

San Mateo County Immigrant Forum
Meeting Notes
5/18/2023

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. Outreach: <https://www.uscis.gov/outreach>
 - i. National Engagements:
 - 1. Tuesday, May 23, 11am Pacific - Immigration Options for Youth and Child Victims of Abuse Stakeholder Engagement
 - 2. National Refugee Quarterly Stakeholder Meeting 6/20 from 2-3 pm EST
- b. [Fact Sheet](#): Department of State and Department of Homeland Security announce additional sweeping measures to humanely manage border through deterrence, enforcement, and diplomacy.
 - i. Opening the first regional processing centers to direct individuals to lawful pathways
 - ii. Deploying first group of additional troops to support border patrol
 - iii. Surging additional resources to manage increased encounters
 - iv. Expanding access to the CBP One App
 - v. Issuing new rules to encourage migrants to use lawful pathways
 - vi. Ramping up efforts to counter misinformation
- c. [DHS and DOJ finalize rule to incentivize use of lawful immigration pathways](#)
 - i. The Department of Homeland Security (DHS) and the Department of Justice (DOJ) finalized a new rule to further incentivize individuals to use lawful, safe, and orderly pathways to enter the United States. The rule builds upon efforts to combine lawful pathways with consequences for failure to use them, by placing certain limiting conditions on asylum eligibility for those who fail to use those pathways. The rule presumes those who do not use lawful pathways to enter the United States are ineligible for asylum and allows the United States to remove individuals who do not establish a reasonable fear of persecution or torture in the country of removal. Noncitizens can rebut this presumption based only on exceptionally compelling circumstances.
 - ii. The presumption will not apply to a noncitizen if they, or a family member traveling with them, received appropriate authorization to travel to the United States to seek parole; presented at a port of entry, pursuant to a pre-scheduled time and place using the CBP One app; established that it was not possible to access or use the CBP One app due to specific and extenuating circumstances, significant technical failure, or other applicable exception; or sought and were denied asylum or other protection in at least one other country. Individuals may also rebut the presumption by demonstrating exceptionally compelling circumstances. Unaccompanied children are exempted from this presumption.

- d. New family reunification parole process for nationals of Colombia, El Salvador, Guatemala, and Honduras
 - i. DHS has announced new family reunification parole processes for certain nationals from Colombia, El Salvador, Guatemala, and Honduras and their immediate family members, who have approved family-based petitions filed on their behalf by a U.S. citizen or lawful permanent resident. USCIS is also expanding existing family reunification parole processes for certain nationals of Cuba and Haiti and their immediate family members. When these processes are officially launched, certain vetted individuals with already approved family-based Form I-130, Petition for Alien Relative, petitions will be able to be considered, upon invitation, for parole into the United States, on a case-by-case basis, while they wait for their immigrant visa. The U.S. government will provide advance travel authorization for individuals who are approved and have been successfully vetted to travel. Individuals paroled into the United States under these processes will be eligible to apply for work authorization.
- e. Re-parole program for Afghan nationals
 - i. Checklist for Afghan nationals preparing to apply for re-parole in June 2023
 - 1. Step 1: Create a free USCIS online account today!
 - a. We have resources in Dari and Pashto to help guide you through the steps to set up your online account.
 - i. How to Create an Online Account video, flyer, web page in Dari and Pashto.
 - b. If you already have a USCIS online account, you will need to know the email address and password you used to set up your account. Do not wait too long to confirm your access to your account.
 - 2. Step 2: Gather required documents.
 - a. Whether you are applying for re-parole online or on paper, you will need to provide documentation to confirm your identity that shows your photo, name, and date of birth. Examples include a copy of your current USCIS-issued Employment Authorization Document, or a government-issued driver's license, passport, or Tazkira. Any document containing foreign language submitted to USCIS must be accompanied by a full English language translation which the translator has certified as complete and accurate, and by the translator's certification that he or she is competent to translate from the foreign language into English.
 - i. If you submit a passport, you must include copies of the biographical page and visas issued from any country.
 - ii. Do not submit a Tazkira unless you have never previously submitted one to USCIS.
 - iii. If you have never submitted a Tazkira to USCIS, but you are unable to provide one, list your father's and

mother's first names and explain in writing why you cannot provide a Tazkira.

3. Step 3: If you have moved, update your address with USCIS.
 - a. Be sure to update your address with USCIS within 10 days of moving and each time you move. This is a condition of your parole.
 - b. There are two ways to update your address with USCIS:
 - i. Through an existing USCIS online account, or
 - ii. By submitting Form AR-11 online.
- f. USCIS clarifies guidance on citizenship and naturalization for adopted children
 - i. The policy guidance:
 1. Describes requirements for adopted children to meet the definition of a child for citizenship and naturalization purposes, including having an adoption that is considered full, final, and complete for immigration purposes;
 2. Explains eligibility for U.S. citizenship for adopted children who reside in the United States and how to obtain a Certificate of Citizenship;
 3. Explains eligibility for U.S. citizenship for adopted children who reside outside of the United States and how to apply for citizenship and issuance of a certificate; and
 4. Provides guidance on the acquisition of citizenship and naturalization when an adoption is disrupted or dissolved.
- g. Filing tips for supporters and beneficiaries of Uniting for Ukraine and the processes for Cubans, Haitians, Nicaraguans, and Venezuelans
 - i. U.S. Citizenship and Immigration Services (USCIS) is receiving many duplicate filings of Form I-134A, Online Request to be a Supporter and Declaration of Financial Support, and related inquiries to our Contact Center. These tips will help you properly submit Form I-134A as well as correct any errors you discover after you submit it.
- h. USCIS extends and expands employment authorization for Hong Kong residents covered by DED
 - i. U.S. Citizenship and Immigration Services (USCIS) today posted a Federal Register notice on the extension and expansion of eligibility for Deferred Enforced Departure (DED) for Hong Kong residents. The notice also explains how eligible residents of Hong Kong may apply for Employment Authorization Documents (EADs).
 - ii. On Jan. 26, 2023, President Biden issued a memorandum extending and expanding DED for certain Hong Kong residents for 24 months. Eligible Hong Kong residents covered under DED as of Jan. 26, 2023, may remain in the United States through Feb. 5, 2025, and are eligible to work in the United States.
 - iii. There is no application for DED. Hong Kong residents are covered under DED based on the terms described in the president's directive. Eligible Hong Kong residents may apply for an EAD by filing Form I-765, Application for Employment Authorization.

- i. USCIS providing documents after notice of immigration judge and BIA decisions about immigration status
 - i. We now are affirmatively creating and providing documented evidence of their status to certain new asylees and lawful permanent residents upon our receiving notification that an immigration judge or the Board of Immigration Appeals (BIA) has granted status. Individuals granted asylum and lawful permanent resident status are still instructed and encouraged to contact the USCIS Contact Center to request their proof of status because USCIS may not be notified in every case.
 - ii. Our field offices may now be able to provide this documentation by mail instead of having asylees and lawful permanent residents schedule an in-person appointment, eliminating an unnecessary burden to an individual who has been granted their status by an immigration judge or the BIA. USCIS began this effort in August 2022 by mailing Form I-94, Arrival/Departure Record, with asylee stamps to certain individuals who have been granted asylum by an immigration judge or the BIA. We also have been issuing Permanent Resident Cards, also known as Green Cards, to some lawful permanent residents when we are notified that the immigration judge or BIA has granted adjustment of status.

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

- a. Nationally
 - i. Title 42 – the public health order introduced by the Trump Administration to stem COVID-19 but has function increasingly as an immigration enforcement tool that allowed border officials to expel migrants without the chance to request asylum in the US – ended on May 11, 2023.
 - ii. The “Circumvention of Lawful Pathways” rule replaces Title 42 and applies to anyone who enters the US by land or sea along the southern border during the effective period of the rule (right now, until two years from today). At all these stages, applicants will be barred from asylum (but still eligible for withholding and CAT) regardless of when they file for asylum unless they can show that they:
 - a. They had official permission to travel for purposes of parole
 - b. Had an appointment through CBP One that they attended or established an inability to use CBP One (language access, illiteracy, tech issues, etc.)
 - c. Sought protection in another country and were denied (doesn’t count if they abandoned their claim)
 - d. Had another exceptionally compelling circumstance at the time of entry (medical emergency, imminent threat to life or safety, or was victim of severe form of trafficking).

NOTE: unaccompanied minors will not be subject to the ban.

- iii. The ACLU, CGRS and NIJC have filed suit (on behalf of East Bay Sanctuary Covenant, American Gateways, Central American Resource Center, Immigrant Defenders Law Center, National Center for Lesbian Rights, and the Tahirih

Justice Center) to challenge the rule stating that it violates Immigration and Nationality Act, which provides that you can apply for asylum regardless of your manner of entry, among other allegations.

iv. State

1. May 18, 2023, the [University of California will vote to employ students without authorization](#). This is based on advocacy from law professors arguing that federal law that prevents employers from hiring persons without work authorization does not apply to states and state entities.
2. AB 1262 seeking to amend U and T visa CA state laws to make them even stronger and increase access to certifications for survivors of serious crime and human trafficking who qualify for the U and T visas based on the crimes they suffered and their cooperation with law enforcement in the investigation or prosecution of those crimes.

4. Overview of Rep4All California Bill: Krsna Avila, Staff Attorney, Immigrant Legal Resource Center (ILRC)

- a. The Representation, Equity, and Protections (REP) For All Immigrants Act (AB 617) aims to enhance the One California (One CA) program by making changes to its statutory language. The proposed updates include expanding the range of immigration services offered, widening the criteria for eligible service providers, and removing discriminatory exclusions for immigrants who have had prior involvement with the criminal justice system.
 - i. The One California program was created in 2015 and is the first state-based program in the United States to provide financial support for indigent immigrants in California. It has grown from an initial investment of \$15 million to an annual investment of \$45 million due to its success. The program is administered by the California Department of Social Services, which grants funds to nonprofit organizations offering services to indigent immigrants. These organizations rely on program funds to provide education, outreach, and legal services, including removal defense and affirmative relief. However, the program falls short in promoting racial equity and perpetuates racial injustices by excluding individuals with previous contact with the criminal justice system. The program also has narrow definitions of immigration relief services, which hinders its ability to meet the diverse needs of California's immigrant population. Updating and improving the program will allow immigrant communities to fully benefit from its services and align with California's commitment to racial justice and criminal system reforms.
- b. AB 617 updates the One California program by:
 - i. Removing outdated exclusions to provide One CA program access for all immigrant Californians – regardless of past contact with the criminal legal system;
 - ii. Broadening eligibility for qualified nonprofit organizations who can apply for funding and provide services.

- iii. Clarifying and expanding the definition of immigration services to include social services, interpretation, and litigation costs.
 - iv. Revising data collection and reporting requirements; and
 - v. Creating an advisory committee to provide recommendations.
- c. Support (Co-Sponsors)
 - i. Asian Americans Advancing Justice – Southern California
 - ii. California Immigrant Policy Center
 - iii. Central American Resource Center
 - iv. Immigrant Legal Resource Center
 - v. Vera Institute of Justice
- d. Join the REP4All Campaign
 - i. Coalition Members: participates in coalition meetings, contributes to campaign strategy, supports with letter of support, testimonies, and events.
 - ii. Community Partners: attends coalition meetings when possible, endorse the bill, and support when capacity allows.
 - iii. Sign up [here](#)

5. Office of Community Affairs (OCA) Updates

- a. Digital versions of the Immigrant Resources Guides will be available next week. Hard copies will be available early June. To request email Jennifer jllamas@smcgov.org or ImmigrantServices@smcgov.org
- b. New immigrant coordinator will start next week
- c. June is immigrant heritage month
 - i. Proclamation on June 13th during BOS meeting to celebrate immigrants nationwide
 - ii. Social Media campaign to gather immigrant stories which will be highlighted during the BOS meeting will be ongoing throughout June on our [social media accounts](#)

6. Agency Update Roundtable: All

- a. **Maria Rosa, KARA**
 - i. In-person grief support group for men in Spanish every Monday starting May 1 to June 19 from 7pm – 8:30pm
 - 1. Where: 457 Kingsley Avenue, Palo Alto, CA 94301
 - 2. [Recently featured on Telemundo](#)
 - ii. Drop-in support group in Spanish every other Thursday for any types of loss starting June 1 to September 7 virtually from 6pm – 7:30pm
 - iii. For more information about these meetings contact Maria Rosas at 650-313-2485, text 408-320-9033, or email maria@kara-grief.org
 - iv. To sign up, click [here](#)