

**San Mateo County Immigrant Forum**  
**Meeting Notes**  
**2/17/2022**

**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
- b. Emily Smith, new Immigrant Services Coordinator for the County of San Mateo introduction

**2. USCIS Updates: Vilaysay “Sai” Phavisith, Community Relations Officer, USCIS**

- a. USCIS published a T Visa Law Enforcement Resource Guide on Oct. 20, 2021
  - The guide provides certifying officials with best practices for approaching the T visa certification process, emphasizes that completing the Supplement B is consistent with a victim-centered approach, and clarifies the role and responsibility of certifying agencies in the T visa program
  - USCIS has sole jurisdiction to adjudicate applications for T visas
- b. USCIS is transitioning the processing of Form I-730, Refugee/Asylee Relative Petition, for following-to-join refugees from the Los Angeles Asylum Office to the newly established Form I-730 Processing Unit at the Asylum Vetting Center in Atlanta
  - All procedures and adjudicative processes for Form I-730s filed by refugee petitioners will remain the same; only the processing location will change
  - Notices for newly filed cases will indicate that USCIS is sending the case to the Asylum Vetting Center
- c. Certain Afghan nationals who arrived in the United States under Operation Allies Welcome (OAW) may use a report of a medical examination completed by a panel physician outside the United States when they apply to adjust their status
  - Certain Afghan nationals have already demonstrated that they are not inadmissible on health-related grounds by undergoing an immigration medical examination conducted by a panel physician outside the United States
  - Therefore, they do not need to repeat the immigration medical examination in the United States and submit Form I-693, Report of Medical Examination and Vaccination Record, when they file to adjust their status
- d. USCIS published updated policy guidance to change the maximum validity period that may be granted for Employment Authorization Documents (EADs) issued to certain applicants, as well as to provide general guidance on adjudicating Form I-765, Application for Employment Authorization
  - USCIS will generally grant new and renewed EADs that are valid for two years to applicants in the following categories
    - o Admitted as a refugee (a)(3)
    - o Granted asylum (a)(5)
    - o Granted withholding of deportation or removal (a)(10)
    - o VAWA self-petitioner (c)(31)

- Additionally, USCIS will generally grant new and renewed EADs up to the end of the parole or deferred action period to applicants in the following categories
  - o Paroled into the United States for urgent humanitarian reasons or significant public benefit (c)(11)
  - o Granted deferred action (non-DACA) (c)(14)
- e. USCIS Director Ur M. Jaddou announced the agency's new mission statement: "USCIS upholds America's promise as a nation of welcome and possibility with fairness, integrity, and respect for all we serve."
- f. USCIS is updating interpretation of the requirement of Violence Against Women Act (VAWA) for shared residence to occur during the qualifying spousal or parent-child relationship – instead, the self-petitioner must demonstrate that they are residing or have resided with the abuser at any time in the past
  - Also implementing nationwide two decisions in *Da Silva v. Attorney General*, 948 F.3d 629 (3rd Cir. 2020), and *Arguijo v. United States*, 991 F.3d 736 (7th Cir. 2021)
    - o *Da Silva v. Attorney General* held that when evaluating the good moral character requirement, an act or conviction is "connected to" the battery or extreme cruelty when it has "a causal or logical relationship"
    - o *Arguijo v. USCIS* allows stepchildren and stepparents to continue to be eligible for VAWA self-petitions even if the parent and stepparent divorced
- g. On Feb. 1, USCIS added Elgin as a filing location for certain applicants filing Form I-751, Petition to Remove Conditions on Residence
  - In the coming weeks, USCIS will move additional workloads to the Elgin lockbox, including certain applicants filing Form N-400, Application for Naturalization, and Form I-130, Petition for Alien Relative
- h. USCIS is returning to its prior interpretation of the place-of-celebration rule and will recognize in certain circumstances that a spousal relationship may be evidenced by an informal marriage for the purpose of adjudicating derivative refugee and asylee claims
  - Historically, USCIS has recognized informal marriages or camp marriages in certain circumstances for the purpose of refugee adjudications due to the unique and humanitarian nature of refugee status
  - This guidance applies to the adjudication of a pending or newly filed Form I-589, Form I-590 and Form I-730
  - This guidance does not apply to any other form types, including Form I-130, Petition for Alien Relative
- i. Effective immediately, USCIS officers will recognize a derivative refugee or asylee if there is evidence of an informal marriage where the spouses were unable to have their marriage legally recognized in the place of celebration because of their flight from persecution and circumstances beyond their control, or due to restrictive laws or practices in their country of origin or country of first asylum
  - The marriage must meet all other legal requirements, excepting the place of celebration rule, for the marriage to qualify for the benefit requested

- j. USCIS Asylum Program Quarterly Stakeholder Engagement
  - Wednesday, Feb. 23, 2022, 11am
  - [Registration page](#)

### **3. Legal Updates: Alison Kamhi, Supervising Attorney, ILRC**

- a. Upcoming federal agency rules
  - Public Charge proposed rule
    - o Hope for limited definition of public charge, which is bar to getting green card through family-based immigration
    - o Perhaps revert to 1999 guidance (pre-Trump guidance)
  - Asylum/credible fear final rule under review
    - o Target date listed as March 2022
    - o Already creating more asylum positions for credible fear interviews at border
- b. Local Bills
  - AB 1766 – bill just introduced that would provide CA ID cards for all CA residents, even without proof of lawful status
    - o AB 60 provided driver’s licenses for all CA residents, but didn’t allow for ID cards
  - Other recent bills provide for expungements for certain convictions for trafficking victims and victims of domestic violence
    - o Clean-up bills would make these expungements count for immigration purposes as well

### **4. Oasis Legal Services’ Support in SMC: Ari Jones, Residency & Naturalization Program Manager, Oasis Legal Services**

- a. Oasis Legal Services was est. May 2017
- b. Dedicated to LGBTQIA+ Asylum seekers
- c. Primarily Affirmative asylum services
- d. Also provides limited case management (social worker, referrals, milestone meetings when someone gets new status)
- e. Clients are anyone seeking asylum or has asylum and lives within jurisdiction of SF Asylum office – clients that live as far north as WA, OR, Nevada, and Bakersfield
- f. Clients from all over the world: 72% from Mexico, 8% Brazil, also from South/Central America, Africa, Asia, Eastern Europe
- g. 2021 served over 700 clients – 99% success rate asylum cases (affirmative)
- h. LGBTQ+ Asylees face specific barriers
  - One-year bar
  - Proving sexual orientation and/or gender identity
  - Isolation from immigrant community – may not be able to ask their community for help
  - Past and ongoing trauma
  - Difficulty self-affirming or coming out
  - PTSD, anxiety, depression

- Telling story is re-traumatizing
- Difficulty trusting authority and seeking help
- i. Referrals accepted
  - Client is LGBTQ+
  - Asylum cases
  - NOT currently in removal proceedings
  - Lives within jurisdiction of SF Asylum Office
  - Not previously deported
  - Did not JUST exceed one year within the United States since last entry
- j. Grants for free asylum representation
  - Low bono service model. Fees are based on client's monthly income, self-reported
  - Grants for people who live in Santa Clara County, HIV+, CA residents below 200% federal poverty level
- k. Referral process
  - Call 510-666-6687
  - Email: [legal@oasislegalservices.org](mailto:legal@oasislegalservices.org)
  - Fill out "Get Help" form on website
- l. Direct Questions to [Ari.jones@oasislegalservices.org](mailto:Ari.jones@oasislegalservices.org)

## **5. Filoli – Sharing Stories: Erika Frank, Director of Learning & Engagement, Filoli**

- a. Built in 1917 by Bourn family; Roth family donated to the national trust for historic preservation
- b. Formal garden: 16 acres. Natural Areas: orchard, nature preserve, hiking trail
- c. Holidays: garden is lit Nov/Dec/Jan
  - Tablescapes in the Ballroom to acknowledge other holidays
- d. Access
  - Discover & Go: Library
  - Museums for All: SNAP EBT Card
  - Want to host organizations and be a community resource. Be a place of respite
- e. Current programs:
  - Stories in Bloom speaker series
  - Language of Flowers
  - Presenting modern performers
  - Pride Weekend
  - AAPI Heritage month:
    - o Bonsai exhibit
    - o Haiku competition
    - o Ikebana display
  - Orchard Days
    - o Looking for partners for Hispanic Heritage weekend
    - o Sukkot

- Local agriculture stories
- College internships: recruit at community colleges. Horticulture, facilities, marketing.
- Important to tell diverse stories through exhibits: Stories of Resilience: Individuals and identity groups who were excluded at Filoli.
- Exhibits 2023: Celebrate women creators. Yoko Kubrik exhibition
- Contact: [efrank@filoli.org](mailto:efrank@filoli.org)
- Questions:
  - Could you host a small oath ceremony for USCIS? – yes
  - Could you provide a discount for a group? – There is a discount for non-profits for larger groups. Please get in touch to discuss
  - Do you have Spanish speaking docents? – Not currently offering tours; instead offering free short, talks. Working on getting those translated for the future

## 6. Office of Community Affairs (OCA) Updates: Jennifer Llamas

- a. Mask Mobile is re-launched. Calendar has been sent out to the listserv. This month: Thursdays and Fridays. Giving out KN95s, surgical masks, cloth masks
- b. Spotlight series earlier this month was on Teen Dating Violence Awareness Month, presented by CORA
  - Next month our focus will be employment
- c. Immigrant Inclusion Strategic Plan: Survey opened on Feb. 8, slated to be open for 4 weeks. We had a panel FB live event last week. We have graphics, flyers, social media, etc. available here: <https://cmo.smcgov.org/immigrant-inclusion-strategic-plan>
  - Please continue to promote out in the community! Survey is available in 12 languages. All responses are anonymous and confidential, all questions are optional

## 7. Agency Update Roundtable: All

- a. **Red Cross:** Accepting requests from Tongans trying to reconnect with their family on the islands. Some of the outer islands still do not have communications
- b. Question: Will the Immigrant Forum continue meeting via Zoom? For the immediate months, yes. It has allowed us to expand the forum. We may send out a survey in the later half of the year to gauge the group's preference
- c. **BHRS:** Events coming up: Next Saturday, Daly City is having their 30<sup>th</sup> annual Black History Month. More information in the flyers. Webinar: SMC Suicide prevention on March 1 2-3:30 on Zoom. Parent cafes: 1 on the coast, 1 county-wide. Support for parents and caregivers whose youth are struggling with behavioral issues (reach out the Yolanda with questions)
- d. **CCS:** Transition to Independence Fair, free county event for all students with disabilities and their families. Monday, Feb. 28 from 6-7:30pm. Career pathways workshops. Connect residents with various resources and programs in the county