with these provisions and violates U.S. law, as federal courts [have held](#) when enjoining the Trump asylum transit ban.
  4. The proposed rule also runs afoul of the Refugee Convention’s prohibitions against imposing penalties on people seeking refugee protection, and will certainly lead to refoulement to persecution and torture. The U.N. Refugee Agency (UNHCR) has [confirmed](#) that States may not “condition access to asylum procedures on regular entry” under the Refugee Convention and Protocol.
- vi. **The asylum ban will have a disparate impact, favoring wealthy and white immigrants who can procure visas and arrive by plane.** It is deeply troubling to have one set of rules for people at the southern border and a different set of rules for people who are able to get themselves here on planes. This scheme needs to be understood in the context of the U.S. and rest of the developed world: using visa regimes divert people who could otherwise make asylum claims through regular travel routes. Who is able to get a visa to the U.S., or who can get here without needing one: those from wealthier and whiter nations. President Biden *just* gave a speech on racial equity and lauded this administration’s commitment to racial justice; yet this NPRM significantly undermines that commitment. The asylum ban will inflict grave harms on Black, Brown and Indigenous asylum seekers, as Human Rights First explained in this [fact sheet](#). **The ban also builds in nationality-based discrimination in access to asylum, as each administration can choose which nationalities are, or are not, afforded some limited access to parole initiatives.**
- vii. The proposed rule would recognize exceptions to these requirements that are considerably more generous **on paper** than the Trump administration. **But in practice**, such exceptions are impractical and will not keep the rule from denying asylum, and returning to danger, refugees who qualify for asylum under our laws. By imposing this policy in expedited removal, the rule would lead to the rapid deportation of asylum seekers who are unable, in that fraught, due process deficient process, to prove to asylum officers that they meet

requirements that have no basis in the statute and are irrelevant to their fears of return.

- viii. **Here's how it would play out:** You are an asylum seeker with a CFI, meaning you are in CBP custody. This means, CBP has taken away your phone (or you never had a phone and were using one at a shelter that appeared to work, but actually didn't). How are you supposed to prove that you encountered massive tech glitches with CBPOne? How much do you think officers conducting CFIs are going to credit your explanation that you were in imminent fear for your life? We've been down this road before—e.g. with the fear-of-persecution-in-Mexico interviews in MPP—and the [results were terrible](#). The use of expedited removal, particularly in detention, is already a [due process nightmare](#) and leads to many erroneous negative credible fear determinations, preventing asylum seekers from applying for asylum—imposing an asylum ban and carrying out these interviews in CBP custody will accelerate this due process fiasco.
- ix. **Family Separation:** The attempts to allow for exceptions where the application of this rule would separate families only covers—even in theory—family members who are traveling WITH the applicant. This leaves out the common scenario where one family member seeks protection first and will then be unable to petition for spouse and children later, under this rule. Like the Trump transit ban, this asylum ban will leave many refugee families separated and deprive refugees denied asylum (and left only with withholding) of a path to citizenship, as detailed [here](#).
- x. Finally, the whole underlying notion of a transit ban is that people should be applying for asylum in . . . Mexico? Guatemala? Human Rights First and other groups have documented the [harms](#) inflicted on refugees and migrants in Mexico, and the fact that Mexico [does not meet](#) the U.S. law requirements for a safe third country. Yet **the proposed rule is an attempt to force people to seek asylum in countries where many would not actually be safe and protected**. A few real-life examples:
  1. We have clients from Honduras who sought the protection of their own national authorities, and those national authorities had them driven to the border, and told them go, get out of this country, we can do no more to protect you.
  2. We have clients from Honduras who were *planning* to stay in Mexico—they did not, at the time of initially fleeing their country, plan to seek asylum in the United States—but Mexico deported them right back to Honduras, at which point, on their second escape, they made their way to the southern border of the U.S.
  3. We have a client from Honduras whose wife and child were kidnapped in Mexico and held hostage for weeks as they were trying to join him in the United States where he was seeking asylum.

4. And on seeking asylum in Guatemala: human rights defenders from Guatemala are being forced to seek protection abroad and lacks a functioning asylum system.
- b. Comments opposing the NPRM are due at 11:59pm ET on March 27, 2023. A template prepared by the National Immigrant Justice Center can be found [here](#).

#### **4. Familias Tomando Acción (FTA) - A New SSF Resource Nonprofit for Immigrant Families: Edith Arias, Founder and Executive Director**

- a. New non-profit that prioritizes education and mental health
- b. Goal: increase the number of Latinx students graduating from high school and vocational/college careers
  - i. Help facilitate information and conversations on leadership and empowerment to expand the network for Latinx families with common interests
- c. Currently hold virtual monthly meetings with local organizations every third Thursday from 6-8pm. This format is tentative and subject to change when a permanent site is established
- d. Core ethics:
  - i. *Support, Education, Hope* – FTA supports individuals and families in navigating through available resources, such as the educational system, with the hope that by doing so, it helps eliminate disparities that people of color have long endured and promote equity to allow people to break away from the generational cycle of inequities in society.
- e. Contact:
  - i. Edith Arias (Founder & Executive Director): [familiastomandoaccion@gmail.com](mailto:familiastomandoaccion@gmail.com)
    1. Phone Number: (650) 246-4655
  - ii. Organization email: [info@familiastomandoaccion.org](mailto:info@familiastomandoaccion.org)
  - iii. Website: <https://familiastomandoaccion.org/>

#### **5. Welcoming Interactive: Jasmine Hartenstein, Senior Executive Analyst, Office of Racial Equity, City of San José**

- a. A two-day conference presented by Welcoming America in partnership with the City of San Jose, featuring presentations and interactive sessions from leaders and policymakers in the immigrant inclusion space. Click [here](#) for more information
  - i. Event date - April 26, 2023
  - ii. \$400 signup fee (can be waived if you volunteer for at least 4 hours)
  - iii. Volunteers can expect to do the following:
    1. Registering people
    2. Welcoming people at reception
    3. Community tours guide
    4. Registration table
    5. Tech person

## 6. Office of Community Affairs (OCA) Updates

- a. OCA is hiring another Immigrant services Coordinator. Click [here](#) for more information. Please note that the deadline to apply is midnight Friday, March 17, 2023.
- b. Welcoming America Audit happening from March 21, 2023, to March 23, 2023.

## 7. Agency Update Roundtable: All

### a. Maria Rosas Ramirez, KARA

- i. In-person Spanish grief/compassion/resilience community event happening on Saturday, April 22, 2023
  1. Where: 457 Kingsley Ave, Palo Alto CA
  2. Cost: \$15 (financial aid can be offered on a case-by-case basis)
  3. To register, click [here](#)

### b. Irma Acosta, Catholic Charities

- i. Currently hiring for front desk and other administrative positions. Click [here](#) for more information or email [iacosta@catholiccharititessf.org](mailto:iacosta@catholiccharititessf.org)

### c. Sylvia Navarro, LIBRE

- i. *Know Your Rights* workshop in Spanish about public benefits and AB 60
  1. When: March 22, 2023, 6pm-7:15pm
  2. Where: 3399 Bay Rd (PAL Center)
  3. To register, contact Rocio
    - a. Phone: 650-204-0638
    - b. Email: [rocio@redwoodcitypal.org](mailto:rocio@redwoodcitypal.org)
- ii. LIBRE will be tabling and presenting information about public benefits at the OYE conference this Saturday, March 25, 2023.

### d. Nicoletta Kelleher, SMC ODE

- i. Parent Project – offers parenting skills and resource support classes in English and Spanish for parents/caregivers who care for a child or adolescent displaying challenging behaviors.
- ii. To learn more, email [nkelleher@smcgov.org](mailto:nkelleher@smcgov.org)

### e. Karla Rodriguez, SMCOE

- i. Immigrant Resource Night in collaboration with Jefferson Union High School District
  1. When: April 25, 2023, 6-8pm
  2. Where: JUHSD District Office – 699 Serramonte Blvd, Daly City 94015
  3. Click here to [RSVP](#)

### f. Yolanda Ramirez, SMC Office of Consumer & Family Affairs

- i. Parent Café – hybrid community meetings every other Wednesday to support parents/caregivers of youth experiencing emotional challenges. Next meeting March 29, 2023

1. Where: Coastside Clinic – 225 South Cabrillo Highway, Suite 100A, Half Moon Bay 94019
  2. To join virtually via Microsoft Teams:
    - a. ID: 253 143 545 942 Passcode: tyVcri
  3. To join by phone:
    - a. Dial: 1628-212-0105 ID: 354 489 014#
- ii. For more information, contact:
1. Yolanda Ramirez -- 650-421-3064 [ymramirez@smcgov.org](mailto:ymramirez@smcgov.org)
  2. Sonia Vasquez – 650-701-4626 [svasquez@smcgov.org](mailto:svasquez@smcgov.org)

**g. Cesar Meza-Esveile, Multicultural Institute**

- i. Currently hiring a Day Laborer Program Director at the Berkeley Office
- ii. For more information about the job, email: [cesar@mionline.org](mailto:cesar@mionline.org)
- iii. For more information about Multicultural Institute, click [here](#)