



CATHOLIC LEGAL  
IMMIGRATION  
NETWORK, INC.



# **Understanding the President's Executive Actions on Immigration**

**December 2, 2014**

# Our Presenters

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# Our Agenda

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- Political Overview and Messaging
- Executive Actions on Immigration Overview
- Preparing the Community
- State and Local Advocacy
- Federal Legislative Advocacy

# Political Overview and Messaging

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- Public response: mixed; favor policy, oppose method; erosion in support for CIR among Republicans
- Congressional response: 1) “cromnibus”; 2) stand alone repeal; 3) appropriations and government shutdown; 4) immigration reform legislation or bills.
- Catholic response: Support people, not parties, stick to CIR position

# Messaging

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- Support action for humanitarian reasons and to keep families together
- Strengthens immigrant communities/social fabric and economy
- Executive Action a first step; Congress can and should enact permanent solution; “Pass a bill” means comprehensive bill, not just enforcement

# Executive Actions on Immigration: Overview

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- Presidential announcement of executive action on immigration reform involving
  - deferred action expansion- Extended DACA and DAPA
  - changes to enforcement policy- ending Secure Communities, Revising Removal Priorities
  - changes to our legal immigration system- Provisional Waivers and Increased Anti-Trafficking Visa Provisions
- **Potential Impact** – over 4 million potential beneficiaries

# Deferred Action

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- Not a legal status
- No path to lawful residency or to citizenship
- Deferral of removal – exercise of prosecutorial discretion; allows for individual to remain in U.S. and have work authorization

# DAPA and Expanded DACA

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- Two Forms of Deferred Action Outlined :
  - New Deferred Action for Parental Accountability (DAPA)
  - Expanded Eligibility for Deferred Action for Childhood Arrivals



# New DAPA Program

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- Continuous residence in U.S. since before 01/01/10
- As of 11/20/14, have USC or LPR son or daughter
- Physical presence in U.S. on 11/20/14 and at time of application
- No lawful status on 11/20/14
- Not an enforcement priority, defined in the new enforcement priorities memo as:
  - people suspected of terrorism, gang associations, or significant visa abusers, recent unlawful border crossers, and people convicted of felonies, aggravated felonies, significant misdemeanors, or three or more misdemeanors
- No factors to warrant denial based on discretion

# DAPA In Action

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- Maria and Brian entered the United States without inspection in May of 2007 and have never left. They have two children. Both children were born in the United States
  - Maria has not had any contact with law enforcement. Maria is eligible for DAPA
  - Brian had no trouble with the police but he does have a final order of removal issued against him in 2010. The order was never effectuated. Brian is also eligible for DAPA

# Applying for DAPA

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- \$465.00 Fee
- Biometrics
- Limited fee exemptions, no waivers
- Application period to commence within 180 days (by May 19, 2015)
- Approved applicants get deferred action and EAD for 3 yrs

# Current DACA Program

- Arrival in U.S. before age 16
- Lived in U.S. since June 15, 2007
- Present w/o status on U.S. on June 15, 2012
- Currently in school or h.s. grad, GED
- Not over 31 on June 15, 2012
- No felony, 3 or more misdemeanors or single significant misdemeanor
- No conduct posing threat or public safety or national security
- Approved case gets 2 years deferred action

# Expanded DACA Program

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- No Age Cap
- Revised Eligibility Entry Date: moved to January 1, 2010 (from June 15, 2007)
- Three-year deferred action and EAD, effective November 24

# Not Eligible FOR DACA Before, Eligible Now

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- Maricel, from the Philippines, is 17- years-old. She entered the U.S. with a tourist visa **in 2008** and has been in the U.S. since then, attending school. She wasn't eligible for DACA before but she is now.
- Paula, from Mexico, is **35-years-old**. She entered the U.S. EWI 20 years ago when she was 15, and she completed high school here. She was too old to qualify for DACA before but she is eligible now.

# Outreach Focus: Who Will Be Interested?

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Everyone!!! Including.....

- All undocumented parents (DAPA)
- DACA: Includes students, former students, all immigrants who came to the U.S. before age 16

# Don't Forget to Send People for Immigration Screening

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Eligibility screening for DAPA and DACA should include basic questions to identify possible other forms of relief available.



# Resources

- CLINIC website
  - [www.cliniclegal.org/adminrelief](http://www.cliniclegal.org/adminrelief)
  - Includes affiliate only resources



- Committee for Immigration Reform Implementation
  - [www.adminrelief.org](http://www.adminrelief.org)

**ADMINISTRATIVE**  
**RELIEF**  
**RESOURCE CENTER**



# Finding Quality Assistance

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- **Encourage people to seek out *qualified* legal assistance**
  - find a licensed immigration attorney or accredited representative. Find one at:  
<http://www.cliniclegal.org/affiliates/directory>  
  
[www.ailalawyer.com](http://www.ailalawyer.com)  
  
[www.justice.gov/eoir/ra/raroster\\_orgs\\_reps\\_state\\_city.htm](http://www.justice.gov/eoir/ra/raroster_orgs_reps_state_city.htm)

# What is a *Notario*?

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- NOT qualified or authorized to provide immigration legal services.
- Often targets immigrants from his/her own ethnic community.
- A *notario* or a *notario público* cannot provide legal services or advice on immigration matters.

# How to Prepare

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- Share up-to-date info
  - Cannot apply yet, no waiting list
- Save \$\$ for filing fees and legal services
- File 2014 taxes
- Gather supporting documents to prove:
  - Identity, parental relationship, residence since 2010, presence on 11/20/14, etc.
- Report scams

Sample checklists: [www.cliniclegal.org/adminrelief](http://www.cliniclegal.org/adminrelief)



# Dispelling the Myths

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- President's authority for executive action
  - <http://www.immigrationpolicy.org/perspectives/president%E2%80%99s-discretion-immigration-enforcement-and-rule-law>
- Executive action does not give anyone U.S. citizenship or their green card
  - Temporary program
  - Only protection from deportation and permission to work

# Preparing for Application Day

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- Everyone has a role
  - Encourage community participation
    - Outreach
    - Volunteer
    - Offer space for community events
    - Create a microloan program
    - Provide equipment and/or materials
    - Advocate
    - Media
    - Legal services

# State, City, and County Laws and Policies



# Federal Legislative Advocacy

## JFI National Call-In Days to Congress

December 9-12 (Feast of Our Lady of Guadalupe)

Toll-free to Congressional offices 1-855-589-5698

### Message:

*Please oppose including language in a federal funding bill that bars the President from using his authority to protect immigrants and their families from deportation.*

- Call every day;
- Share call information with those in your advocacy networks; ask them to spread the word;
- Urge other supporters of immigrants to call;
- Call information to be posted at [www.justiceforimmigrants.org](http://www.justiceforimmigrants.org)





# Resources



[www.cliniclegal.org/adminrelief](http://www.cliniclegal.org/adminrelief) [www.justiceforimmigrants.org](http://www.justiceforimmigrants.org)

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