**San Mateo County Immigrant Forum**

**May 16, 2024**

**Virtual Meeting**

<https://smcgov.zoom.us/j/96586873538?pwd=cHVYdHlBVHRqaVpOOUM5VnFWODg2dz09>

**ILRC Updates:**

* **Credible Fear Rule**

DHS has announced a [proposed rule](https://www.federalregister.gov/documents/2024/05/13/2024-10390/application-of-certain-mandatory-bars-in-fear-screenings) that would apply several bars to asylum during the [Credible Fear](https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/questions-and-answers-credible-fear-screening) Interview stage, which occurs when someone who recently crossed the border, or is apprehended at the border, is subjected to expedited removal.

* DHS has announced a proposed rule that would apply several bars to asylum during the Credible Fear Interview stage, which occurs when someone who recently crossed the border, or is apprehended at the border, is subjected to expedited removal.
* There were similar efforts in the previous federal administration to raise the evidentiary burden of the credible fear screening process.
* The current proposed rule would allow USCIS to apply bars for persecutors of others, serious political crimes, conviction of serious crime, terrorism and security bars. Not all bars would be considered at this stage (for example, the one-year filing deadline for asylum would not be considered)
* The proposed rule is discretionary, and it is unclear if that means the individual officer is able to exercise discretion, or if USCIS would have agency-wide policies. There are concerns around discriminatory uses of discretion, if that power is given at the individual level.
* There is a comment period (shortened to 30 days) on the proposed rule. The ILRC is planning to oppose the rule.
* There is no clear timeline of implementation yet.
* **T-Visa**
* New T-Visa regulations will go into effect August 28, 2024.
* CAST has presented a new table with changes that include details to CFR language (definitions), types of evidence clients can submit or use, helpful updates, and details the new process to be considered for the bona fide determination (§214.205). To look through the CAST table, click[**here**](https://castla.app.box.com/v/2024TVisaRegsOverview)**.**
* Applications after August 28, 2024, will automatically be considered for bona fide determination, older applications which are still pending will include the bona fide determination review process.
* 5000 T-Visas are available each year but have not been reached to max.
* New regulations provide definitions on a number of items, and notably the following terms:
* **Removal Proceedings**

Indicates that nothing prohibits DHS from initiating removal proceedings for conduct committed after admission as a T nonimmigrant or for undisclosed conduct or conditions prior to T adjudication. These are generally not referred to ICE for removal.

* **Continuous Physical Presence**

Allows T nonimmigrants to restart the clock after a break in continuous physical presence after initial admission as a T nonimmigrant by removing “first” from this section. In the section: *Has been physically present in the United States for a continuous period of at least 3 years since the date of lawful admission as a T-1 nonimmigrant, or has been physically present in the United States for a continuous period during the investigation or prosecution of acts of trafficking and the Attorney General has determined that the investigation or prosecution is complete, whichever period is less; except, if the applicant has departed from the United States for any single period in excess of 90 days or for any periods in the aggregate exceeding 180 days, the applicant shall be considered to have failed to maintain continuous physical presence in the United States for purposes of section 245(l)(1)(A) of the Act; and if the noncitizen was granted T nonimmigrant status, such noncitizen's physical presence in the CNMI before, on, or after November 28, 2009, and subsequent to the grant of T nonimmigrant status, is considered as equivalent to presence in the United States pursuant to an admission in T nonimmigrant status.* Full document, click [here](https://www.federalregister.gov/documents/2024/04/30/2024-09022/classification-for-victims-of-severe-forms-of-trafficking-in-persons-eligibility-for-t-nonimmigrant#p-1188).

* **Medical Examination**

As of November 1st, 2023, medical exams will remain indefinite if filed before November 1st.

* **Fee Rule**

Fee rule took place April 1st, 2024, with new forms. It was mentioned that they may extend the use of old forms that have been submitted, however, there have not determined if this will be allowed. For a full report on the final rule determination, click [here](https://www.federalregister.gov/documents/2024/01/31/2024-01427/us-citizenship-and-immigration-services-fee-schedule-and-changes-to-certain-other-immigration).

**USCIS Updates:**

* USCIS extended validity period for medical exams after -parole under this process.
* EADs will automatically be extended through September 20, 2025.
* Citizen and Integration Grant Program, click [here](https://www.uscis.gov/newsroom/news-releases/uscis-announces-new-fy-2024-funding-opportunity-under-the-citizenship-and-integration-grant-program) for more information.
* USCIS San Francisco has a new temporary location in [Oakland for Asylum](https://www.uscis.gov/newsroom/alerts/uscis-opens-additional-san-francisco-asylum-office-location) services as of May 15th, 2024. Some clients may be sent to either locations so please review interview office carefully, the new location will not change or affect any regular operations in SF. Oakland office: 1301 Clay Street, Oakland, CA 94612
* There are 11 international offices for Refugee services.
* More on Fee Rule that took place April 1, 2024, click [here](https://www.uscis.gov/newsroom/alerts/uscis-revises-policy-manual-to-align-with-new-fee-rule).
* Naturalization Information Session (webinar-Eng), How to Apply for Temporary Protected Status (Eng), How to apply for US Citizenship (Eng) and more, click [here](https://www.uscis.gov/outreach/upcoming-local-engagements) for full details for these great local engagements.

**Community Overcoming Relationship Abuse (CORA):** See slides attached.

* Corasupport.org
* Programs overview: Hotline (multilingual), legal services, supportive housing & Safe Haven, family centered mental health services and community education.
* Hotline: 24/7/7 days a week, bilingual staff, 1-800-300-1080

**Partner Updates:**

* Reach out to Sai Phavisith for any USCIS info: Vilaysay.phavisith@uscis.dhs.gov
* Reach out to Andrew Craycroft for any ILRC info/questions on updates: acraycroft@ilrc.org
* Reach out to Shazeen Suleman If any children need a medical home (including immunizations, screening): - please feel free to email me sulemans@stanford.edu
* Tahirih Justice Center provides free legal representation and is currently accepting referrals for legal representation for U Visa/ VAWA/ T visas (labor trafficking). These referrals will be scheduled to be a part of the legal clinic on June 12, 2024, if accepted, for in-depth intake. Accepting cases: gender-based violence- Domestic Violence, Stalking, Sexual Assault, Interpersonal Violence, Labor Trafficking. To Refer clients, please either send a warm referral via Payals@Tahirih.org (provide client name, address, phone number and type of harm suffered) Or have the client our mainline for pre-screen at 650-270-2100.
* For any Immigrant Services information: <https://www.smcgov.org/ceo/find-legal-assistance>
* Any questions on CORA presentation, reach out to Idalia Estrada Melendez: Idaliae@corasupport.org
* Free Personalized Immigration Workshop at [North Fair Oaks Library](file:///%5C%5CCmo-fp.common.sanmateocounty.ads%5Ccsalinas%24%5C%E2%80%A2%09https%3A%5Csmcl.bibliocommons.com%5Cevents%5C6615b20fbc24f236000dff6e) on Thursday, June 13 from 3:30PM – 6:30PM
* Advocate for SSI/SSDI Applicants: Contact the congresswomen/man offices and ask to add funding for SSA. More information please contact Hatixhe Grbeshi hatixhe@hatixhegrbeshilaw.com
* Refugee and Immigrant Forum of Santa Clara County is inviting you to join to celebrate Word Refugee Day 2024, on June 14 (5pm-7pm) at Campbell Community Center, Campbell CA (Santa Clara County) if you have any questions pls email me at hatixhe@hatixhegrbeshilaw.com (Chair-of the Forum)
* Contact Legal Aid Society of SMC, LIBRE: Sylvia Navarro, snavarro@legalaidsmc.org or call 650-558-0915