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The Mayor’s Office of Immigrant Affairs’ response to Texas district court’s May 19 order

We are disappointed to hear of the latest order from the district court in the *Texas v. United States* lawsuit against President Obama’s immigration executive actions. While the case is still before the Supreme Court, the district court judge ordered a set of ethics punishments against the federal government’s lawyers and demanded that the federal government give him a list of certain DACA recipients.

The Mayor’s Office of Immigrant Affairs condemns the judge’s inappropriate demand for a list of DACA recipients, and we urge the federal government to appeal the order. Demanding a list of DACA recipients and their contact information risks eroding immigrants’ trust in the ongoing DACA program. It also risks inhibiting their willingness to access services and support that are crucial to the safety and stability of our communities. New York City and other cities across the country are strong supporters of the rights of their immigrant residents, including DACA recipients. We recognize the importance of maintaining the confidentiality of DACA recipients’ personal information. We strongly disapprove of any potential action, like the ones demanded in this order, that would force immigrants to live in the shadows.

Frequently Asked Questions

The Department of Justice has an opportunity to appeal the order before it takes effect. The order does not apply to DACA recipients from New York State or the other states that are not suing the federal government as part of the *Texas v. United States* lawsuit. Find other frequently asked questions below.

What does the judge’s order say?

On Thursday, Judge Andrew Hanen issued an order to punish the federal government for failing to report certain information early in the *Texas v. United States* lawsuit. This is the case in which states, led by Texas, sued the federal government to enjoin the implementation of President Obama’s Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) and expanded Deferred Action for Childhood Arrivals (DACA) programs. This case is currently on appeal before the Supreme Court.

The judge’s order blames federal Department of Justice attorneys for not notifying him that the federal government had begun issuing three-year DACA renewals in December 2014. More than 100,000 three-year renewals (a part of the expanded DACA program) were issued, and have since been replaced with two-year renewals.

The order demands that the federal government give the judge a list of the names, addresses, and contact information of all of the DACA recipients from Texas and the 25 other plaintiff states who were granted three-year DACA renewals. The order does not apply to DACA recipients

from New York State or the other states that are not suing the federal government as part of this case. The judge states that he will keep this list “under seal” but will consider requests by the states to release the information if they can show that they need the list to prevent damages to their states. The order demands this list be filed by June 10.

How has the DOJ responded?

The DOJ has responded that it strongly disagrees with the judge’s order. The federal government has not yet announced whether it will appeal. We will know more about how DOJ will respond soon.

What is the City’s position?

We condemn this judge's inappropriate demand for a list of DACA recipients, and we urge the federal government to appeal this order. We strongly disapprove of any action that would drive immigrants further into the shadows.

Will this impact the Supreme Court case?

No. The Supreme Court is reviewing the injunction that the judge placed on the DAPA and expanded DACA programs, not this dispute.

I live in New York City and am a DACA recipient. Will my data be shared?

No. If this order stands, then the federal government will be forced to file a list of individuals who received three-year DACA renewals from November 20, 2014, through March 3, 2015, and who were at the time living in one of the following states: Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Kansas, Louisiana, Maine, Michigan, Mississippi, Montana, Nebraska, Nevada, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia, and Wisconsin.

What is New York City doing to support its DACA-recipient residents?

New York City stands in solidarity with DACA recipients. We know from experience that DACA is a powerful tool to help immigrants and help the City. New York City continues to do outreach and provide legal support to help immigrants apply for DACA, and we work with DACA recipients to help them gain access to all the benefits of DACA available in New York, including health insurance, tax credits, and professional licensure. DACA is a boon for immigrants and for our City and we will do everything in our power to protect and support DACA recipients. Visit NYC.gov/DACA to learn more about DACA.