

**READOUT: THE MAYOR'S OFFICE OF IMMIGRANT AFFAIRS (MOIA) HOSTS ROUNDTABLE AT CUNY'S CENTER FOR COMMUNITY AND ETHNIC MEDIA TO INFORM NEW YORK CITY IMMIGRANTS ABOUT THEIR RIGHTS AND KEY CITY SERVICES**

*Roundtable is part of a coordinated effort at MOIA to connect New York City immigrants to NYC government and essential information and services after the Supreme Court decision on expanded DACA and DAPA*

*Guest speakers included NYC Department of Consumer Affairs and Council Member Mathieu Eugene*

On July 7, 2016, Commissioner Nisha Agarwal of the Mayor's Office of Immigrant Affairs (MOIA) held a press briefing at CUNY's Center for Community and Ethnic Media to inform immigrant New Yorkers of their rights and of Mayor Bill de Blasio and MOIA's commitment to connecting all immigrant New Yorkers to key city services as well as programs like IDNYC, ActionNYC, and ActionHealthNYC, which address needs that are specific to immigrant communities.

First, Commissioner Nisha Agarwal expressed Mayor Bill de Blasio and MOIA's deep disappointment with the Supreme Court decision. On June 23, the Supreme Court issued a tie decision about the President's executive actions on immigration. As a result of the tie, immigrants cannot apply for Expanded DACA and DAPA programs. Commissioner Agarwal stressed that now is the time for immigrants to get connected to their communities as well as important services that are offered by NYC city government. This includes immigrants who may be eligible for the original DACA program, which is not affected by the Supreme Court decision. DACA provides certain undocumented immigrants with temporary protection from deportation, work authorization, a driver's license and other benefits. If immigrant New Yorkers are not sure if they qualify for DACA, they should call 311 or go to [nyc.gov/deferredaction](http://nyc.gov/deferredaction) for more information. Commissioner Nisha Agarwal encouraged all immigrants in New York City to seek the services that they are eligible for, no matter their status, including IDNYC, ActionNYC, and ActionHealthNYC programs as well as health care services, education and after-school programs, and emergency food assistance and shelter.

Council Member Mathieu Eugene gave comments in English and French. He said that the Supreme Court ruling does not reflect our nation's proud tradition of embracing hard working people from every part of the world who come to America seeking the opportunity to live peacefully with their families. Council Member Eugene said that he and his colleagues in the City Council and the Mayor's Office are strongly committed to encouraging Congress and federal offices to reform the nation's immigration system.

Steven Ettannani, Senior Advisor, State and Federal Policy at the NYC Department of Consumer Affairs (DCA) spoke on behalf of DCA Commissioner Lorelei Salas. He discussed DCA's role in preventing immigration services provider (ISP) fraud. ISPs are people or businesses without legal training who charge fees for immigration services. They cannot advise people on how to resolve an immigration issue in any way and cannot help customers prepare for immigration interviews. The Department of Consumer Affairs recommends only using ISPs for help with

obtaining supporting documents, arranging photos or medical tests, notarization (if licensed), and free referrals to legal providers.

Giovanni Bueno, a New York City resident who received free legal services from Make the Road New York (MRNY) as part of ActionNYC, discussed his need for safe and legal support as a DACA holder. He credited ActionNYC with connecting him to MRNY, which gave him and his sisters the support they needed to prepare their DACA renewal documents. Giovanni appreciates the secure and confidential nature of ActionNYC services. While members of his family would have benefitted from DAPA, and while the Supreme Court decision was a disappointment, he is grateful that NYC is moving forward to make sure that immigrants have access to key City services and programs. He has used services like ActionNYC and IDNYC and encourages immigrants to seek out these programs, as he has directly benefited from them.

Reporters from a variety of publications asked a range of questions about the current DACA program, community concerns surrounding fraud, and city services like IDNYC, ActionNYC, and ActionHealthNYC. A topline summary of the topics covered during the Q&A session are incorporated into the FAQ below. Reporters also spoke to members from African Communities Together, the Charles B. Wang Community Health Center, and Maribel Hernández Rivera, executive director of legal initiatives at the Mayor’s Office of Immigrant Affairs at the conclusion of the program.

## **FREQUENTLY ASKED QUESTIONS:**

### **What are the most important things New York City immigrants should know after the Supreme Court decision about the President’s executive actions on immigration?**

- Immigrants *cannot* apply for Expanded DACA and DAPA, the two programs that were at issue in the Supreme Court case on the President’s executive actions on immigration.
- However, immigrants *can* continue to apply for the original 2012 DACA (Deferred Action for Childhood Arrivals) program. The Supreme Court decision does not affect the existing DACA program. DACA is still available, and it provides certain undocumented immigrants with temporary protection from deportation, work authorization, and other benefits. If you are not sure whether you qualify for DACA, call 311 and say “DACA” or go to [nyc.gov/deferredaction](https://nyc.gov/deferredaction) for more information.
- Don’t trust anyone who promises to help you apply for Expanded DACA or DAPA. Those programs are not available. Beware of fraudulent providers.
- All immigrants in NYC have access to health care services, education and after school programs, emergency food assistance and shelter, and IDNYC, among other services and resources. The City will continue to work to connect immigrants, regardless of status, to the resources they need for their families and communities to thrive.
- The City will also continue to advocate for urgently needed federal immigration reform.

### **Where can immigrants and refugees in New York City get help?**

- For immigration legal help, immigrants can call 311 and say “ActionNYC.” **ActionNYC** is a joint program of the Mayor’s Office of Immigrant Affairs and the City University of New York, that provides free, community-based immigration legal screenings and assistance. ActionNYC launched in February 2016 and has already reached over 18,000 immigrant New Yorkers.

- Immigrants can also call 311 to learn more about the City services which are available to all residents regardless of immigration status, including:
  - **IDNYC** ([nyc.gov/idnyc](http://nyc.gov/idnyc)), the country's largest municipal ID program, available to all New York City residents 14 and over.
  - **ActionHealthNYC** ([nyc.gov/actionhealthnyc](http://nyc.gov/actionhealthnyc)), a health care access program for uninsured immigrants who are ineligible for federal and state public health insurance programs.
  - **Health care services, education and after-school programs, child care services, emergency food assistance and shelter.** Visit [nyc.gov/immigrants](http://nyc.gov/immigrants) for more.
- The following Resource and Referral Guide provides information on services available to recently arrived immigrant children and their families and caretakers, including refugees. These services include education, child and family welfare, health, legal, and other services. Find English and Spanish versions here: <http://www1.nyc.gov/site/immigrants/programs/social-economic/immigrant-children-resources.page>.

### **What are the rights of immigrants and immigrant families in New York City?**

- **Privacy.** City agencies are forbidden by Executive Orders 34 and 41 from asking about immigration status except under limited circumstances, such as determining eligibility for a benefit or service or when required by state or federal law, or, for law enforcement agencies, when investigating illegal activity unrelated to civil immigration violations.
- **Language Access.** City agencies that provide direct social services are required by law to arrange for interpretation and translations in at least the top six languages spoken by limited English proficient NYC residents.
- **City Services.** All New Yorkers, regardless of immigration status, have the right to access most City services, including education, health care services, emergency food and shelter, legal services, and IDNYC, the City's municipal ID program.

### **What are the differences between DACA, Expanded DACA, and DAPA?**

- **DACA** (Deferred Action for Childhood Arrivals): This program is for undocumented immigrants who are currently under the age of 35, came to the U.S. before June 15, 2007, and were under age 16 when they arrived. This program continues. People can still apply.
- **Expanded DACA:** This program would have expanded DACA eligibility to undocumented immigrants who came to the U.S. before the age of 16 and before January 2010, regardless of their current age. This program has been put on hold by the courts.
- **DAPA** (Deferred Action for Parents of Americans and Lawful Permanent Residents): This program would have been for undocumented parents of U.S. citizen or permanent resident (green card holder) children, who came to the U.S. before January 2010. This program has been put on hold by the courts.

### **Immigrants' Rights**

#### **Fraud, such as the existence of notarios, does happen in New York communities. How is the de Blasio administration addressing this problem?**

- While New York City has always invested in ways to deter immigration fraud, ActionNYC is creating a more coordinated system that gives immigrant New Yorkers a clear, community-based alternative to fraudulent providers. The Mayor's Office of

Immigrant Affairs is also part of a task force formed by the Mayor, NYC's Department of Consumer Affairs, and the NYS Attorney General to combat fraudulent activity.

### **How can immigrants protect themselves from fraud?**

- Bad legal advice can have serious negative consequences for immigrants.
- Beware of:
  - People who claim they can help immigrants apply for Expanded DACA and DAPA. Those programs are not available.
  - People who claim they can help immigrants get on a priority list or have special access to immigration authorities.
- Tips for immigrants seeking help from an attorney or other immigration services provider:
  - Do not sign any blank forms or contracts.
  - If you don't understand what it is, don't sign it.
  - Do not leave original documents with your provider.
  - Only go to a provider that has a physical location, not one that is only available by phone or email.
  - Always get copies of anything that a provider prepares for you.
- Only licensed attorneys and representatives accredited by the Board of Immigration Appeals are authorized to provide immigration legal advice.
- Immigrants who think they may have been the victim of immigration services fraud should call 311 or the NYS New Americans hotline at (800) 566-7636.
- The Department of Consumer Affairs has tips for consumers who are considering using Immigration Assistant Service Providers (ISPs). Find guides in the languages that New Yorkers speak at the following links:
  - English: <http://www1.nyc.gov/assets/dca/downloads/pdf/consumers/Consumers-Immigration-Assistance-Service-Provider-English.pdf>
  - Spanish: <http://www1.nyc.gov/assets/dca/downloads/pdf/consumers/Consumers-Immigration-Assistance-Service-Provider-Spanish.pdf>
  - Bengali: <http://www1.nyc.gov/assets/dca/downloads/pdf/consumers/Consumers-Immigration-Assistance-Service-Provider-Bengali.pdf>
  - Chinese: <http://www1.nyc.gov/assets/dca/downloads/pdf/consumers/Consumers-Immigration-Assistance-Service-Provider-Chinese.pdf>
  - Haitian Creole: <http://www1.nyc.gov/assets/dca/downloads/pdf/consumers/Consumers-Immigration-Assistance-Service-Provider-HaitianCreole.pdf>
  - Korean: <http://www1.nyc.gov/assets/dca/downloads/pdf/consumers/Consumers-Immigration-Assistance-Service-Provider-Korean.pdf>
  - Russian: <http://www1.nyc.gov/assets/dca/downloads/pdf/consumers/Consumers-Immigration-Assistance-Service-Provider-Russian.pdf>

### **DACA Related Questions**

#### **How many people are DACA eligible?**

- According to City estimates, about 85,000 New Yorkers could qualify for or already have DACA.

#### **How many people have applied for DACA so far?**

- As of March 31, 2016, 36,640 New York State residents have applied.

**People are afraid that if they apply for DACA now, or if they seek additional benefits such as Medicaid on the basis of being DACA, they will identify themselves as “illegals.” What is MOIA’s response?**

- United States Citizenship and Immigration Services (USCIS) is the federal agency that reviews DACA applications. USCIS put confidentiality protections in place for DACA. USCIS does not share information about DACA applicants with enforcement officials unless the case involves fraud, a criminal offense, a threat to public safety or national security, or other exceptional circumstances. In addition, USCIS does not share information about DACA recipients or their families with enforcement officials except in cases involving a criminal investigation or national security.
- If you meet all of the requirements for DACA, we encourage New Yorkers to apply. Potential DACA applicants who have been arrested, however, should speak with a trusted immigration attorney for advice before applying.

**Who can request DACA?**

- You may request DACA if you:
  - Were under the age of 31 as of June 15, 2012;
  - Came to the United States before reaching your 16th birthday;
  - Have continuously resided in the United States since June 15, 2007, up to the present time;
  - Were physically present in the United States on June 15, 2012, and at the time of making your request for consideration of deferred action with USCIS;
  - Had no lawful status on June 15, 2012;
  - Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
  - 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.
  - It is important to note that immigrants who do not have a high school degree may still be eligible for DACA if they meet the other criteria and enroll in a qualifying educational or vocational program. For more information and help, you can call 311 and say “ActionNYC” and/or “DACA.”

**Other Quick Links:**

- Find a calendar of community info sessions in Bangla, Cantonese, French, Fujianese, Korean, Mandarin, Spanish, and Urdu here:  
<http://www1.nyc.gov/site/immigrants/about/upcoming-events.page>.
- Find information on all city services available to immigrants at [nyc.gov/immigrants](http://nyc.gov/immigrants).

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