

County of Santa Clara

Office of the County Executive

County Government Center
Eleventh Floor – East Wing
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Date: October 25, 2019

To: Honorable Members of the Board of Supervisors
Jeffery V. Smith, M.D., J.D., County Executive

From: David Campos, Deputy County Executive
Mike Gonzalez, Interim Manager, Office of Immigrant Relations

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SUBJECT: Financial Assistance for DACA Renewal Application Fees

On October 8, 2019 (Item No. 13), Supervisor Cindy Chavez made a referral, directing the Administration to explore options for providing financial assistance to Deferred Action for Childhood Arrivals (DACA) recipients who need support to cover DACA renewal application fees.

After carefully considering all options, we believe that the best approach is for the Office of the County Executive, Division of Equity and Social Justice (DESJ), and the Office of Immigrant Relations (OIR) to execute a \$200,000 grant agreement with the Santa Clara County DACA Collaborative to administer funding for DACA scholarships to pay for renewal application fees. The report highlights criteria for the administration of financial assistance funding and outlines the benefits of the proposed option, considering time sensitivity and existing infrastructure.

2019 Board Referral for Financial Assistance Plan to Fund DACA Renewal Application Fees

The recommended approach is similar to our past collaboration with the Silicon Valley Community Foundation (SVFC), which managed County funds in 2017 to provide financial assistance to DACA recipients.

The DACA Collaborative is made up of five community-based organizations, including Services Immigrant Rights & Education Network (SIREN), Catholic Charities of Santa Clara County (CCSCC), Center for Employment Training (CET), Katherine & George Alexander Community Law Center (KGACLC) and Asian Law Alliance (ALA) (a non-funded partner). The Collaborative is already funded by the County to provide workshops, individual application assistance, outreach, and education to DACA clients.

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith

This path is most advantageous for the County for the following reasons:

- The grant agreement process will only take a couple of weeks, enabling the funds to be available sooner than later.
- The DACA Collaborative is already catering to the target audience in providing outreach and application assistance to DACA clients.
- The DACA Collaborative has the tools and resources/infrastructure to maximize reach through direct and indirect community partners.

The DACA Collaborative grant agreement will be executed in November of 2019 and implemented until June 30, 2020, for a higher impact rate in reaching the most vulnerable DACA applicants. The amount of \$200,000 will only be used to assist DACA renewal application fees for DACA recipients (scholarships). To maximize the outcome, the Collaborative will be expected to accept client referrals from agencies outside of the Collaborative.

The following means test requirements will be applied when identifying qualified participants:

- Be eligible for DACA;
- Low income (sliding scale);
- Be in the process of renewing DACA;
- Be a Santa Clara County, resident, student, or be employed in SCC

To provide additional context as to why working with the DACA Collaborative on this matter makes sense, this report describes county-wide efforts that resulted in the creation of the DACA Collaborative and other types of collaborations, as well as outcomes produced by the 2017 emergency financial assistance funding for DACA application fees. OIR surveyed ten service providers who offered DACA-related services and included their responses.

Current Services Provided to DACA Recipients in Santa Clara County

County of Santa Clara, Office of Immigrant Relations (OIR) is responsible for managing and tracking a variety of contract services that aim to maximize resources available to the immigrant community in Santa Clara County.

Through a Request for Proposal (RFP) process, OIR provides funding to legal services providers for DACA related services and the Santa Clara County DACA Collaborative. These services include outreach and legal assistance. For Fiscal Year 2019, a budget of approximately \$200,000 was allocated to five agencies to specifically provide DACA related services.

- **DACA Collaborative program** - Provides legal immigration services for youth and young adults eligible for the DACA program. The Collaborative Service agencies include Immigrant Rights and Education Network (SIREN), Center for Employment Training CET, George Alexander Community Law Center ("KGACLC"), Catholic Charities of Santa Clara County, and Asian Law Alliance (ALA).

- **Outreach and Immigration Legal Services program (includes deportation defense and legal representation)** – Funding is provided to assist with all legal immigration services, including citizenship applications and legal support for Special Immigrant Juvenile Status (SIJS). These services support visa application, deportation defense, court representation, and navigating the application process. DACA is one of the affirmative reliefs provided through this program. Agencies such as Asian Law Alliance (ALA), Bay Area Legal Aid (BALA), and Step Forward Foundation provide renewal DACA application assistance services.

** SSA requested delegation of authority through December 31, 2019, to ensure continuity of services and allow for a robust, competitive process.*

**Pars Equality Center (PARS) and Community Legal Services of East Palo Alto (CLSEPA) – are providing DACA services, but they are not being funded through a County Program.*

2020 Request for Proposal (RFP) – To Support DACA Recipients in Santa Clara County

In partnership with the Social Services Agency (SSA), OIR is in the final steps of completing the Fiscal Year 2020 Request for Proposal (RFP) process to fund the *Immigrant Outreach and Legal Services Program*. The target start date for new contracts awarded as a result of the RFP process is January 1, 2020.

The *Immigrant Outreach and Legal Services* program provides Santa Clara residents with the opportunity to access legal immigration services at no-cost or low-cost. Qualified organizations will offer legal assistance and representation in connection with immigration proceedings and affirmative relief application assistance. This program provides DACA assistance in the following ways: (1) Affirmative relief is offered to recipients who are eligible for renewing their DACA; funded legal service agencies provide consultations and application assistance; (2) DACA Collaborative program caters explicitly to eligible DACA recipients by offering information and legal assistance.

The following is the scope of work for DACA assistance provided by the County through the funded non-profit agencies (*excludes application fee assistance*):

- Assessment of eligibility;
- Submit renewal DACA applications to USCIS;
- Referrals for legal support;
- Completion of DACA forms and log of submission to USCIS;
- Conduct outreach and educate the immigrant community about the benefits of DACA; target Immigrant youth and young adults who meet the eligibility requirements for DACA under federal regulations;
- Outreach to immigrant youth, young adults and their families through presentations and participation in outreach activities such as tabling at community events, CBOs, and high schools

DACA Support Services Offered Throughout Santa Clara County

During the week of October 8, 2019, OIR conducted interactive interviews and received feedback from ten community-based organizations (CBOs) supporting DACA recipients. Each organization provided input on existing services.

70% of the CBOs we surveyed received funding from the County specifically to provide DACA assistance. The remaining 30% received DACA funding through other non-county grants. No agency is providing funds to assist with the USCIS DACA application renewal fee at this time.

Below are the responses from CBOs regarding whether any entities provide funds for the DACA application renewal fee:

- **Step Forward** - Clients pay fees themselves in rare circumstances, the Step Forward offers financial assistance through one of the qualifying grant sources (example: such as a victim of human trafficking).
- **CLSEPA** - Formerly, CLESPA had the support of a community foundation to provide funding to cover the fees for renewals, but funding is no longer available. Most recently, a pro bono partner was hosting DACA clinics, and it provided financing to include application fees for the DACA clients. Otherwise, the clients must raise funds themselves. Funding is also available through a loan by Mission Asset Fund.
- **Catholic Charities** - DACA applicants pay the renewal application fee themselves. Many DACA applicants do not have enough funds, so they borrow from friends and relatives, use high-interest credit cards, or get a loan to pay for the DACA fee. \$495 is a lot of money for many DACA applicants. Catholic Charities did not know any agency covering DACA application fees. The Self-Help Credit Union is providing DACA loans at an interest rate of 15%.
- **BALA** – Shared the loan options, including Mission Fund and the Self Help Credit Union for DACA applications.
- **ALA** – ALA previously received funding from the Mexican Consulate, which paid the fees for low-income clients. However, program funding was exhausted for 2019. The program is projected to continue in 2020.
- **PARS** – PARS provide DACA assistance but does not offer or know of any agency granting funds for the DACA application fee.
- **CET** – CET is not currently offering fee assistance, but they are doing all DACA consultations for free.
- **Pangea Legal Services** – Pangea staff did not know of any funds available for DACA applicants to cover the renewal fees. The agency understood the Mexican Consulate was helping applicants pay their DACA fees, but only for a limited time, and only for Mexican Nationals.
- **Human Agenda** – The office does not directly provide DACA services, but they do support clients in special circumstances. No funds for application fees are provided through their office. Human Agenda is not aware of any other agency providing fee waivers for DACA.
- **SIREN** – SIREN formerly had external funding to support DACA recipients. Financing is no longer available. SIREN is looking for outside sources, but it is unclear when they

will be made available. SIREN is unaware of any agency granting funds for application fees.

All agencies who provided feedback agreed that there was a great need within the community to provide DACA application fee assistance to cover the renewal application fees.

2017 Santa Clara County DACA Emergency Fund

On September 12, 2017, during the Board of Supervisors meeting (Item No. 82) for Emergency Funding and Services for DACA Recipients, the Board approved recommendations for allocating \$200,000 from the General Fund Contingency Reserve for urgent funding and services for DACA recipients. The primary purpose of this emergency funding was to provide funds to DACA recipients to cover their application fees. The funding was executed by an agreement with the Silicon Valley Community Foundation (SVCF).

OIR entered into a contract with SVCF to create a contribution fund with the initial \$200,000 from the County, to allow members of the community, business, and foundations to contribute towards the initiative.

SVCF subcontracted with two separate community-based organizations that lead and promoted various DACA renewal clinics. The agencies included Catholic Charities of Santa Clara County (CCSCC) and Center for Employment Training (CET) to screen and provide direct assistance with renewal applications via scheduled workshops and to offer funds for application fees in the form of checks made out to the U.S. Citizenship and Immigration Services (USCIS) office.

Outcomes from the 2017 Santa Clara County DACA Emergency Fund

In 2017, CET and CCSCC were granted \$100,000 each in Emergency Funding to provide DACA scholarships to cover DACA renewal application fees. Additionally, through private contributions, the SVCF provided CCSCC with additional funding of \$24,740 to support the effort.

Funds were mainly used to assist with the application fee of \$495 to individuals. Only a small amount was an exception used for overhead, including food at workshops for staff/volunteers. A total of **453 DACA qualified recipients** were granted a scholarship (checks made directly to USCIS) to pay for the application fees totaling **\$224,235** of the allocated funds. This meant **99.9% of the funds were used** for the intended purpose of covering the application fees, with only \$341.78 going towards food for staff/volunteers.

Determining the 2017 eligibility to cover the DACA renewal fee

According to CET and CCSCC, no official criteria was set other than:

- Be eligible for DACA
- Be in the process of renewing DACA
- Be a Santa Clara County, resident, student, or be employed in SCC

For individuals who did not meet the set criteria but were of Mexican origin, they were provided a scholarship via the Mexican Consulate. Additional funding support provided by other funders were used to support non-Santa Clara County residents.

Feedback from CET & CCSCC regarding the 2017 Emergency Fund for DACA

CET and CCSCC shared the following benefits in collaboration with SVCF:

- Hosted two large DACA clinics at Martin Luther King Jr. Library in San Jose. Clients were referred from various community organizations.
- This grant allowed the agencies to serve a vulnerable group (of DACA students) addressing their immediate needs in a timely fashion.
- The DACA clinic(s) led to the expansion of social capital by creating new partners and collaborating with old partners for a common cause.
- Ability to subcontract with other CBOs.
- Creation of a contribution fund through SVCF, allowing members of the community, businesses, and foundations to contribute towards the initiative.

The following are challenges and suggestions to improve the implementation of this type of funding:

- Time-limited: Even though \$200,000 was dedicated to serving DACA students, the narrow window of opportunity impeded agencies' ability to provide renewal services or consultation to a more significant number of qualified individuals.
- A collaborative effort may not always result in a fair distribution of the workload by all parties.
- Expand access for all: Include funding and services for residents in rural areas of the county. In urban areas, many agencies are providing similar services.
- Administrative Cost: There was no provision for an administrative fee in the grant, causing more work to nonprofit agencies in disbursing checks with quick turnaround time; applications need to be submitted as quickly as possible to avoid delays. All coordination and administration of funds were provided pro bono.