

Deferred Action for Undocumented Missionaries











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  on behalf of L. Whitney Clayton

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 1 attachment

Deferred
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To: All Utah Area Seventies

Dear Brethren,

Please review the attached document regarding “deferred action for undocumented missionaries.” You do not need to do anything to follow up, but may be asked questions by stake and mission presidents. Please do not publicize this matter.

Merry Christmas.

LWC

AGENDA ITEM

PRESIDENCY OF THE SEVENTY

Meeting Date: December 4, 2012

Subject:

Deferred Action for Undocumented Missionaries

Submitted by:

Elder Walter F. González

Summary:

In connection with a recent change in U.S. government policy regarding undocumented individuals brought to the United States as children, the Church has now given guidance to mission presidents on the matter as it relates to affected full-time missionaries (see following pages).

Recommendation:

Discuss.

Matters submitted for discussion or decision should be accompanied by a review of present policy or previous decisions.

For Decision

For Information

Notice

Date: November 21, 2012
To: Presidency of the Seventy and Mission Presidents in the United States
From: Missionary Department (801-240-2222)
Subject: Deferred Action for Undocumented Missionaries

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

Under a new policy known as “Deferred Action for Childhood Arrivals,” the U.S. Department of Homeland Security will not deport undocumented individuals who were brought to the United States as young children, provided they meet certain criteria as described in the attachment. Those who qualify will be immune from deportation for at least two years. They will receive employment authorization documents and social security cards, and, depending on the state where they reside, may qualify for certain government benefits. The Missionary Department’s policies regarding deferred action for undocumented missionaries are attached and are also available on the mission president website at <https://missionary.lds.org>.

This notice, with attachment, is being distributed in English only in the United States. If leaders need it in other languages, they may contact the member of the Presidency of the Seventy who supervises the area. Area leaders can forward requests to Church headquarters (1-801-240-2933).

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Deferred Action for Undocumented Missionaries
Guidance for Mission Presidents and LDS Missionaries

Under a new policy known as “Deferred Action for Childhood Arrivals,” the U.S. Department of Homeland Security will not deport undocumented individuals who were brought to the United States as young children if they meet certain criteria. Persons who qualify will be immune from deportation for at least two years, will receive a work permit and a social security card, and, depending on the law of the state where they reside, might qualify for state benefits such as a driver’s license and in-state tuition. Missionaries must choose for themselves whether to participate. Mission presidents should meet with all undocumented missionaries in the mission (see attached list) by November 25 and present this information to them. If they do choose to participate, the following information will help them and their mission presidents understand how to prepare and file the request for deferred action.

Guidance for Mission Presidents

1. Mission presidents should visit with each qualifying missionary to assure that he or she understands the available options.
2. Missionaries should be allowed to participate in the deferred action program if they wish. The decision of whether and when to apply must be left to missionaries and their families. Mission presidents should neither encourage nor discourage participation and must not give legal advice. If missionaries have legal questions, they and their families should seek legal counsel at their own expense from a competent attorney.
3. Mission presidents should do what they reasonably can to facilitate the process without disrupting missionary work. They should allow missionaries to communicate (including phone calls) with parents or attorneys if necessary and attend required appointments. Presidents can also enlist the help of senior couples or local members if a missionary requires assistance.
4. Neither mission funds nor missionary support funds should be used to pay the filing fee.
5. Missionaries who need to provide evidence of their U.S. residence during their mission should fill out the form, Deferred Action for Childhood Arrivals Research Application (available on the Mission President Website), and send it to the Global Service Center (see Guidance for Undocumented Missionaries below). The Global Service Center will prepare and mail a letter to the missionary to include with the paperwork.
6. All who apply will be required to be fingerprinted at a USCIS Application Support Center. A small percentage of applicants may need to appear for a personal interview at a USCIS field office. If the designated office is not within the mission, mission presidents will authorize missionaries to cross a mission boundary to keep the appointment. Missionaries should travel to and from these appointments with a companion (their own, a senior couple, etc.). Mission cars are authorized to travel to these appointments.
7. If an undocumented missionary receives an employment authorization document (work permit) before leaving the mission, he or she may fly home on a commercial airline.

8. Information about the program is on the Mission President Portal and should be distributed to missionaries who may qualify. Mission presidents with further questions should direct them to the Church's immigration lawyers by calling the priesthood leader helpline at 801-240-6301.

Guidance for Undocumented Missionaries

To give you a broad overview of the program, we have attached a one-page summary published by U.S. Citizenship and Immigration Services (USCIS). A general description appears below. You can also obtain helpful information at the website www.uscis.gov under the link Consideration of Deferred Action for Childhood Arrivals Process.

You qualify for deferred action if you meet all the following criteria:

1. Were under the age of 31 on June 15, 2012.
2. Came to the U.S. before reaching your 16th birthday.
3. Continuously resided in the U.S. from June 15, 2007, to the present time.
4. Were present in the U.S. on June 15, 2012, and at the time of application.
5. Either entered the U.S. without inspection before June 15, 2012, or fell out of lawful status before that date.
6. Are currently in school, graduated, or obtained a certificate of completion from high school, or obtained a general education development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States.
7. Have not been convicted of a felony, significant misdemeanor, or three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

To apply for deferred action, you must submit the following to USCIS:

1. Two passport-type **photographs**.
2. **\$465** in the form of a check or money order payable to the U.S. Department of Homeland Security. You or your family must pay this with your own funds. You may not use your monthly missionary support funds for this purpose.
3. **Form I-821D, Consideration of Deferred Action for Childhood Arrivals**. You can find this form on the Internet at www.uscis.gov. Click on Forms, then on Form I-821D Consideration of Deferred Action for Childhood Arrivals.
4. **Form I-765, Application for Employment Authorization**. You can find this form on the Internet at www.uscis.gov. Click on Forms, and then Form I-765 Application for Employment Authorization.
5. **Form I-765WS, Form I-765 Worksheet**. You can find this form on the Internet at www.uscis.gov. Enter the phrase Form I-765ws Worksheet into the Search box, click on Search, and then click on Form I-765Worksheet.
6. The **initial evidence** listed on pages 3–9 of the official instructions to form I-821D. This evidence establishes the seven requirements listed above.

To the extent necessary, you may correspond with your family and attorneys.

Be sure to include evidence to establish all seven requirements listed above. With regard to proof of residency, we recommend that you include the following items, in addition to any other evidence you might have:

1. A copy of your missionary call letter.
2. A letter from the Church's Global Service Center (GSC) certifying that you have been serving a mission for the Church and that you have been residing in the United States during your mission. To obtain this letter, fill out the form, Deferred Action for Childhood Arrivals Research Application, and send it to the Global Service Center (email is preferred: cservices@ldschurch.org; mailing address is 120 N. 200 West Salt Lake City, UT 84103). The GSC office will prepare the letter and mail it to you to include with your paperwork.

When you submit your paperwork, be sure to do the following:

1. Use the mission office address as your mailing address.
2. Make and retain a complete copy of everything you submit to USCIS.
3. Make sure you send it to the correct address which is determined by the state where your mission office is located. You can find the address on the Internet. Go to www.uscis.gov, click on Forms, then on Form I-821D Consideration of Deferred Action for Childhood Arrivals, then on Filing Addresses for Consideration of Deferred Action for Childhood Arrivals.
4. We recommend that you use certified mail or a reliable delivery service. We also recommend that you retain proof of delivery in case your paperwork gets lost.

After filing your paperwork, you will receive a notice requiring you to appear at a USCIS Application Support Center for fingerprinting. If the designated office is not within your mission boundaries, your mission president will authorize you to cross a mission boundary to attend the appointment. If a different office is more convenient (see the attached list), you may call the preferred office and arrange to have your fingerprints taken there. For most individuals, fingerprinting is the final step, but you may be asked to appear for a personal interview. If you receive such a notice, you must appear as requested.

After all appointments have been completed, USCIS will finish its review of the case and send you a decision. If your case is approved, USCIS will send you an approval notice and a work permit, which you can then use to obtain a social security card at the nearest Social Security office. The documents will be valid for at least two years. Unless the process is changed, you will be able to apply for an extension at the end of the two-year period.

If you leave the mission field before getting a final answer, you must notify USCIS as instructed under "Address Change" on page 7 of the official instructions to form I-821D.