



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

ANDREW M. CUOMO

CESAR A. PERALES

May 21, 2012

Dear Community Member:

New York has historically served as a leader among the states on immigrant issues, and New York City is an internationally recognized port of entry symbolizing the struggles and opportunities that constitute the immigrant experience. Today, 4.2 million immigrants live in New York State, and one in four New Yorkers of working age are foreign born. Like past waves of immigrants, today's new Americans come looking for opportunity. By developing the talents and entrepreneurial spirit of new Americans in our state, we can reinvigorate our economy. To do this, Governor Andrew Cuomo created the Office for New Americans.

In preparing to host this new office, we have held roundtable discussions with immigrant service providers around the state, and spoken with many organizations about the diverse needs of immigrant communities. In addition, we have visited multiple English language education and naturalization programs to see how services are delivered, and researched and analyzed the skills and vulnerabilities of immigrants in New York. The information collected has informed the development of an innovative policy agenda that will encourage new Americans to fully participate in our State's civic and economic life.

Part of that agenda includes releasing two complementary Requests for Applications (RFAs). Prior to release of these RFAs, we have developed the attached Concept Paper (available on our website at <http://www.dos.ny.gov/funding/>), which describes our intention to create a statewide network of neighborhood-based Office for New Americans sites, expand access to free legal advice, and build new partnerships that will support new Americans as they realize their entrepreneurial dreams.

I welcome your constructive feedback and comments on our Concept Paper. Please submit all comments in writing by email to onaconceptpaper@dos.ny.gov on or before June 8, 2012. I also urge you to distribute the Concept Paper to all those who are interested in services for new Americans.

Sincerely,

A handwritten signature in cursive script that reads "Cesar A. Perales".

Secretary of State Cesar A. Perales

Office for New Americans
Concept Paper – May 21, 2012

Introduction

As Governor Cuomo said during his second State of the State address, “we are a state of immigrants ... [w]hile other states build walls to keep people out, we open our arms and we invite people in.” By doing this, we benefit all New Yorkers. New Americans bring unique energy and talent to our state, and have helped combat economic decline during the recession. In order to ensure that new Americans have the opportunities necessary to realize their full potential, Governor Cuomo created the Office for New Americans (“ONA”).

The ONA proposes to release two complementary Requests for Applications (“RFAs”). The first will support the creation of up to 30 ONA Neighborhood-Based Service Provider Sites (“ONA Sites”) around New York State, which will provide English-language training and help the nearly 1 million New Yorkers eligible to become United States citizens to naturalize. Each ONA Site will also host entrepreneurship trainings and immigration law consultations. The second RFA will support three immigration attorneys, referred to as the “ONA Legal Counsels”, who will provide legal technical assistance to ONA Sites and other immigrant service providers in assigned regions of the state. Each ONA Legal Counsel will provide Board of Immigration Appeals training to immigrant service providers and develop relationships with pro bono legal services organizations to expand access to low-cost immigration law services.

We propose that each agency or consortium of agencies hosting a neighborhood-based ONA Site be eligible to receive between \$160,000 and \$180,000 for the year beginning October 1, 2012, with the possibility of renewal for two additional years. We propose that each agency hosting an ONA Legal Counsel be eligible to receive between \$130,000 and \$150,000 for the year beginning October 1, 2012, with the possibility of renewal for two additional years.

We welcome your constructive feedback on this proposal. Please submit comments in writing via email to onaconceptpaper@dos.ny.gov as soon as possible. We are only able to review written comments provided on or before June 8, 2012.

Proposed Timeline

Concept Paper Comment Due Date:	June 8, 2012
RFA Release Date:	June 22, 2012
Application Due Date:	August 3, 2012
Award Announcement Date:	August 31, 2012
Project Start Date:	October 1, 2012

Proposed ONA Network and ONA Site Services

The first RFA seeks 30 organizations or consortia of organizations capable of hosting an ONA Site on their premises. Each ONA Site will have a unique space within the host organization, which will be designated by branded signage. Each ONA Site will provide five central services, including (1) English Language Training, (2) Naturalization Assistance, (3) Entrepreneurial Support, (4) Host Immigration Law Consultations and Provider Trainings, and (5) Access to Additional Opportunities.

1. English-for-Speakers-of-Other-Language Training

Every new American who wants to learn English should have the opportunity to do so. Today, more than 1 million New Yorkers are Limited English Proficient (LEP). Providing access to English-for-Speakers-of-Other-Languages (ESOL) throughout the state is vital to incorporating LEP individuals into our workforce and communities.

Each ONA Site will provide at least 200 hours of ESOL instruction to more than 200 LEP clients per year, thereby dramatically expanding new Americans' access to English language instruction in our state. The preferred model for teaching English will combine the use of volunteers with the ESOL learning software USA Learns (www.usalearns.org). Volunteers will not only help clients navigate the USA Learns site, they will also engage clients in conversations related to the content of each USA Learns lesson. Other ESOL instruction models may be proposed, but regardless of the instruction model, all must incorporate the recruitment and use of a significant number of community volunteers who will help with English instruction and link new Americans to their New York communities.

2. Naturalization Assistance

We will enable those foreign born New Yorkers who yearn to be citizens to attain their dream. Nearly one million New Yorkers are eligible to naturalize, yet the annual number of naturalizations has fallen dramatically since 2008, when the federal government made the English reading and writing portion of the naturalization exam more difficult and increased the naturalization fee per individual from \$330 to \$595. Since then, the number of naturalizations nationwide has decreased by 40 percent; from over one million in 2008 to about 619,000 in 2010. We have a similar downward trend in our state.

To reverse this trend, each ONA Site will assist new Americans with the naturalization process. The preferred model for providing naturalization assistance will combine the use of a significant number of community volunteers with innovative technology. ONA Sites will recruit volunteers to assist new Americans in completing citizenship applications and welcome them to the family of New York. ONA Sites will train the volunteers on substantive and procedural issues related to naturalization, as well as cultural issues affecting the new American population in their community. ONA Sites will also coordinate trainings on the preferred software for volunteers. Before implementing the preferred model for naturalization assistance, ONA Site staff will receive training on the software, as well as assistance in developing the most effective way to integrate the technology into their services.

Each ONA Site will host at least four citizenship drives per year, during which new Americans interested in becoming United States citizens will complete citizenship applications online with the assistance of ONA Site staff, volunteers, and ONA Legal Counsels. ONA Sites may choose to provide additional legal support at the citizenship drives, and the ONA Legal Counsel will be charged with recruiting pro bono attorneys to provide

assistance. ONA Sites are charged with publicizing each citizenship drive in new American communities and ensuring that substantial numbers of new Americans participate in the drives.

ONA Sites will also assist new Americans with citizenship applications on a rolling basis. Through citizenship drives and ongoing assistance, each ONA Site will recruit and assist enough clients with naturalization to submit at least 100 citizenship applications to United States Citizenship and Immigration Services (USCIS) per year. ONA Sites will collaborate with the ONA Legal Counsels to ensure legal review of all citizenship applications prior to submission to USCIS.

3. Entrepreneurial Support

The ONA seeks to harness the entrepreneurial spirit of new Americans by helping them to start their own businesses in New York. Each ONA Site will host a “starting your own business seminar” at least four times per year. These seminars will be provided by the regional New York State Small Business Development Centers (SBDC), Entrepreneurial Assistance Programs (EAP), and others. The ONA Site will schedule the seminars, provide training space, recruit and register clients for the seminars, and provide general administrative support. We expect each ONA Site to recruit and administer the attendance of between 60 and 100 students in entrepreneurial courses per year.

In anticipation of these seminars, ONA Site staff will undertake training in entrepreneurship services in New York State and on how to recognize entrepreneurial potential.

4. Host Immigration Law Consultations and Provider Trainings

Each ONA Site will host the ONA Legal Counsel during immigration law consultation days. These consultations are half-day or full-day sessions in which the ONA Legal Counsel will meet one-on-one with new Americans to discuss immigration law questions. ONA Sites may choose to provide additional legal support at the consultation days, and the ONA Legal Counsel will be charged with recruiting pro bono attorneys to provide assistance. These one-time meetings will not create ongoing attorney-client relationships between the participating attorneys and the clients.

The ONA Sites will work with their assigned ONA Legal Counsel to schedule a mutually convenient legal consultation day approximately once per month. ONA Sites will publicize the availability of immigration law consultation services at their site, schedule client consultations, and manage walk-in clients during consultation hours. We expect each ONA Site to host nine to 12 legal consultation days per year, and to recruit and schedule approximately 100 new Americans to meet with the ONA Legal Counsel and available pro bono attorneys during those legal consultation days.

Up to 12 ONA Sites per year will host Board of Immigration Appeals (BIA) accreditation training provided by the ONA Legal Counsel. In anticipation of each hosted BIA training the ONA Site will invite immigrant service providers in the ONA Legal Counsel’s region to participate. The ONA Site will bring together as many immigration service providers as possible to each BIA training, even if providers must travel from other areas of the state.

5. Access to Additional Opportunities

ONA Sites will develop and expand community relationships to maximize new Americans’ access to opportunities. In particular, ONA Sites should work with nearby New York Department of Labor One-Stop centers and link new Americans to job training, interview skills training, resume writing workshops, and

professional networking opportunities. ONA Sites should also provide new Americans with information about civic and community engagement opportunities, including information about Parent-Teacher Associations, School Board meetings, Head Start Programs and educational opportunities for immigrants and their children. Finally, ONA Sites will occasionally host events and trainings at ONA's request.

Proposed ONA Legal Counsel Duties

New Americans in New York State lack options for free or low-cost legal services to assist them with immigration law questions. They therefore turn to service providers who may not be expert in immigration law or qualified to provide legal services. To address these issues, the ONA will expand the availability of expert immigration lawyers while building the capacity of immigration service providers around the state.

The second RFA seeks up to three organizations capable of hiring and supporting an immigration attorney, referred to as the "ONA Legal Counsel", who will provide legal technical assistance to ONA Sites and other immigrant service providers in assigned regions of the State. Two of the three regions will be located in the downstate area, and the third region will cover most of upstate New York. The exact boundaries of the regions may be adjusted after ONA Sites are selected to ensure that each ONA Legal Counsel has responsibility for a region with approximately the same number of ONA Sites. We anticipate that each ONA Legal Counsel will have responsibility for serving between seven and 10 ONA Sites.

We propose that host organizations hire or repurpose an immigration attorney to work full-time as an ONA Legal Counsel, and provide ONA Legal Counsel's with competitive public-service salaries and benefits. Each ONA Legal Counsel should (1) be a member in good standing of the New York State Bar, and (2) have four or more years of experience as an attorney, including at least two years of immigration law experience.

We propose that the duties of each ONA Legal Counsel include:

1. Ensure that all ONA Sites and immigrant service providers in the assigned region know that the ONA Legal Counsel is available to answer questions related to immigration law;
2. Timely respond to immigration law questions from ONA Sites and other immigrant service providers in assigned region;
3. Attend between 28 and 40 citizenship drives per year at ONA Sites in assigned region, where the ONA Legal Counsel will answer legal questions related to naturalization, and review and approve all citizenship applications before submission to USCIS;
4. Review and approve all citizenship applications completed at ONA Sites on a rolling basis before submission to USCIS;
5. Provide between 70 and 100 immigration law consultations (half-day or day-long sessions during which the ONA Legal Counsel provides clients one-on-one legal advice without forming an ongoing attorney-client relationship) per year at ONA Sites in assigned region;
6. Track the types of immigration law questions asked during immigration law consultations;
7. Provide ONA Sites a list of not-for-profit immigration law providers and immigration lawyer referral services in assigned region for distribution to clients;

8. Provide two to four 40-hour BIA accreditation-related trainings to ONA Site staff and other immigrant service providers in assigned region per year; and
9. Develop relationships with pro bono legal organizations, volunteer lawyer associations, independent volunteer lawyers, law firms, law school clinics, law school pro bono programs, and volunteer law students, who can assist in providing the services listed above and generally expand the legal services options available to new Americans in New York state.

Proposed Funding Levels

The ONA proposes that each ONA Site be eligible for between \$160,000 and 180,000 per year to support ONA activities. The ONA proposes that each ONA Legal Counsel host organization be eligible for between \$130,000 and \$150,000 per year to support the ONA Legal Counsel's activities.

Proposed Payment Structure

ONA proposes to support ONA Sites with a base amount of \$160,000 paid out on a reimbursement basis, twenty-five percent of which will be distributed on or around October 1, 2012. An additional \$20,000 will be made available to each ONA Site that goes beyond requirements in terms of the number of community volunteers recruited, the number of English-language-learners trained, the number of new Americans naturalized, and other payment points to be defined in the contract.

ONA proposes to support ONA Legal Counsels through a reimbursement-based contract, with twenty-five percent of funds distributed on or around October 1, 2012.

Proposed Contract Term

The ONA anticipates that all contracts responsive to these RFAs will run from October 1, 2012 to September 30, 2013, with the option of two, one-year renewals.

Conclusion

Thank you for reviewing this Concept Paper. We welcome your constructive feedback. Please submit comments in writing via email to onaconceptpaper@dos.ny.gov as soon as possible. We are only able to review written comments provided on or before June 8, 2012.