

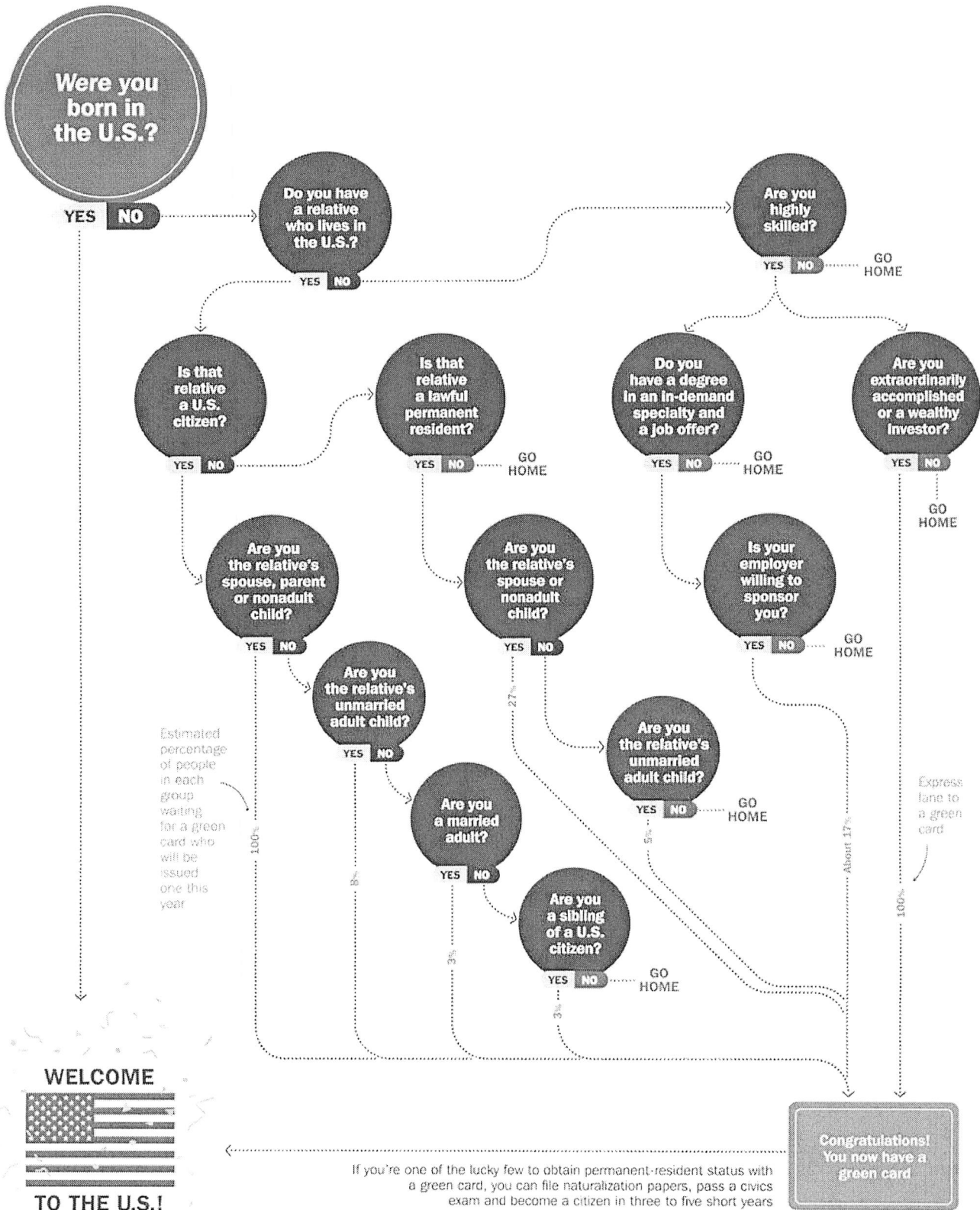
April 16, 2013

Topic: "From Immigration Basics to Solutions in 2013"
Immigration is a multi-race issue

-How to Immigrate?

-President Obama, Executive Orders- who is Excluded?

-Path to Citizenship



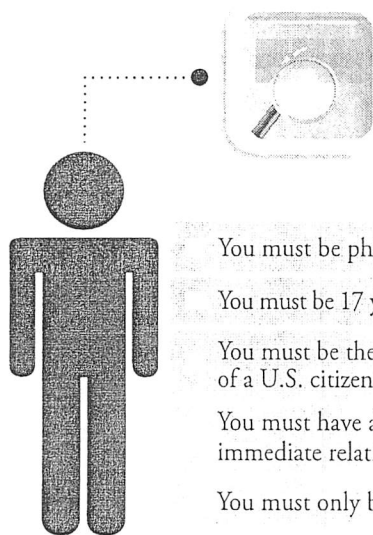
Various other ways to obtain immigrant visas are not shown, including through the diversity visa program; refugee or asylum status; and special procedures for informants, battered spouses and children of foreign diplomats. Same-sex marriages are not recognized. Wait times vary greatly, depending on country of origin. Sources: U.S. Citizenship and Immigration Services; Department of State

PROVISIONAL UNLAWFUL PRESENCE WAIVER

apply for a provisional unlawful presence waiver while in the United States and before you depart for your immigrant visa interview at a U.S. embassy or consulate abroad.

If your provisional unlawful presence waiver is approved, you depart the U.S. to attend your immigrant visa interview abroad, and you are otherwise eligible, the consular officer will issue your immigrant visa. A pending or approved provisional unlawful presence waiver will not allow you to receive interim benefits while in the United States, protect you from removal, or grant you lawful status. Approval does not guarantee visa issuance or admission to the United States.

The provisional unlawful presence waiver process is for certain immigrant visa applicants who are spouses, children and parents of U.S. citizens (immediate relatives). If you are an immediate relative who needs a waiver of inadmissibility for unlawful presence only, and meet other requirements, you can



Am I Eligible?

The bullets below outline general guidelines:

You must be physically present in the United States to file your application and to provide biometrics.

You must be 17 years of age or older at the time of filing.

You must be the beneficiary of an approved immigrant visa petition classifying you as the immediate relative of a U.S. citizen.

You must have an immigrant visa case pending with the Department of State (DOS), for the approved immediate relative petition and have already paid your DOS immigrant visa processing fee.

You must only be inadmissible to the United States because of unlawful presence and for no other reason.

Please read the Form I-601A instructions for full details on eligibility before applying.

How do I file?



Ensure that you meet the eligibility requirements.



Complete Form I-601A.



Mail your form, supporting documents, and required fees to USCIS.



USCIS will schedule you for a biometric services appointment.



U.S. Citizenship and Immigration Services

For more information visit www.uscis.gov/provisionalwaiver or call USCIS Customer Service at 1-800-375-5283 or 1-800-767-1833 (TDD).





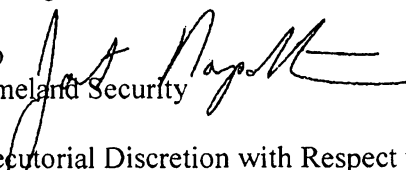
Homeland Security

June 15, 2012

MEMORANDUM FOR: David V. Aguilar
Acting Commissioner, U.S. Customs and Border Protection

Alejandro Mayorkas
Director, U.S. Citizenship and Immigration Services

John Morton
Director, U.S. Immigration and Customs Enforcement

FROM: Janet Napolitano 
Secretary of Homeland Security

SUBJECT: Exercising Prosecutorial Discretion with Respect to Individuals
Who Came to the United States as Children

By this memorandum, I am setting forth how, in the exercise of our prosecutorial discretion, the Department of Homeland Security (DHS) should enforce the Nation's immigration laws against certain young people who were brought to this country as children and know only this country as home. As a general matter, these individuals lacked the intent to violate the law and our ongoing review of pending removal cases is already offering administrative closure to many of them. However, additional measures are necessary to ensure that our enforcement resources are not expended on these low priority cases but are instead appropriately focused on people who meet our enforcement priorities.

The following criteria should be satisfied before an individual is considered for an exercise of prosecutorial discretion pursuant to this memorandum:

- came to the United States under the age of sixteen;
- has continuously resided in the United States for a least five years preceding the date of this memorandum and is present in the United States on the date of this memorandum;
- is currently in school, has graduated from high school, has obtained a general education development certificate, or is an honorably discharged veteran of the Coast Guard or Armed Forces of the United States;
- has not been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise poses a threat to national security or public safety; and
- is not above the age of thirty.

Our Nation's immigration laws must be enforced in a strong and sensible manner. They are not designed to be blindly enforced without consideration given to the individual circumstances of each case. Nor are they designed to remove productive young people to countries where they may not have lived or even speak the language. Indeed, many of these young people have already contributed to our country in significant ways. Prosecutorial discretion, which is used in so many other areas, is especially justified here.

As part of this exercise of prosecutorial discretion, the above criteria are to be considered whether or not an individual is already in removal proceedings or subject to a final order of removal. No individual should receive deferred action under this memorandum unless they first pass a background check and requests for relief pursuant to this memorandum are to be decided on a case by case basis. DHS cannot provide any assurance that relief will be granted in all cases.

1. With respect to individuals who are encountered by U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), or U.S. Citizenship and Immigration Services (USCIS):

- With respect to individuals who meet the above criteria, ICE and CBP should immediately exercise their discretion, on an individual basis, in order to prevent low priority individuals from being placed into removal proceedings or removed from the United States.
- USCIS is instructed to implement this memorandum consistent with its existing guidance regarding the issuance of notices to appear.

2. With respect to individuals who are in removal proceedings but not yet subject to a final order of removal, and who meet the above criteria:

- ICE should exercise prosecutorial discretion, on an individual basis, for individuals who meet the above criteria by deferring action for a period of two years, subject to renewal, in order to prevent low priority individuals from being removed from the United States.
- ICE is instructed to use its Office of the Public Advocate to permit individuals who believe they meet the above criteria to identify themselves through a clear and efficient process.
- ICE is directed to begin implementing this process within 60 days of the date of this memorandum.
- ICE is also instructed to immediately begin the process of deferring action against individuals who meet the above criteria whose cases have already been identified through the ongoing review of pending cases before the Executive Office for Immigration Review.

3. With respect to the individuals who are not currently in removal proceedings and meet the above criteria, and pass a background check:

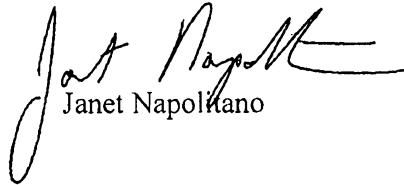
- USCIS should establish a clear and efficient process for exercising prosecutorial discretion, on an individual basis, by deferring action against individuals who meet the

above criteria and are at least 15 years old, for a period of two years, subject to renewal, in order to prevent low priority individuals from being placed into removal proceedings or removed from the United States.

- The USCIS process shall also be available to individuals subject to a final order of removal regardless of their age.
- USCIS is directed to begin implementing this process within 60 days of the date of this memorandum.

For individuals who are granted deferred action by either ICE or USCIS, USCIS shall accept applications to determine whether these individuals qualify for work authorization during this period of deferred action.

This memorandum confers no substantive right, immigration status or pathway to citizenship. Only the Congress, acting through its legislative authority, can confer these rights. It remains for the executive branch, however, to set forth policy for the exercise of discretion within the framework of the existing law. I have done so here.



Janet Napolitano

Name of Applicant: _____

Documents to show identity (at least one)

Documentos para comprobar identidad (mínimo uno)

- ☐ Certified copy of your birth certificate
 - *Acta de nacimiento original*
- ☐ Photocopy of your birth certificate (if no certified copy is available)
 - *Una copia de su acta de nacimiento si no tienes la original*
- ☐ Valid passport or expired passports
 - *Pasaporte vigente o Pasaporte vencido*
- ☐ Valid consular ID card or expired consular ID cards
 - *Matricula consular vigente o matricula consular vencida*
- ☐ Valid school ID or expired school IDs
 - *Identificación de la escuela valida o identificación de la escuela vencida*
- ☐ Photo ID documents issued by DHS
 - *Documentos de identidad con foto hecho por inmigración.*
- ☐ Any other official photo ID
 - *Cualquier otra identificación oficial con foto*
- ☐ Other _____

Documents to show presence since 07/15/07 and on 07/15/12 (need as many as possible)

Documentos para demostrar su presencia desde el 07/15/07 y el 07/15/12 (necesita lo mas posible)

- ☐ School Records and transcripts.
 - *Record y transcripciones de la escuela.*
- ☐ Medical records.
 - *Record medico*
- ☐ Documents from religious institutions such as records of baptisms, communions, weddings.
 - *Documentos de Iglesias u organizaciones de fe como actas de bautismo, comunión, bodas.*
- ☐ Proof of employment including taxes, W-2 forms and employment letters.
 - *Comprobantes del empleo incluyendo taxes, formas W-2 y cartas del patrón.*
- ☐ Immigration documents.
 - *Documentos de inmigración*
- ☐ Utility, rent, telephone, bank statements, and other receipts.
 - *Recibos de gas y luz, teléfono, cuentas bancarios y otros recibos*
- ☐ Military records.
 - *Record Militar*
- ☐ Proof of money sent out of the United States.
 - *Comprobantes de envíos de dinero.*
- ☐ Proof of travel
 - *Prueba de viajes*
- ☐ Other _____