

THE COUNCIL OF THE CITY OF NEW YORK

Hon. Corey Johnson
Speaker of the Council

Hon. Daniel Dromm
Chair, Finance Committee

Hon. Carlos Menchaca
Chair, Immigration Committee



Report to the Committee on Finance and the Committee on Immigration
on the Fiscal 2021 Executive Plan for the

Mayor's Office of Immigrant Affairs

May 21, 2020

Finance Division

Florentine Kabore, Financial Analyst
Crielhien R. Francisco, Unit Head

Latonia McKinney, Director
Regina Poreda-Ryan, Deputy Director

Paul Scimone, Deputy Director
Nathan Toth, Deputy Director

Immigrant Services Overview

This report presents a review of the Mayor’s Office of Immigrant Affairs’ (MOIA) Fiscal 2021 Executive Budget. The section below presents an overview of MOIA’s budget and other agency programming and how it has changed during Fiscal 2021. This is followed by the Council’s Fiscal 2021 Budget Response proposals related to immigrant New Yorkers, followed by a review of the significant budget actions introduced in the Fiscal 2021 Executive Budget. Major issues related to MOIA’s budget and other City agencies are then discussed.

For additional information on the budget for major immigration services and various programs, please refer to the Fiscal 2021 Preliminary Budget Report for MOIA at: <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2019/03/MOIA2020.pdf>.

MOIA Funding Summary

Below is a summary of key funding changes by agency when comparing the Fiscal 2021 Executive Budget to its Fiscal 2020 Adopted Budget.

Figure 1: MOIA Financial Summary



The Fiscal 2021 Executive Plan proposes \$818,000 for the Mayor’s Office of Immigrant Affairs in Fiscal 2021, which represents an increase of \$7,000 or less than one percent, when compared to the Fiscal 2020 Adopted Budget of \$811,000. The proposed budget for MOIA in Fiscal 2021 is unchanged from the Fiscal 2021 Preliminary Plan released in January 2020.

New in the Executive Budget

The Fiscal 2021 Executive Plan introduces \$2.2 million in other adjustments, and \$500,000 in savings in Fiscal 2021.

Other Adjustments

- Census Outreach Funding.** The Fiscal 2021 Executive Plan includes \$2.2 million in Intra City funds to support census operation. This funding for the census is included in the following agencies: New York Public Library, Brooklyn Public Library, Queens Borough Public Library and the City University of New York.

- **IDNYC.** The Fiscal 2021 Executive Plan includes an adjustment of \$737,000 in Intra City funds for IDNYC to continue the public education campaign on the program.

Savings

- **IDNYC - Savings.** A savings of \$500,000 in Fiscal 2020 and \$1.4 million into the outyears is included in the Fiscal 2021 Executive Plan. These are administrative savings relating to technology services, maintenance, and licensing that were utilized at lower amounts than initially anticipated.

COVID-19 Impact on New York City Immigrants

The COVID-19 pandemic continues to negatively impact immigrants across New York City. However, despite contributing nearly \$460 billion in 2018 in taxes to federal, state and local governments,¹ undocumented immigrants and mixed-immigration status couples were omitted from the federal coronavirus relief bill that authorized checks of up to \$1,200 to most taxpayers. There are more than half a million of undocumented immigrants in the City and the State and New York City has not created an alternative stimulus initiative to support those left behind by the federal administration.

Economic and Financial Impact

The COVID-19 leads to a widespread health and economic consequences. On March 27, 2020 Congress passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). Soon after, New Yorkers have begun receiving their stimulus checks authorized by the CARES Act. However, the emergency assistance bill excludes nonresident aliens from eligibility.² Undocumented immigrants and their families are not part of those who will be receiving these stimulus checks since to qualify for the Internal Revenue Services' (IRS) Economic Impact Payments individuals must be a U.S. citizen or U.S. resident alien and have a social security number. Additionally, the IRS added that only married couples in which both partners have valid Social Security numbers will receive stimulus checks.

On April 16th, Mayor de Blasio announced a partnership with the Open Society Foundation to establish the New York City COVID-19 Immigrant Emergency Relief program. This involves a \$20 million donation that will be allocated to 20,000 immigrant workers and their families who have largely been excluded from the federal COVID-19 relief programs. The NYC Mayor's Office of Immigrant Affairs and the Mayor's Fund to Advance New York City are tasked with creating a citywide network of community-based organizations and worker centers will disseminate one-time emergency relief payments to eligible New Yorkers in the following amounts:

- \$400/individual;
- \$800 for couple or single parent with children;
- \$1,000 for family with multiple adults and children; and/or
- where identified increased additional supports.

Health and Mental Health

The public charge rule, which threatens the permanent status for immigrants who utilize certain public benefits, has already caused many immigrants to forgo food stamps and other programs before the pandemic. The United States Citizenship and Immigration Services (USCIS) has

¹ <https://www.newamericaneconomy.org/locations/national/>

² Proposed Sec. 6428(e)(3)(a)

announced that treatment and preventive services for COVID-19 will not negatively impact the outcome for any person subject to the "public charge" test, even if the treatment and/or preventive services are provided or paid for by one or more public benefits considered under the "public charge" test. However, advocates are reporting that many immigrants are now even too scared to get tested and treated for COVID-19 because of the public charge rule. As it has been noted, the COVID-19 contagion has exposed New York City inequities in the immigrant neighborhoods far more quickly than others.

The Borough of Queens and Bronx are mostly populated by immigrant' communities. The City's public hospital - Elmhurst Hospital Center - was one of the facilities hardest-hit by the virus. For many immigrants, the fear of getting sick is heightened by the prospect of becoming homeless. Despite the City's social distancing policies, immigrant communities will continue to be tested positive because they lack access to healthy food; the majority of them live in larger households, and because they have limited access to higher-paid jobs, specially the undocumented ones, therefore they are in constant contact with people.

Immigrant Small Business

Immigrant workers and small business owners make up a large percentage of the industries that have been most harmed by the coronavirus. The major industries include grocery stores, dry cleaners, nail salons, restaurants and gas stations. It is clear that business closures disproportionately impact immigrant families. Researchers estimate that the industries that have been most impacted include the food services industry, leisure and entertainment businesses, and retail ³ – all of whom employ large numbers of immigrants.⁴ As an example, the number of the food service industry opened to the public was down by almost 30 percent as March 18th.⁵

The Robin Hood Foundation (RH) provides grants to restaurant industry employees who have been adversely impacted by COVID-19 financially, whether through a decrease in wages or loss of employment that results in a lack of resources to pay for essential expenses. Each approved application will be subject to a one-time grant of \$500 that will be disbursed directly to the applicant.

California has an estimated two million undocumented immigrants and has been the most responsive state in the nation when it comes to giving benefits to immigrants living in the country illegally. Governor Gavin Newsom has announced that the State will use a mix of taxpayer money and charitable contributions to give cash payments of \$500 each for 150,000 undocumented adults during the coronavirus outbreak. In 2019, California became the first state to give taxpayer funded health benefits to low-income adults 25 and younger who are undocumented.

Fiscal 2021 Preliminary Budget Response

The Preliminary Budget was released in January 2020; the City's fiscal position was entirely different. The threat of COVID-19 was not factored into the Preliminary Financial Plan. During the intervening three months, COVID-19 has drastically impacted the City's health care system and the economy.

³ <https://joinhomebase.com/blog/real-time-covid-19-data/>

⁴ The Migration Policy Institute also found that immigrants made up 25% of workers in the construction industry, 20% of workers in the accommodation, recreation, and food services industry, 19% of the transportation/warehousing and manufacturing industries, and 14% of the retail industry. <https://www.migrationpolicy.org/data/state-profiles/state/workforce/US>.

⁵ <https://joinhomebase.com/blog/real-time-covid-19-data/>

Therefore, the response to the Preliminary Budget that the Council offers this year contains an estimation of the components of the baseline budget that are essential and must be preserved even in the face of impending budget cuts. Additionally, the Council made the tough decisions about where to find savings and efficiencies to protect the safety net programs.

The Council offers guidance for the reimbursement of costs pursuant to discretionary awards made in Fiscal 2020, and specifically for the period between March 23, 2020 and June 30, 2020. The Council values our not-for-profit partners and the critical services that they provide for the residents of New York City.

The COVID-19 pandemic has created significant financial uncertainty for many providers and policies were to be set forth to afford a measure of certainty and outline the ability of providers to be reimbursed for eligible work performed. Moreover, the City designed guidelines on which activities, programs and services are "essential" and "not essential" that will be applied for the remainder of Fiscal 2020. Among those essential services were included providers of basic necessities to economically disadvantaged populations.

New York City Council Immigrant Initiatives

Several items the City Council advocated for that were included in the Fiscal 2020 Adopted Budget are not funded in Fiscal 2021. For Fiscal 2020, the City Council included \$55 million for immigrant services that reflect the Council's continued commitment to ensuring that immigrant New Yorkers have access to legal assistance, health services, and other supports. The table below shows the thirteen initiatives not funded in Fiscal 2021, followed by brief descriptions of these services.

Fiscal 2020 Council Initiatives ('000s)				
#	Agency	Initiative	Amount	Target Population
1	HRA	New York Immigrant Family Unity Project	\$16,600	Indigent immigrants detained
2	DYCD	Adult Literacy Initiative	12,000	Adults
3	DCLA	Cultural Immigrant Initiative	7,395	Individuals interested in various immigrant cultures.
4	HRA	Unaccompanied Minors and Families	3,982	Children and families in removal proceedings
5	CUNY	CUNY Citizenship NOW! Program	3,250	New York City's immigrant population
6	SBS	Day Laborer Workforce Initiative	2,970	Day laborers in New York City
7	HRA	Immigrant Opportunities Initiative	2,600	New York City's immigrant population
8	DOHMH	Immigrant Health Initiative	2,000	New York City's immigrant population
9	DFTA	Senior Centers for Immigrant Populations	1,500	Immigrant seniors
10	SBS	Construction Site Safety Training	1,100	Construction Workers and Subcontractors; Construction worker apprentices
11	DYCD	Key to the City	700	New York City's immigrant population
12	MOCJ	Immigrant Survivors of Domestic Violence	530	Young immigrants ages 16-24 affected by domestic violence
13	HRA	Low Wage Worker Support	500	Low-wage workers requiring employment-based civil legal assistance
TOTAL			\$55,127	

- 1. New York Immigrant Family Unity Project (NYIFUP) - \$16.6 million.** This initiative supports the City's legal representation program for New Yorkers detained and facing deportation who cannot afford an attorney. NYIFUP provides services including master calendar, bond and individual merits hearings, appeals, and social work services.
- 2. Adult Literacy - \$12 million.** The Adult Literacy Program provides instructional and support services to anyone over the age of 16 who is not enrolled or required to be

enrolled in school and who is unable to speak, read and/or write the English language well enough to participate in education or training programs conducted in English. The program connects participants to a range of reading, writing, English-language and high school equivalency/General Educational Development (GED) Tests preparation programs.

The Council successfully negotiated with the Administration to restore a total of \$12 million for adult literacy services in Fiscal 2020, with the Administration allocating \$8 million, and the Council allocating \$4 million to various community-based organizations, with a focus on increasing the number of adult literacy class seats. The Council continues to lead the way with designating community-based organizations to provide adult literacy classes.

3. **Cultural Immigrant Initiative - \$7.3 million.** The Cultural Immigrant Initiative supports programming focused on the cultural history or traditions of an immigrant community in New York City, and helps increase access to unique cultural offerings that focus on immigrant heritages.
4. **Unaccompanied Minors and Families - \$3.9 million.** This initiative provides legal counsel for children in removal proceedings, and social services to children appearing on the Juvenile and Surge Dockets in New York Immigration court to ensure due process for minors who are struggling to maneuver the immigration system alone. This initiative will also provide legal services to “Adults with Children” (“AWCs”), to ensure that the adults and their children have access to critical educational, health and mental health services, and, ultimately, the opportunity to become fully integrated members of our community.
5. **CUNY Citizenship Now! - \$3.25 million.** CUNY Citizenship Now! is a Council-funded initiative that provides free, high quality, and confidential immigration law services to help individuals and families on their path to citizenship. In partnership with Council Members, attorneys and paralegals offer one-on-one consultations to assess participants’ eligibility for legal benefits and assist them in applying when qualified.
6. **Day Laborer Workforce Initiative - \$2.9 million.** The Day Laborer Workforce Initiative (DLWI) supports the development of existing day laborer centers in New York City and the expansion of such centers into all five boroughs. Day laborer centers provide a dignified, physical space for day laborers to congregate and seek work. Day laborer centers also reduce the risks of wage theft, workplace hazards, and workplace accidents by providing day laborers with job dispatching services, wage theft legal clinics, referral to critical services, and workforce development trainings.
7. **Immigrant Opportunities Initiative - \$2.6 million.** This initiative will focus on programs that decrease health disparities among foreign born and native New Yorkers by focusing on the following three goals: improving access to health care; addressing cultural and language barriers; and targeting resources and interventions.
8. **Immigrant Health Initiative - \$2 million.** This initiative supports programs that focus on decreasing health disparities among foreign-born New Yorkers by improving access to health care; addressing cultural and language barriers; and targeting resources and interventions. Additionally, funding will support mental health services for vulnerable immigrant New Yorkers.

9. **Senior Centers for Immigrant Populations - \$1.3 million.** This initiative provides operational support to culturally competent and linguistically accessible non-DFTA senior centers, and programmatic support for DFTA senior centers that predominantly serve immigrant seniors.
10. **Construction Site Safety Training - \$1.1 million.** This funding supports the construction site safety training, education, outreach and referral services for construction workers and subcontractors employed at permitted building and demolition projects in the City.
11. **Key to the City - \$700,000.** This initiative supports the New York Immigrant Coalition's consulate identification services to overcome barriers to school enrollments, financial institutions, higher education, and public safety; financial empowerment and access to sound financial services and college readiness workshops, immigration legal screenings, and other programs as determined by demand.
12. **Initiative for Immigrant Survivors of Domestic Violence - \$530,000.** This initiative supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas.
13. **Legal Services – Low Wage Worker Support - \$500,000.** This initiative supports outreach efforts to low-wage workers in need of employment related civil legal services.