



## Immigration Action Applications to Start In February-May 2015

Leon Rodriguez, the director of U.S. Citizenship and Immigration Services (USCIS), told Spanish-speaking reporters during a conference call that “undocumented” (illegal) immigrants should be able to start applying for deferred action granting them protection from deportation and work permits in February and May.

The statement by Rodriguez was released to the English-language press by Suzanne Gamboa, a bilingual senior writer for NBCNews.com. The report noted that USCIS should start in February with those applying for expanded Deferred Action for Childhood Arrivals (DACA). Parents of U.S. citizens and legal resident children should be able to begin applying in May.



Gamboa reported that although opponents of the Obama administration’s actions granting these deferrals have discussed various options to block their implementation, Cecilia Muñoz, Obama’s chief domestic policy advisor, told reporters in a telephone news conference for the Latino media: “We are very confident that this is completely legal and it is going to be carried out.”

Obama announced the upcoming actions to “fix” our immigration system in his nationwide address on November 20, when he said, “We’ll take steps to deal responsibly with the millions of undocumented [i.e., illegal] immigrants who already live in our country.”

Summarizing the most significant features of his plan, Obama said:

So we’re going to offer the following deal: If you’ve been in America for more than five years; if you have children who are American citizens or legal residents; if you register, pass a criminal background check, and you’re willing to pay your fair share of taxes — you’ll be able to apply to stay in this country temporarily without fear of deportation. You can come out of the shadows and get right with the law. That’s what this deal is.

Both the White House and the media have suggested that Obama’s plan would be implemented through “executive actions” or “executive orders.” While this is loosely accurate, it must be noted that, in this case, the program to shield some illegal aliens from deportation was put into effect by a two-step process, only the first of which was directly presidential. Obama issued a Presidential Memorandum on November 21, “Creating Welcoming Communities and Fully Integrating Immigrants and Refugees.” That memorandum created a task force among all executive departments that “will help determine additional steps the Federal Government can take to ensure its programs and policies are serving diverse communities that include new Americans [immigrants].”



Written by [Warren Mass](#) on December 12, 2014

Though Obama sent his memorandum to all Cabinet members, the secretary of Homeland Security was authorized and directed to publish the memorandum in the *Federal Register*. Having been briefed on the subject of the presidential announcement in advance, Homeland Security Secretary Jeh Johnson sent an executive action memorandum on November 20 to the heads of U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection. The memorandum's subject was: "Exercising Prosecutorial Discretion With Respect to Individuals Who Came to the United States as Children and With Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents."

The memorandum expanded DACA by removing its age cap and extending work authorization to three years. Johnson's order also expanded "deferred action" (another name for amnesty) by directing,

USCIS [U.S. Citizenship and Immigration Services] to establish a process, similar to DACA, for exercising prosecutorial discretion through the use of deferred action, on a case-by-case basis, to those individuals who:

- have, on the date of this memorandum, a son or daughter who is a U.S. citizen or lawful permanent resident;
- have continuously resided in the United States since before January 1, 2010;
- are physically present in the United States on the date of this memorandum, and at the time of making a request for consideration of deferred action with USCIS....

While the Johnson memorandum effectively implements the objectives that Obama outlined in his November 20 speech, for the sake of accuracy, it is important to remember that Obama did not issue an executive order on immigration; Johnson did.

"Undocumented Immigrants' Guide to Obama's Immigration Executive Action," a downloadable document at the USCIS website, excitedly announces: "The relief that millions of undocumented immigrants have been waiting for is here!"

The document notes: "the highlight of the [presidential] announcement is the Deferred Action for Parents program," which includes: "Parents of U.S. citizens and permanent residents are eligible if their child was born on or before November 20, 2014."

Sounding like any well-written sales brochure, the USCIS document says: "[Those eligible for the program] will benefit from having any deportation action deferred for them and they will also receive employment authorization."

With almost "be-the-first-kid-on-your-block" enthusiasm, the document continues:

Start saving for application costs. Collect documents that you will need to submit with your application. Put together your reasons for why you should benefit from this executive order. Pay attention to new developments because new information comes out every day!

If you are one of the 4.9 million undocumented immigrants who will benefit from this executive order, the time to start collecting documents and making your case is now!

The document advises those who want to apply for "deferred deportation" that the application fees "may fall between \$500 and \$1500 so it is incredibly important to save over the coming months."

Interested applicants are advised: "Stay up to date with the relief program and you won't have to wait as long to receive immigration benefits."



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First, amnesty was described as “a path to citizenship,” but now it is officially called “immigration benefits”!

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