

**San Mateo County Immigrant Forum**  
**Meeting Notes**  
**2/16/2023**

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

- 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:

- i. We invite you to participate in a [webinar](#) on Monday, Feb. 27, 1-2 p.m. Eastern. During this webinar, USCIS representatives will provide updates and answer questions about the new designs improving security of Permanent Resident Cards (also known as Green Cards) and Employment Authorization Documents (EADs). We began issuing the redesigned cards on Jan. 30, 2023.
- ii. U.S. Citizenship and Immigration Services (USCIS) invites you to participate in a [national engagement](#) on Friday, March 3, 2023, from 2 to 3 p.m. Eastern, to learn more about a nationwide trial for the naturalization test redesign initiative. During the first part of the engagement, we will give an overview of the trial speaking and civics test design and provide information on volunteering for the trial tests. During the second part of the engagement, we will respond to questions on all aspects of the trial testing process. We also invite you to email comments on the trial testing to [natzredesign22@uscis.dhs.gov](mailto:natzredesign22@uscis.dhs.gov). On Dec. 14, 2022, USCIS announced that we will conduct a nationwide trial test of proposed changes to the speaking and civics test, as part of a naturalization test redesign initiative. The trial test will include proposed changes to the English-speaking portion of the test and updates to the content and format of the civics test. We are developing the trial test for the naturalization test redesign initiative in response to stakeholder feedback about the standardization and structure of the naturalization test.
- iii. U.S. Citizenship and Immigration Services (USCIS) invites you to participate in the next [stakeholder engagement](#) on Form I-730, Refugee/Asylee Relative Petition processing, on Wednesday, March 29, 2023, from 2-3 p.m. Eastern. Form I-730 is used by certain principal refugees and asylees to request follow-to-join benefits for their qualifying spouse and/or unmarried children under 21 years of age.

b. Announcements:

- i. U.S. Citizenship and Immigration Services announced that certain asylum applicants can now file Form I-765, Application for Employment Authorization, online. Effective immediately, applicants for employment authorization under category (c)(8), Pending Asylum and Withholding of Removal Applicants and Applicants for Pending Asylum under the ABC Settlement Agreement, may file Form I-765 online. To apply for an Employment Authorization Document (EAD) based on your pending asylum application under the (c)(8) eligibility category, you may file Form I-765 150 days after you file your asylum application. The filing date is the date USCIS receives a properly filed Form I-589, Application for

Asylum and Withholding of Removal, and can be found on your receipt notice. Please see the Form I-765 instructions for more information.

- ii. USCIS is extending the validity of Permanent Resident Cards (also known as Green Cards) for petitioners who properly file Form I-751, Petition to Remove Conditions on Residence, or Form I-829, Petition by Investor to Remove Conditions on Permanent Resident Status for 48 months beyond the card's expiration date. This change started on January 11, 2023, for Form I-829 and will start on January 25, 2023, for Form I-751. We are making this change to accommodate current processing times for Form I-751 and Form I-829, which have increased over the past year. USCIS has updated the language on Form I-751 and Form I-829 receipt notices to extend the validity of a Green Card for 48 months for individuals with a newly filed Form I-751 or Form I-829. We will issue new receipt notices to eligible conditional permanent residents who previously received notices with an extension shorter than 48 months and whose cases are still pending. These receipt notices can be presented with an expired Green Card as evidence of continued status, while the case remains pending with USCIS. By presenting your updated receipt notice with your expired Green Card, you remain authorized to work and travel for 48 months from the expiration date on the front of your expired Green Card.
- iii. Uniting for Ukraine and the Processes for Cubans, Haitians, Nicaraguans, and Venezuelans, provide pathways for nationals of these countries and their immediate family members to come to the United States and stay temporarily in a 2-year period of parole. USCIS is asking potential supporters and beneficiaries of these parole processes to be cautious of scams and rumors. There has been an increase in scams and predatory behavior targeting individuals from these countries who may be considered for parole under these processes. Scammers and other bad actors exploit their victims by creating uncertainty and misinformation. Find more information on scams and legal services on the USCIS Avoid Scams webpage.
- iv. Effective immediately, U.S. Citizenship and Immigration Services (USCIS) has updated guidance in the USCIS Policy Manual to clarify that both asylees and refugees must have been physically present in the United States for one year when we adjudicate their Form I-485, Application to Register Permanent Residence or Adjust Status, rather than at the time they file their adjustment of status application. This applies to all Form I-485 and Form N-400, Application for Naturalization, applications pending on Feb. 2, 2023, and those filed on or after that date. This update will promote consistency across asylee and refugee adjustment of status applications. If we cannot determine whether an applicant satisfies the one-year physical presence requirement by reviewing their file or our records when we adjudicate their Form I-485, we may request additional evidence.
- v. Save time by filing all required initial evidence and supporting documentation listed under the "Checklist of Required Initial Evidence heading at the same time you file Form I-485, Application to Register Permanent Residence or Adjust Status. (The checklist is an optional tool to use as you prepare your form, but does not replace statutory, regulatory, and form instruction requirements). Submitting all required initial evidence and supporting documentation at the same time you file Form I-485 may eliminate the need for us to issue a Request

for Evidence (RFE) to obtain additional evidence and documentation. This may also help avoid adjudication delays if we decide that you do not need to be interviewed. In particular, save time by submitting Form I-693, Report of Medical Examination and Vaccination Record, when you file Form I-485. We generally consider a completed Form I-693 to remain valid for two years after the date the civil surgeon signed Form I-693. Additionally, from Dec. 9, 2021 until March 31, 2023, we are temporarily waiving the requirement that the civil surgeon's signature be dated no more than 60 days before you file your Form I-485.

- vi. For a child to obtain lawful permanent resident status in the United States based on their parent's approved petition for a family-sponsored or employment-based visa, the child generally must be under the age of 21. If the child turns 21 and "ages out" during the immigration process, the child generally is no longer eligible to immigrate with the parent based on the parent's petition.

Congress enacted the CSPA to protect certain noncitizen children from losing eligibility to obtain lawful permanent resident status based on an approved visa petition by providing a method to calculate the child's age that considers when an immigrant visa number "becomes available." The Department of State's Visa Bulletin is used to determine when a visa number becomes available. The Visa Bulletin has two charts – the Dates for Filing chart and the Final Action Date chart. Under the previous CSPA guidance, USCIS considered a visa available for purposes of the CSPA age calculation based only on the Final Action Date chart, even if a noncitizen could apply for adjustment of status using the earlier date in the "Dates for Filing" chart. This USCIS policy change is effective immediately and applies to pending applications. Therefore, some noncitizens with a pending application may now have a CSPA age that is under 21 based on this change. For example, between October and December of 2020, certain noncitizens were permitted to file their adjustment of status applications under the Dates for Filing chart of the Visa Bulletin. However, the Final Action Date chart never advanced sufficiently for their applications to be approved. These noncitizens filed their adjustment of status applications with the requisite fee without knowing whether the CSPA would benefit them.

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

- a. Continuation of COVID Flexibilities - through 3/23 - supposedly the last time (emergency declarations set to end on 5/11, so may be extended through that date...)
- b. Change in Payment rules for N-400, I-485, I-821 and I-821 D
  - i. At least since February 2023, USCIS changed instructions on its web page on how payments must be made in applications with multiple benefits requests (specifically, that include another application such as biometrics, I-765, I-131). Until now, it was possible to send one payment that included all the amounts required for the multiple applications; with the change, the payments for each accompanying benefit must be separate. There are thousands of applications in the pipeline that were unaware that this change was taking place.

- ii. TPS/DACA applicants run the risk of missing renewal deadlines due to this change
- c. Fee rule comment period still open
  - i. [NPNA Microsite](#)
- d. The Representation, Equity and Protections (REP) for All Immigrants campaign is led by the ILRC and California Immigrant Policy Center (CIPC), Asian Americans Advancing Justice - Southern California (AJ-SOCAL), Central American Resource Center (CARECEN) - Los Angeles, and the Vera Institute of Justice. The #REP4All Act is championed by Assembly Member Reggie Jones-Sawyer.
  - i. AB 617 (Jones-Sawyer): The Representation, Equity and Protections (REP) for All Immigrants Act seeks to ensure that all immigrant Californians can access high-quality, holistic immigration legal services. The REP4All Act will update and modernize California's immigration legal services program that assists thousands of Californians annually with accessing affirmative immigration benefits and relief – such as DACA and U.S. citizenship – and deportation defense services. The REP4All Act seeks to expand access to holistic immigration legal services for all immigrant Californians – regardless of any past interaction with the criminal legal system. All people have a right to human dignity and fundamental fairness.

#### **4. Safety Net for All – Daniela Alvarenga, Economic Justice Policy Coordinator, California Immigrant Policy Center (CIPC)**

- a. Goal: win unemployment benefits for excluded undocumented workers.
- b. Proposal (SB 227): Provide a \$300 weekly benefit for up to 20 weeks for undocumented workers who experience unemployment.
  - i. Author Maria Elena Durazo
- c. Who would be eligible?
  - i. Living in CA when they apply
  - ii. Performed work in CA as an employee
  - iii. Experienced at least 1 week of unemployment
  - iv. Not eligible for regular unemployment benefits due to lack of work authorization.
- d. Other parts of the bill
  - i. Agency can't use info for any other purpose
  - ii. Agency can't contact your employer to verify employment status
  - iii. Can't ask if you have a SSN
  - iv. Can't keep documents you provide any longer than necessary
  - v. Can't share records unless a court subpoenas order them to do so
- e. Over 150 organizations have signed on to move this legislation and budget ask forward
- f. Currently running a budget letter sign on; organizations can sign on
- g. Virtual Forum on Feb. 23: Presenting more details on the Bill and providing key updates.
  - i. RSVP: [www.bit.ly/sn4aforumfeb23](http://www.bit.ly/sn4aforumfeb23)

#### **5. Office of Community Affairs (OCA) Updates**

- a. Spotlight event Feb. 22: Taxes for Immigrants in English and Spanish

- b. Certified Welcoming Audit: March 21-23
- c. Farmworker Advisory Commission; next meeting March 8 in Half Moon Bay
- d. Recent arrival updates?
  - i. JobTrain: In 3 months, more undocumented folks have come into SSF JobTrain office than in the entire previous year. Most are from Nicaragua, some from Columbia and El Salvador.
  - ii. Sequoia Newcomer Center: more folks arriving from Colombia this semester; about 15, and also some Brazilians.
  - iii. North Fair Oaks: most new arrivals have been from Guatemala, mostly younger people, here without families. A few people from Peru.

## **6. Agency Update Roundtable: All**

- a. **JobTrain:** goal is for NFO Job center to open sometime this Spring.
- b. **SMCOE:** Jefferson Union High School District/ Jefferson Elementary School, etc. will be hosting an Immigrant Resource Night on April 25.