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IMMIGRATION RIGHTS ALERT NO.2

TOPIC: PRESIDENT OBAMA’S RECENT ANNOUNCEMENT OF EXECUTIVE ACTION ON IMMIGRATION IN CONNECTION WITH CONTINUATION AND EXPANSION OF THE 2012-DEFERRED ACTION FOR CHILDHOOD ARRIVALS (“DACA”).

DATE: February 9, 2015

This is the SECOND of numerous alerts and updates concerning this important issue:

Numerous individuals and members of our Immigrant Community have recently contacted Carlos In Your Corner asking whether they qualify to participate in President Obama’s immigration program called “**DEFERRED ACTION FOR CHILDHOOD ARRIVALS**” (“DACA”) which is currently administered by **the U.S. CITIZENSHIP AND IMMIGRATION SERVICES (“USCIS”)**.

ANSWER: YES- USCIS WILL BEGIN TO ACCEPT APPLICATIONS FOR CONSIDERATION UNDER THE CURRENT AND EXPANDED DACA PROGRAM BEGINNING ON FEBRUARY 18, 2015.

THE APPLICABLE USCIS-DACA REGULATIONS AND APPLICATION PROCESS HAVE ALREADY BEEN ISSUED BY USCIS.

YOU CAN ACCESS THE REGULATIONS AND FORMS BY GOING TO:
www.uscis.gov

BACKGROUND:

In June, 2012, the Obama administration announces that it would accept requests from eligible individuals for relief under a new immigration program called: **DEFERRED ACTION FOR CHILDHOOD ARRIVALS (“DACA”)**, an initiative designed to temporarily suspend the deportation of young people residing unlawfully in the United States, who were brought to the United States as children.

To date, over 760,000 individuals have been accepted by USCIS to participate in DACA.

On November 20, 2014, President Obama announced another series of executive actions, including the expansion of DACA as well as cracking down on illegal immigration at the border, prioritizing the deportation of felons not families, and requiring certain undocumented immigrants to pass a criminal background check and pay taxes in order to temporarily stay in the US without fear of deportation.

In a nutshell, DACA is a temporary measure, designed to eliminate the fear of removal/deportation while Congress comes to a final resolution about the permanent legal status of undocumented individuals who have been living in the USA for a long time. DACA will allow **young people who currently reside in the United States who were brought to the United States as children** to avoid deportation (**removal proceedings**) and qualify for a **three (3) year work permit.(employment authorization).**

DACA does not result in obtaining lawful legal status. It only defers possible removal proceedings and provides for employment authorization for a period of three (3) years.

The expanded DACA regulations and application process applies to two (2) types of individuals who meet the stringent USCIS qualifications / criteria:

1. Individuals who request DACA relief for the First Time, and
2. Individuals who request RENEWAL OF DACA RELIEF because their current deferral/work authorization is about to expire.

Individuals may apply for consideration under DACA if you meet ALL of the following requirements:

AGE REQUIREMENT:

- **You are at least 15 years old at the time of submitting your DACA application (on/or after February 18, 2015).**
- **You are currently under age 31 or**
- **You were under age 31 as of June 15, 2012.**

LEGAL STATUS REQUIREMENT

- **You do not have a lawful status under US immigration law at time of filing the DACA application.**

RESIDENCY REQUIREMENT

- **You have resided continuously in the United States since JUNE 15,2007-to date of filing your DACA application, and**

- **You arrived in the United States before your 16th. birthday, and**
- **You are physically present in the United States on date of filing your DACA application, and**

EDUCATION/MILITARY SERVICE REQUIREMENT

- **You are currently attending school or have graduated from high school in the United States, or have a GED or are an honorary discharged veteran of the Coast Guard or United States Armed Forces, and**

BACKGROUND CHECK REQUIREMENT

- **USCIS will conduct a “Security Check” of all DACA applicants, including, requiring that you submit a 10 point fingerprint sheet, conducting a name/alias check, a criminal background check and a full background check.**

DACA APPLICATION/RENEWAL PROCESS STARTING FEBRUARY 18, 2015:

DO NOT PAY SOMEONE WHO REPRESENTS OR ADVERTISES THAT THEY CAN IMMEDIATELY ASSIST AND GUARANTEE THAT YOU WILL BE ACCEPTED FOR DACA RELIEF PROVIDED THAT YOU PAY AN UP-FRONT LARGE FEE.

YOU CAN APPLY YOURSELF COMMENCING ON FEBRUARY 18, 2015. THE DACA APPLICATIONS (3 separate applications)ARE AVAILABLE ON THE USCIS WEB PAGE (WWW.USCIS.GOV) OR YOU CAN SEEK ASSISTANCE FROM THE NEWLY ESTABLISHED NEW YORK REFERRAL CENTER FOR IMMIGRATION RIGHTS, Inc. (“NYRCIR”),listed at the conclusion of the Alert.

In the meantime, you can prepare to file your DACA application by gathering the following documents and proof that establish each of the requirements listed above.

EXAMPLES OF DOCUMENTS THAT YOU SHOULD GATHER NOW:

- 1. BIRTH CERTIFICATE**
- 2. PASSPORT WITH ADMISSION STAMP TO US**
- 3. MATRICULA CONSULAR ID CARD**
- 4. SCHOOL RECORDS FOR US**

5. TRAVEL RECORDS
6. HOSPITAL OR MEDICAL RECORDS, INCLUDING IMMUNIZATIONS
7. RENT OR MORTGAGE RECEIPTS
8. UTILITY BILLS
9. RELIGIOUS RECORDS-BAPTISM, COMMUNION, TITHING, ETC.
10. MONEY ORDER RECEIPTS
11. DATED BANK TRANSACTIONS AND STATEMENTS
12. INSURANCE POLICIES
13. POSTMARKED LETTERS
14. AUTOMOBILE LICENSE RECEIPTS, TITLE, OR REGISTRATION
15. EMPLOYMENT RECORDS
16. US HIGH SCHOOL DIPLOMA/ GED CERTIFICATE OR OTHER SCHOOL RECORDS
17. MILITARY PERSONNEL RECORDS
18. TAX RETURNS, W-2'S / OTHER TAX RECORDS
19. CREDIT CARD STATEMENTS
20. DRIVING RECORD (if applicable) / ARREST RECORD/CRIMINAL RECORD
21. JUDGMENTS/ LAWSUITS
22. ANY OTHER DOCUMENT THAT WILL PROVE YOUR IDENTITY AND CONTINUOUS RESIDENCY

ANNOUNCEMENT: NEWLY CREATED IMMIGRATION ASSISTANCE AND REFERRAL AGENCY:

On December 26, 2014, a group of dedicated Rochester-Monroe County Latino Leaders, established in a Not-For-Profit entity named: **NEW YORK REFERRAL CENTER FOR IMMIGRATION RIGHTS, Inc. ("NYRCIR")**.

NYRCIR mission and goals are to: **1)** provide bi-lingual orientation, education and referral services to the members of the Latino and Immigrant Community who reside in the greater Community of the County of Monroe and State of New York. **2)** To serve as a charitable organization which will provide effective dissemination of information of available services to the Latino and Immigrant Community. **3)** Conduct monthly orientation sessions in the Latino and Immigrant Community in order to enhance the community's ability to navigate through the social services and legal system. **4)** Assist individuals to maneuver and navigate with the recent changes in Federal Immigration Law and related policies. **5)** Educate the Latino and Immigrant Community on how to avoid exploitation by scammers, con-artists and individuals providing unlicensed notarial services. **6)** Strengthening the language and cultural divide regarding Immigration between

the Latino/Immigrant Community and the Anglo and African American Community. 7) Serve as a Referral Agency which will provide for the Latino/Immigrant Community with competent and certified immigration service and to 8) establish a 24 hour telephone hotline for individuals to have easy access to the corporation's immigration referral and other services.

If you would have any questions regarding DACA, please contact Mercedes-Vasquez-Simmons, Interim **NYRCIR** President at: **PO Box 14802, Rochester, and NY 14614-585-484-7010** or contact me at www.crinyourcorner.com