

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CATHOLIC SOCIAL SERVICES, INC.,—)	Civ. No. S-86-1343-LKK
IMMIGRATION PROGRAM, ET AL.,)	
)	ATTACHMENT 2
Plaintiffs,)	
)	CLASS NOTICE
)	
v.)	
)	
TOM RIDGE, SECRETARY, DEPARTMENT)	
OF HOMELAND SECURITY, ET AL.,)	
)	
Defendants.)	

IMPORTANT CSS CLASS NOTICE

This Notice contains important information about your rights. Please read it carefully.

Who is a CSS Class Member? You may be a CSS Class Member if —

1. You lived unlawfully in the United States from before January 1, 1982, until some time between May 5, 1987 and May 4, 1988 (the application period for the amnesty program) when you (or your parent or spouse) attempted to file a completed application and application fee with a representative of the Immigration and Naturalization Service ("INS") including a Qualified Designated Entity ("QDE"), but had the application and fee refused by that representative because you had traveled outside of the United States after November 6, 1986, and returned without INS permission, and you were otherwise eligible for legalization; **or**
2. you (or your parent or spouse) applied for a work permit under the CSS case, and during the application period you had been informed by an INS officer or QDE employee that you were ineligible for legalization because you had traveled outside of the United States after November 6, 1986, and returned without INS permission, or were refused by the INS or its QDEs legalization forms on account of that travel, and that information, or inability to obtain the application forms, was a substantial cause of your failure to timely file or complete a written application, and you were otherwise eligible for legalization.

QDEs were usually community-based, non-profit organizations (such as Catholic Charities) which were authorized to accept amnesty applications for the INS.

What proof do I need of class membership?

You do not need a copy of your (or your spouse or parent's) original 1987-88 amnesty application to prove you are a class member. You must complete a CSS / Newman (LULAC) Class Membership Worksheet (Worksheet). You may also submit additional statements or evidence showing that you or

your parent or spouse were turned away by the INS or a QDE between May 5, 1987 and May 4, 1988, such as statements from friends or relatives.

What are the benefits of Class Membership?

Persons whom U.S. Citizenship and Immigration Services (CIS) or the Court determines are class members may apply for temporary residence, employment authorization, advance parole, and Family Unity benefits. If granted temporary resident status, an individual may apply for permanent resident status under the 1986 amnesty law.

How do I apply for CSS Class Membership?

You may ask CIS or a community organization or lawyer for (1) a "CSS / Newman (LULAC) Class Membership Worksheet," and (2) a Form I-687, Application for Temporary Resident Status Under Section 245A of the Immigration and Nationality Act." These documents are also available on the internet at www.centerforhumanrights.org and www.uscis.gov. You must submit a completed CSS/Newman (LULAC) Class Membership Worksheet and completed Form I-687, with fee, to CIS between May 24, 2004 and May 23, 2005.

You may contact the lawyers representing the class at (213) 388-8693, ext. 100, or by mail addressed to Center for Human Rights, 256 S. Occidental Blvd., Los Angeles, Ca. 90057, or by email to amnestycoordinator@centerforhumanrights.org

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Plaintiffs,

v.

TOM RIDGE, SECRETARY, DEPARTMENT
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Defendants.

) Case No. Civ S-86-1343-LKK

) ATTACHMENT 3

) CLASS MEMBERSHIP WORKSHEET
) AND INSTRUCTIONS

INSTRUCTIONS

The attached CSS / Newman (LULAC) Class Membership Worksheet (Worksheet) must be completed by all persons who believe they are CSS class members and wish to apply to legalize their status under the 1986 Immigration Reform and Control Act. You may consult with a community organization, church group or lawyer to help you fill out this form.

Who is a CSS Class Member?

You may be a CSS Class Member if you:

- (1) lived continuously and illegally in the United States from *before* January 1, 1982, *until* some time between May 5, 1987 and May 4, 1988, when you (or your parent or spouse) visited the INS or a Qualified Designated Entity (QDE) to apply for the 1986 "amnesty" program, *and*
- (2) you (or your parent or spouse) were turned away by the INS or the QDE because you (or your parent or spouse) had, or the INS thought that you had, traveled outside the U.S. after November 6, 1986 without INS permission.

You may be a class member *whether or not* at the time you (or your parent or spouse) visited an INS or QDE office to apply for amnesty between May 5, 1987 and May 4, 1988, you had a complete written application and fee ready to be filed.

QDEs were usually community-based non-profit organizations (such as Catholic Charities) which were authorized to accept amnesty applications for the INS.

Must I have presented a complete application to the INS during the amnesty application period to be a class member?

No, but class members (or their parents or spouse) must have visited an INS or QDE office during the

amnesty application period (May 5, 1987 to May 4, 1988), advised an INS or QDE official that they wished to apply for amnesty, advised the INS or QDE (or the INS or QDE believed) that they had traveled outside the United States without INS permission after November 6, 1986, and been told that they were ineligible to apply for amnesty.

You may also be a class member if you attempted to file a complete amnesty application and fee with the INS or a QDE during the amnesty application period (May 5, 1987 to May 4, 1988), or your parent or spouse tried to do so, and the application was rejected because you or your parent or spouse had traveled outside the United States without INS permission after November 6, 1986, or the INS believed you had done so.

What proof do I need that I was turned away by the INS during the application period?

You do not need a copy of the amnesty application you or your parent or spouse may have filled out or presented to the INS during the 1987-88 application period.

Complete the Worksheet, including as much information as you remember about the visit to an INS or QDE office when you were turned away between May 5, 1987 and May 4, 1988.

While it is not required, you may strengthen your claim if you attach statements from any relatives or friends who know that you were turned away by the INS or a QDE when trying to apply for amnesty during the application period (May 5, 1987 to May 4, 1988). For example, if you are still in contact with someone who went with you to the INS or a QDE when you were turned away, or who helped you fill out an application that was rejected, that person can provide you with a statement explaining what they remember.

What are the benefits of Class Membership?

Persons whom U.S. Citizenship and Immigration Services (CIS) or the Court determines are class members may apply for temporary residence, employment authorization, advance parole, and Family Unity benefits. If granted temporary resident status, an individual may apply for permanent resident status under the 1986 amnesty law.

How do I obtain the forms to apply for CSS class membership and legalization?

You may obtain the forms from your local CIS office. Local community groups or an immigration lawyer's office may also have the forms available. You may also obtain the forms from the CIS web site, www.uscis.gov, or class counsels' web page, www.centerforhumanrights.org.

When must I file my application?

You must submit the applications to CIS between May 24, 2004, and May 23, 2005. Applications must be postmarked no later than May 23, 2005.

How do I file my application?

You must *mail* your completed Worksheet together with a completed Form I-687, Application for Status as a Temporary Resident Under Section 245A of the Immigration and Nationality Act, with fee, to the following address: By regular mail: U.S. Citizenship and Immigration Services, P.O. Box

850876, Chicago IL, 60680-4200. By any other means (e.g. UPS or FedEx): U.S. Citizenship and Immigration Services, 427 S. LaSalle, 3rd Floor, Chicago IL, 60605. CIS will normally respond within 90 days by sending you a receipt notice for your Form I-687. CIS will proceed to decide your Form I-687 legalization application, which it should normally do within 180 days of approving the Class Membership Worksheet.

If CIS decides that you are *not* a class member, your Form I-687 application fee will be refunded. Your refund will be delayed if you appeal the decision that you are not a class member. If the appeal decides that you are a class member, CIS will then process your legalization application. If the appeal decides that you are not a class member, your application fee will be refunded.

[Note that if you did not apply for a work permit under CSS, your filing fee is not refundable.]

Be sure to keep a copy of everything that you submit to CIS and if possible obtain proof of mailing from the U.S. Post Office. You may also send a copy of your application to class counsel at the Center for Human Rights and Constitutional Law, address below.

What if the CIS intends to deny my applications?

Applicants whose Form I-687 or Worksheet CIS intends to deny will be sent a notice of intended denial and you will have at least 30 days to correct whatever problems the CIS identifies.

What if the CIS denies my applications?

If CIS denies your Worksheet you may appeal to a Special Master—someone appointed by the Court—to reconsider your Worksheet.

If your application for legalization is denied, you will be sent instructions on how you may appeal that decision administratively.

Will CIS use the information in my Worksheet or legalization application to deport me?

No. Unless you commit fraud, all information you submit in connection with a Worksheet or Form I-687 may be used only to decide those applications and not to obtain a deportation order against you.

Will I receive permission to work and travel abroad while my applications are being decided?

Yes, so long as it appears from your applications that you probably meet the requirements of class membership and eligibility for legalization. Individuals to whom the INS previously granted a CSS work permit (whether or not you still have that work permit), are entitled to renew their work authorizations for one year without a fee. You may apply to renew your old work permit at your local CIS office. You may also apply for advance parole to travel abroad. After that, you may apply to renew work permits or obtain travel documents with a fee until your legalization application has been finally administratively decided.

If you were never issued a CSS work permit and you now want a work permit, you must file a Worksheet, Form I-687, and Form I-765 application for employment authorization with all appropriate fees.

Do not contact the Court for information. For assistance, you may contact the lawyers representing the class at (213) 388-8693 ext. 100, or by mail at Center for Human Rights, 256 S. Occidental Blvd., Los Angeles, Ca. 90057, or email amnestycoordinator@centerforhumanrights.org

CSS/Newman (LULAC) Class Membership Worksheet

Last Name	First Name	Middle Initial	A Number

Please complete this Class Membership worksheet if you are applying for legalization under the Immigration Reform and Control Act of 1986 (IRCA), 8 U.S.C. § 1255a, pursuant to the settlement agreements reached in Catholic Social Services v. Ashcroft et al. (CSS) or Newman v. Ashcroft et al. (Newman/LULAC).

In order to apply, answer every question on this Class Membership worksheet and staple it, with any attachments, to the top of your completed and signed Application for Status as a Temporary Resident (Form I-687). Please clearly mark your response in the boxes provided below:

- | | YES | NO |
|--|--------------------------|--------------------------|
| 1. During the period between May 5, 1987, and May 4, 1988, did you (or a parent or spouse) visit an INS office or Qualified Designated Entity ("QDE") to apply for legalization, but were turned away because the INS or QDE believed that (1) you had traveled outside the United States after November 6, 1986, without advance parole, OR (2) you had traveled outside the United States and returned after January 1, 1982, with a visitor's visa, student visa, or any other type of visa or travel document? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Did you enter the United States before January 1, 1982, and then reside in continuous unlawful status, except for brief absences, from before 1982 until the date you (or your parent or spouse) were turned away by the INS when you (or your parent or spouse) tried to apply for legalization in 1987-88? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Were you continuously physically present in the United States, except for brief, casual and innocent departures from November 6, 1986 until the date you (or your parent or spouse) were turned away by the INS when you (or your parent or spouse) tried to apply for legalization? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Have you ever been convicted of a felony or three or more misdemeanors, or have you ever been convicted of crimes, or committed acts which make you inadmissible pursuant to any provision of the Immigration and Nationality Act including but not limited to: 212(a)(2)(A)(i)(I) (crime involving moral turpitude); 212(a)(2)(B) (multiple criminal convictions); 212(a)(2)(C)(controlled substance traffickers); 212(a)(2)(A)(i)(II) (controlled substances); 212(a)(3) (security and related grounds)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Did you (or your parent or spouse) apply for a work permit or otherwise register for class membership under <u>CSS</u> or <u>Newman/LULAC</u> before October 1, 2000. If "yes," attach copies of any available proof (for example, your <u>CSS</u> or <u>Newman</u> work permit). | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. When you (or your parent or spouse) visited the INS or a QDE during the legalization application period, did you (or your parent or spouse) bring with you a completed legalization application and fee? | <input type="checkbox"/> | <input type="checkbox"/> |

NOTE: If you answered "Yes" to questions 1, 2, and 3, "No" to question 4, and "Yes" to either question 5 or 6, your answers indicate that you may be eligible to apply for legalization under the settlement agreements.

I certify, under the penalty of perjury under the laws of the United States of America, this worksheet and the evidence submitted with it is all true and correct. I authorize the release of any information from my records that the Department of Homeland Security needs to determine eligibility for the benefit I am seeking.

I understand that information I provide in connection with this Class Membership Worksheet is confidential and may not be used to arrest or deport me or for any purpose unrelated to the adjudication of this Class Membership Worksheet except as provided in 8 U.S.C. § 1255a(c)(5).

Signature

Date