



Asian American Federation

Testimony to the New York City Council Committee on Immigration

March 8, 2021

Written Testimony

I want to thank Committee Chair Menchaca and Councilmembers Chin, Moya, Dromm, and Eugene for holding this hearing and giving the Asian American Federation the opportunity to provide testimony on this year's budget. I'm Ravi Reddi and I am the Associate Director of Advocacy and Policy at the Asian American Federation. AAF represents the collective voice of more than 70 member nonprofits serving 1.3 million Asian New Yorkers.

This past year has shown that, if anyone has led the fight to keep New York City moving, and keep her immigrant communities taken care of, it's been our community-based organizations (CBOs). And if there's anything this past year has made painfully visible, it's that our CBOs desperately need support to continue the work and not just keep our immigrant communities surviving but also thriving.

Since 2000, the Asian population in New York City increased by 51%, growing from just under 873,000 in 2000 to over 1.3 million in 2019, making up 16% of our city's total population. Overwhelmingly, Asian New Yorkers are immigrants, with two out of three in the city being foreign-born and one in five Asian immigrants may be undocumented. Approximately 96% of Asian seniors and 88% of our Asian small business owners are immigrants. Amongst our immigrant community, 27.3% arrived in 2010 or after. Additionally, language barriers remain high among Asian New Yorkers. Overall, 44.2% of Asians have limited English proficiency in New York City, compared to a citywide rate of 22.2%.

This year's budget, with all of the financial strain it will reflect, will nevertheless have to make a priority of supporting our immigrant communities and the CBOs that have led by example in providing language accessible and culturally-competent services. After four years of regressive policies aimed at punishing immigrant communities, on top of the anti-Asian rhetoric relating to the pandemic, the urgency has never been greater for our City Council to help restore our immigrant communities' trust in their government.

Immigration Legal Services

As an extension of the difficulties faced by our immigrant communities over the past several years, to say nothing of systemic challenges, funding for accessible immigration legal services has remained stagnant even while demand has increased. From the Muslim Ban, to an increase in deportation rates, to unjust restrictions on students visas, to un-American restrictions on family immigration, the Asian American community has borne the brunt of the previous administration's immigration assault, and are scrambling to find culturally-competent, language-accessible affordable immigration legal advocacy. While we want to acknowledge recent reports of continuing funding support for the Liberty Defense Project at the state level, City Council should do its part and set aside \$2 million for immigration legal services funding for CBOs with a track record of providing not only immigration legal services but also case management

services to connect community members to legal services. Without Asian CBOs' ability to provide language and navigation support, few people would be able to access these legal services.

Nonprofit Support

But as our immigrant community also bears a disproportionate burden of the basic need insecurity brought on by the pandemic, the City must also increase investment in safety net programs, such as community health centers and clinics, as well as food pantries. Asian immigrants have a greater need for access to these programs in part due to the continued aftereffects of the previous administration's public charge assault that resulted in immigrants disenrolling from public benefits out of fear that it would affect their and their family's chances of pursuing a path to citizenship. In addition, the City must fund an emergency network of linguistically and culturally competent food service programs and connect Asian seniors to these alternative food benefits in order to begin to address the harm inflicted on this population by the loss of access to traditional government assistance programs.

While Asian New Yorkers comprise at least 10% of the population in more than half of city districts, with the other half having some of the fastest-growing Asian populations, from Fiscal Year 2002 to 2014, the Asian American community received a mere 1.4% of the total dollar value of New York City's social service contracts, a reflection of a broader, long-term trend.

As City Council works on this year's budget, Council members must keep in mind the persistent inequities in city contracting practices and the systemic barriers facing our CBOs seeking the dollars the Council is allocating for this year. Contracting processes must prioritize the CBOs that have the expertise needed to make the most of every dollar in our communities by giving greater weight to organizations with a demonstrated track record of serving low-income, underserved immigrant communities with linguistic and cultural competency. Our CBOs are leading by example in the provision of direct services, from providing wrap-around services that include mental wellness checks, to allying with food suppliers that provide culturally-competent food. And it'll be our CBOs that will be instrumental in restoring trust between our immigrants and the City.

Language Access

And finally, language access: Our immigrants continue to be unable to navigate complex citizenship processes that are language limited. More than at any other time, immigration policies are in such a state of flux that our communities will need sustained in-language engagement to stay abreast of changing policies, processes, and documents. As we consistently note, good policies mean nothing if the people they're meant to help don't know about them.

That's why, more than at any other time, there is a clear window of opportunity for City Council to finally fund a community legal interpreter bank so those needing legal services and social services can access qualified interpreters across communities of color, as well as worker co-ops which will focus on the recruitment, training, and dispatching of qualified interpreters and increasing job opportunities for multilingual immigrants. To these ends, we're asking City Council to fund a community legal interpreter bank with \$2 million and commit \$250,000 per worker co-op for three language translation co-ops covering Asian, African, and Latin American languages. The payoff from funding these initiatives will be seen in multiple ways, as we've seen with similar models elsewhere, like Washington, DC's community legal interpreter bank, from providing employment opportunities in our immigrant communities, to relieving strains on existing CBO capacity to provide interpretation, to addressing the serious gap in quality language interpretation for the communities that need it the most.

Finally, the City must make sure the FY 2022 budget includes funding such that Local Law 30 is fully and consistently implemented across city agencies. In our work and the work of our member and partner organizations, we are consistently reminded that much of the language accessibility issues our community is grappling with relate to issues of capacity. Immigrants are often the last to know about key information, and the pandemic has demonstrated that there is still much work to be done in making sure our immigrants, many of whom are our frontline workers, benefit from the work of our city agencies.

We understand that the City is in dire financial straits. But CBOs have led by example in how to spend city dollars effectively and this moment presents an opportunity for this City Council to show that New York City can still lead by example in protecting its most vulnerable. We at the Asian American Federation thank you for allowing us to testify and look forward to working with all of you to make sure our immigrant communities get the support they deserve.



71-07 Woodside Ave.
Woodside, NY 11377
(718) 937 - 1117

**Adhikaar Testimony For Committee on Immigration
March 8, 2021**

Dear members of the Immigration Committee,

My name is Maya Gurung and I am the Senior Case Coordinator at Adhikaar for Human Rights and Social Justice. Adhikaar is the only women-led worker and community center serving and organizing the Nepali-speaking community on workers' rights, immigrants' rights, access to healthcare, and language justice issues. We are one of the newer and most rapidly-growing immigrant communities in New York City. In FY 2021, Asian-led and serving organizations received only 4.65% of City Council discretionary dollars and less than 1.5% of social service contract dollars.

Adhikaar is here today to ask the Committee to request \$50,000 from the Immigration Opportunities Initiative to provide critical immigration services to the Nepali-speaking community in NYC. We are located in Woodside, Queens, and serves more than 10,000 Nepali-speaking people a year. Our members who are domestic workers, nail salon workers, restaurant workers Uber/Lyft drivers, and other informal industries mostly live in Jackson Heights, Woodside, Elmhurst, Sunnyside, Ridgewood, Jamaica, and Flatbush.

We were once considered the epicenter of the COVID-19 crisis when the pandemic first hit New York. This has had severe impacts on our community for the year and will change our community for the long-term. We have served over 5,000+ individuals with direct service needs, addressing issues like unemployment benefit support, health care, language access to government resources and emergency funds, medical and food supplies. Since the pandemic, we have checked in with thousands of our members through one-on-one conversations and virtual group meetings. We have already distributed over half a million dollars for emergency relief to our community members. At this moment, we are experiencing record high inquiries related to immigration and workers rights related issues, especially the Temporary Protected Status, unemployment and benefits, vaccines, healthcare, etc, and we will have to do this with or without funding. We are being flooded with needs and requests and if we are to remain sustainable and collectively work for these communities, the city must step in.

Since the COVID-19 pandemic, all our services, including immigration related services, is operating virtually. The City must invest more in immigrant services, as we are being hit the hardest. Working with communities concentrated in Queens, in neighborhoods like Jackson Heights and Elmhurst, so many in our community are excluded from benefits like the stimulus check or unemployment insurance. Even if people qualify, the state and federal inefficiencies have made it so that our members have been living without any financial support for months, still waiting for support to come their way. Our members with young children are running out of



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food at home and are fearful to return to work. Those that are finding themselves forced to return to work are experiencing detrimental health and safety scrutiny.

There has been little support for the immigrant workers that are holding this city's economy on their backs, and we need to ensure that the city will show that immigrant communities are a priority by allocating the resources needed this coming year. Bishnu, a member from Queens shared, "As a delivery worker, right now, there is danger and stress about COVID-19 everywhere, but I need to go to work anyways. I am the only one in my family that is able to work. My single income pays for everything from school tuition for my kids, rent here and in Nepal, to everyday expenses. I am a simple person, I don't live on a lot nor do I ask for a lot. As an essential worker, I know my value - and I know that this economy depends on us."

We submit this testimony today representing nearly 5,000 members of Adhikaar like Bishnu. Due to our cultural and linguistic niche, we are often considered a one-stop-shop for many Nepali-speaking immigrants in the City - our community's 911 and 311 line. This gives us a unique perspective on community needs and an ability to reach Nepali-speaking immigrants. Despite limited capacity and resources for our service work, we continue to provide essential legal support to our members on immigration and workers' rights. We expect the need for legal services to rise in the coming years, especially if more immigrant friendly legislations are passed. Without an in-house attorney, we will not be able to meet the demand of immigration related services. Currently, we rely on other legal service providers for any type of immigration-related support. We are exhausting the capacity of legal service providers we trust and currently work with, such as the Take Roots Justice, the Legal Aid Society, SAALT, AAJC, etc. Under this political climate, they are at maximum capacity as well and are not able to provide us the urgent response that the case demands, especially given the virtual transition of our work. Additionally, even when we refer the cases out, members often want us to interpret for them as many interpreters offered by government services do not interpret thoroughly or convey what our member is expressing. They also need emotional and supplementary support which requires staff time and capacity.

Thank you for your time and your consideration for funding.



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**Adhikaar Testimony Submitted to the
Committee on Immigration and Youth Services Joint Hearing**
Adult Literacy and Digital Literacy in Immigrant Communities

October 14, 2020

Thank you Chairman Menchaca, Chairwoman Rose and members of the Immigration and Youth Services Committees for holding this important hearing and the opportunity to provide testimony.

Adhikaar is the only worker and community center serving and organizing the Nepali-speaking community on workers rights, immigrants rights, access to healthcare and language justice issues. We are women-led and our community is one of the newer and most rapidly-growing immigrant communities in New York City. According to [South Asian American's Leading Together's 2019 Demographic Snapshot](#) there was a 207% rise of Nepali immigrants in the U.S. over the last 10 years, the highest of any other population included in the report. By our estimate, New York City has the highest population and Queens the concentration of Nepali-speaking community members in the country. Census 2020, which Adhikaar worked diligently on, will provide better data for future hearings.

Today I would like to speak to the importance of resources for immigrant adult and digital literacy, and ask the members of the Committees present to prioritize this need in the city's budget, especially for organizations like Adhikaar. Adhikaar reaches more than 10,000 Nepali-speaking immigrants a year. Our members are domestic workers, nail salon workers, restaurant workers, Uber/Lyft drivers, and workers in other informal industries. Most of our members live in Jackson Heights, Woodside, Elmhurst, Sunnyside, East Elmhurst, Corona, Maspeth, Ridgewood, Jamaica, and Flatbush .

Our English for Empowerment (EFE) program, run out of our center in Woodside, Queens, has to date served nearly 1000 members. EFE is the backbone for many workers in our community. We have integrated the city's "We Speak New York" curriculum and also woven in over the years our members' experiences of being immigrant workers. Together we improve literacy and language capacity in our community while expanding community consciousness towards civic participation, city navigation, support for children and improving working conditions for all. Our program has become so popular that we expanded to host EFE classes for nail salon technicians in Flatbush, Brooklyn, where there were experienced technicians who had worked for decades in the nail salon industry, but were working under dangerous conditions and unlicensed due to limited literacy in English and Nepali. This year, we plan on creating a more robust industry-specific EFE program by adding EFE for domestic workers.



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In the last five years, on average 200-250 people attend our EFE classes every year. Over 90% are women with a majority working in informal industries. 70% earn a certificate for participation from We Speak New York which means they attend at least 10 weeks of classes a year and often move from beginner to intermediate to advanced levels. We host 3 sessions a year and our facilitators together volunteer over 500 hours a year. For almost 14 years, our staff have created curriculum, trained facilitators and developed a robust project that has received minimal funding. We run EFE because our community needs it and our classes impact people's everyday lives. People like Mohini Karmacharya, a domestic worker member at Adhikaar, who shared with us her experience.

“About 4 years ago, I heard about Adhikaar from my friend. I wanted to learn English, because without English, you're a “blind man” in America, you know. So, she told me Adhikaar had free English classes so I started coming. And I am very thankful because I learned so much- not only English but, you know, survival skills. Getting from place to place, taking the train, understanding my rights at work. In my work, it made me more confident. I was more assertive about my rights- like getting breaks and asking for more pay. And that also changed my relationship with my boss. In my own life, I am proud of myself.”

Mohini has been involved with Adhikaar as a member since 2016, and became more engaged and developed into an EFE facilitator and worker leader more recently through her involvement with the Domestic worker campaign. On any typical (pre-pandemic) Sunday, Mohini arrives at 10:00 am to facilitate EFE. Mohini then eats lunch at the center, and she stays for a computer literacy class afterwards, and learns how to create a Google Doc document, something useful for her resume. At 3:30 pm, during days of general quarterly meetings she helps prepare for and attend the Domestic Worker general meeting, where we discuss issues at their workplace and strategize for our campaigns. Mohini is now a part of our campaign to demand human rights in New York City through Int. 339. I share with you a day in the life of Mohini to show how intertwined our work is, and more importantly, how important Adhikaar's adult literacy and digital literacy are to the development of our immigrant members who create change for the city.

Access to life-saving information has always been a struggle for our community and we've played an important part in bridging this knowledge gap for the last 15 years. Less than six months ago, Adhikaar was in the epicenter of the COVID-19 crisis. This has had severe and ongoing impacts on our community and is changing our community for the long-term. In five months we checked in one-on-one with 3,100 members including EFE participants and served 2,500 of our immigrant worker members addressing things like language access to government resources, \$500,000 in emergency funds to over 650 people, more than \$50,000 of medical and food supplies, and unemployment benefit support in Nepali for over 200 people.



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Through the pandemic, there has been an immense need for information on government services in language. We received more than 1,340 calls through our hotline alone in April and May, and our phones have not stopped ringing. Once again to bridge the gap, we produced a 15-part video series in English, Nepali and Nepali sign language to support our community on dozens of issues. Our videos alone brought in over 205,000 viewers online through our Facebook page and eased the capacity burden on our organization while teaching members how to access lifesaving city and state resources.

Due to the COVID-19 crisis, we abruptly had to shift to running 100% virtually, and then faced an uphill challenge as many members are limited in digital literacy. But we quickly rose to the opportunity and saw it as a moment to build the capacity of our membership. It has taken months to train members to use video conferencing, but we are currently piloting a virtual EFE class online with a smaller number of participants, and hope to continue and expand this into the new year.

Beyond our EFE, computer and citizenship classes, which all are arms of building adult literacy, we provide dozens of hours of one on one and small group supplemental support to limited literacy nail technicians in our 26 hour nail technician license course (in partnership with the NYCOSH Beauty School) and domestic workers in the Nanny Training Certification through Cornell University. We are shifting these classes online as we train our members to use various online platforms and provide direct literacy support on platforms like Viber, that many of our members are more familiar with.

To date we have received \$10,000 of adult literacy-specific funding, yet we continue to do the work knowing that it's a lifeline for our members. We continue to be flooded with needs and requests for more adult and digital literacy support. As needs increase, our staff capacity thins. We need the city's support if we are to remain sustainable and collectively work for new immigrant communities.

We submit this testimony today representing nearly 5,000 members of Adhikaar. We urge you all, as the members of the Committees on Immigration and Youth Services to step in at this exact moment that the city must invest more in adult literacy funding. We may not know how much longer this pandemic will continue, but we do know that the need to equip our members with the skills they need to survive grows. We continue asking the city to invest in adult literacy specifically \$100,000 to Adhikaar to not just continue our work but pay facilitators and meet the needs of the community. We need your support to serve the immigrant workers that keep this city alive through this difficult time and are the spine of New York City's vibrant economy.

**Adhikaar for Human Rights and Social Justice
Testimony submitted to the Queens Delegation Budget Hearing
March 1, 2021**

Dear members of the Queens Delegation,

My name is Aakriti Khanal and I am the Research and Development Coordinator of Adhikaar for Human Rights and Social Justice. Adhikaar is the only women-led worker and community center serving and organizing the Nepali-speaking community on workers' rights, immigrants' rights, access to healthcare, and language justice. The Nepali-speaking community is one of the fastest-growing Asian ethnic groups in New York. From the very beginning, the Nepali-speaking community has made Queens our home. Most of our members are domestic workers, nail salon workers, restaurant workers, gig drivers, and other informal sector workers, and live in Jackson Heights, Woodside, East Elmhurst, Elmhurst, Corona, Maspeth, Sunnyside, Ridgewood, and Jamaica - areas in Queens severely impacted by the COVID-19 pandemic.

Adhikaar is a home away from home for Nepali-speaking New Yorkers. Our office is located in Woodside, Queens and we serve more than 10,000 Nepali-speaking people a year. Our center is filled with community members participating in programs, gathering socially, and troubleshooting community concerns. Due to our cultural and linguistic expertise, we are often considered a one-stop-shop for many Nepali-speaking immigrants in the City - our community's 911 and 311 line. This gives us a unique perspective on community needs and an ability to reach Nepali-speaking immigrants.

Our members are low-wage workers, women-of-color and are disproportionately affected by the COVID-19 pandemic. Our community is experiencing a record high unemployment rate due to this crisis. Many are ineligible for aid from the government and are experiencing extreme difficulty in making ends meet. Many members are reporting financial hardship and food insecurity, especially those with family members. They are unable to meet day-to-day needs such as paying for groceries, bills, rent, recharge their phones, among other expenses.

Since the COVID-19 shut down in March 2020, all of our programs and services are operating virtually. Being in the epicenter of the COVID-19 pandemic, members called for urgent support and a listening ear. We had no option but to pivot into rapid emergency response efforts that include direct relief and services, community education, advocacy, and organizing. Through our COVID-19 response, we reached community members we hadn't reached before, including new immigrant families and those that are undocumented. Since March, we have provided direct support to more than 4,000 people facilitating their access to unemployment, health care, language access, and medical and food supplies. We've provided nearly half a million dollars in direct emergency relief resources to 750+ community members, focusing our efforts on those



ineligible for state or federal relief, and delivered and distributed food, emergency PPE supplies, and care packages to more than 600 households. We also ran virtual unemployment clinics, supporting 360+ members with limited English literacy, TPS, and those working in informal sectors with their unemployment application. Our work also involved directing 450+ healthcare inquiries to Nepali-speaking healthcare providers, city testing sites, clinics, and hospitals, while also coordinating virtual consultations for our community members to connect with Nepali-speaking doctors and nurses for in-language emergency medical consultations.

Our community remains underserved, undercounted, and underfunded - despite the devastating impact of the COVID-19 pandemic. Our members turn to Adhikaar because we provide services that address the needs of our community, while also offering space to reimagine and rebuild systems that work for all of us. This transformative work needs resources to ensure that our growing community in New York City not only survives but thrives.

For 15 years, through many highs and lows, we have been here for our community-providing critical direct support and creating pathways for Nepali immigrants to be seen and heard. Minimal funding has been provided by the city to support our work, including our COVID-19 response. We are requesting \$20,000 funding support from the Queens Delegation through the City Discretionary process so that we can continue to provide essential services and rapid response to our community.

Thank you for your time and consideration.



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**Adhikaar Testimony For New York City Executive Budget
Submitted to the joint hearing:
New York City Council Committee on Finance and Committee on Immigration**

May 21, 2020

Adhikaar is the only women-led worker and community center serving and organizing the Nepali-speaking community on workers rights, immigrants rights, access to healthcare and language justice issues. We are one of the newer and most rapidly-growing immigrant communities in New York City. According to [South Asian American's Leading Together's 2019 Demographic Snapshot](#) there was a 207% rise of Nepali immigrants in the U.S. over the last 10 years, the highest of any other population included in the report.

We're writing today to ask the Committee to advocate that Adhikaar receive city support to provide immigration services. Adhikaar is located in Woodside, Queens and serves more than 10,000 Nepali-speaking people a year. Our members who are domestic workers, nail salon workers, restaurant workers Uber/Lyft drivers, and other informal industries mostly live in Jackson Heights, Woodside, Elmhurst, Sunnyside, Ridgewood, Jamaica and Flatbush.

We are in the epicenter of the COVID crisis. This has had severe impacts on our community for the last two months and will change our community for the long-term. We have served over 2,500 individuals with direct service needs in the past ten weeks, addressing things like unemployment benefit support, health care, language access to government resources and emergency funds, medical and food supplies. And this does not include checking in one-on-one with 3,100 members.

This is the exact moment that the city must invest more in immigrant services and not cut the budget, as we are being hit the hardest. Working with communities concentrated in Queens, in neighborhoods like Jackson Heights and Elmhurst, so many in our community are excluded from benefits like the stimulus check or unemployment insurance. Even if people qualify, the state and federal inefficiencies have made it so that our members have been living without any financial support for months, still waiting for support to come their way.

Workers like Brinda, a domestic worker: "I was so worried about where I was going to be able to earn money, how would I pay my rent and bills? Without work, there is no money coming. I was waiting for the \$1,200 but not sure where it is yet. I was also able to file for unemployment, but that is getting stuck in DOL and I have not heard back. I am still waiting."

Nail salon workers with young children are running out of food at home and are fearful to return to work, Uber and Lyft drivers have gone months with no word from the government about



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unemployment benefits, domestic workers are finding themselves forced to return to work under additional health and safety scrutiny.

We have fielded more than 1,340 calls through our hotline alone in the last two months. In this moment, immigration we have risen to the need, and we will have to do this with or without funding. But we are being flooded with needs and requests and if we are to remain sustainable and collectively work for these communities, the city must step in.

There has been little support for the immigrant workers that are holding this city's economy on their backs, and we need to ensure that the city will show that immigrant communities are a priority by allocating the resources needed this coming year. Bishnu, a member from Queens shared, "As a delivery worker, right now, there is danger and stress about COVID-19 everywhere, but I need to go to work anyways. I am the only one in my family that is able to work. My single income pays for everything from school tuition for my kids, rent here and in Nepal, to everyday expenses. I am a simple person, I don't live on a lot nor do I ask for a lot. As an essential worker, I know my value - and I know that this economy depends on us."

We submit this testimony today representing nearly 5,000 members of Adhikaar. We are currently training our members to engage online with their elected officials, but this will take time. We know there are many who wanted to voice their concerns personally today but did not get the chance to. We ask the committee to explore alternative ways to ensure accessibility outside of giving testimony online or engaging elected on twitter. We know that language interpretation is offered when giving testimony over the phone, however, we believe there are ways in which the city can come to the community. Civic engagement in the time of quarantine excludes a vast majority of our members, and in order to ensure participation, it takes more than a few days to educate, support and prepare testimonies. We invite you to join us at Adhikaar to talk specifically to our members as a starting place for this engagement with our community.

Your Application Submission

1 message

ExpenseNYCC <mail@grantapplication.com>
Reply-To: ExpenseNYCC <ExpenseNYCC@council.nyc.gov>
To: aakriti@adhikaar.org

Thu, Feb 11, 2021 at 5:09 PM

Thank you for your submission. Your application has been submitted successfully, and the Reference number is 104179. For your records, here is a copy of the contents of your application.

Final FY2022
Thank You! Your application has been submitted.

Instructions

Instructions:

This application must be completed by an officer or employee of the organization that is applying for discretionary funding. All requests for funding must be submitted and will only be accepted through the Blackbaud portal. Applications should be accurate and complete. Please keep a copy of the completed application for the organization's records before it is submitted. All sections of the application are mandatory unless otherwise noted.

The person(s) who complete this application must be authorized by organization, and have a comprehensive understanding of the organization to be able to fully, truthfully and accurately complete the form.

All requests for funding that are submitted to the New York City Council are considered public documents.

WHERE AND WHEN TO SUBMIT THIS APPLICATION:

Applications must be submitted from Thursday January 4, 2021 through Tuesday February 16th, 2021. Please be advised that no late applications will be accepted.

Please review the following checklist to ensure you have all the required information to complete the application.

Please direct all questions to discretionary@council.nyc.gov

Upon completion of the application, there will be a prompt to print, complete and sign necessary documents that need to be uploaded. Please be advised that applications will not be considered finalized/complete without submission of required forms.

Application Checklist

Below is a list of information needed in order to ably complete the application. Be sure to have this information handy to ensure a smooth application process.

Information required:

1. Federal Employer Identification Number (FEIN)
2. New York State Charities Bureau Registration Number
3. Annual Operating budget of Organization requesting funds
4. HHS Accelerator Prequalification Status and Approved Service Areas. Please note, beginning in FY2020 all applicants must register in the Mayor's Office of Contract Services HHS Accelerator Portal.
5. Documentation concerning Independent Inquiries, Monitorships, Government Investigations, Inquiries or Audits (other than routine annual audit)

6. Staffing Information for the organization

7. Staffing Information for the programming/services

8. Certificate of Incorporation (for those incorporated on or after July 1, 2019)

9. Current list of Board Members and High/Executive Level Employees (as per IRS 990 Part VI §A and Part VII §A)

10. Please note Adobe Reader is required for viewing and printing the PDF (Portable Document Format) documents found at the end of the application.

Organization and Contact Info

Organization Information

Legal Name of Organization Requesting Funding
Adhikaar for Human Rights and Social Justice

Organization Acronym and Other Names Used
Adhikaar

What is the Organization's Current Federal Employment Number (FEIN)
(FEIN, TIN, EIN) Use the following format: 123456789 (no dash)
203384725

Is the organization's FEIN now, or has it in the past, ever been used by any other organization(s)?
No

If YES please list the name of the organization(s) and time period?

Does the organization now use, or in the past, used an FEIN other than the one provided?
No

If yes, please enter the past FEIN Number

Is the organization tax exempt under the Internal Revenue Code?
Yes

If YES, is the organization's tax exempt status current with the Internal Revenue Service?

Yes

Has the organization ever had its tax exempt status revoked?

No

Has the organization ever applied for Council funding in the past?

Yes

Was the organization incorporated before July 1, 2019 If no, please provide the date of incorporation

Yes

If No, you must fill out and attach this form: [Supplementary Application Form](#)

Any organization applying for New York City Council discretionary funding that was Created after July 1, 2019 must complete this form

Is the organization registered with the Charities Bureau of the New York State Attorney

General

Yes

If Yes, Please Provide ID Number

401687

Is the organization exempt from registering with the Charities Bureau

No

If yes, you must fill out and attach this form: [Charities Bureau Exemption Form](#)

Please provide the mission/goal statement of the organization.

Adhikaar, meaning rights, is a New York-based nonprofit organizing Nepali-speaking community to promote human rights and social justice for all. Adhikaar is the only immigrant women-of-color-led grassroots organization providing essential services and organizing the Nepali-speaking community in New York and beyond. For the last 15 years, our worker center and community center is located in Woodside, NY, and is a home away from home for thousands of Nepali-speaking New Yorkers. We have four program areas: workers' rights, immigration rights, access to healthcare, and language justice.

What is the estimated operating budget for the organization's current fiscal year

1450000

Has the organization applied for Prequalification Status from the Mayor's Office of Contract Services (MOCS) via the HHS Accelerator portal? Services (MOCS) via the HHS Accelerator portal?

Please note that all organizations are required to apply for prequalification status, as well as complete the MOCS Capacity Building Training requirement. Also note as per MOCS all organizations are required to create a PASSport account.

Yes

Please provide the administrative/business Street address.

Please provide the administrative Street Address

[7107 Woodside Ave](#)

City	State	Zip Code
Woodside	NY	11377

Please Provide the Organization's Web site
www.adhikaar.org

Organization Primary Contact

Prefix	First Name	Last Name	Suffix
Mx	Pabitra	Benjamin	<None>

Title
Executive Director

Office Phone	Extension
7189371117	

E-mail
pabitra@adhikaar.org

Organization Budget/Funding Contact Person

Prefix	First Name	Last Name	Suffix
	Meenu	Singh	

Title
Director of Finance and Operations

Office Phone	Extension
7189371117	

E-mail
meenu@adhikaar.org

Request Details

Funding Information

Amount Requested
Minimum Award is \$5,000
200000

Contracting Agency

Is the organization seeking funding related to Speaker Initiatives and/or City-Wide Initiatives
Yes

Speaker Initiatives and/or City-Wide Initiatives List

Please choose up to 10

Adult Literacy Initiative

Boroughwide Needs Initiative

Case Management

Cultural Immigrant Initiative

Speaker's Initiative

Low Wage Worker Support

Legal Services for the Working Poor

Legal Services for Low-Income New Yorkers

Legal Information and Support for Families

Immigrant Opportunities Initiative

Council Member

BLAC Caucus

Brooklyn Delegation

Chin

Dromm

Koslowitz

Menchaca

Moya

Progressive Caucus

Queens Delegation

Reynoso

Van Bramer

Women's Caucus

Has any principal, authorized official and/or executive member of the organization ever applied for discretionary funding as a representative of another organization?

(If yes, please provide year and outcome.)

No

Inquiry/Investigation Information

Within the last five (5) years, has the organization been subject of an independent inquiry, monitorship, government investigation or audit (by any local, state or federal government, including any current or past audit by the City Comptroller, request for information or other inquiry from the Department of Investigation, and/or any audit/inquiry by a licensing agency) other than a routing annual audit?

No

Has the organization's current or former principal, senior employee(s) and/or officer been convicted of a felony, misdemeanor and/or been found in violation of any administrative, statutory and/or regulatory provision in the past ten (10) years?

No

If yes, please describe status and outcome.

Does any current principal, employee and/or officer have any felony, misdemeanor and/or administrative charges currently pending?

No

If yes, please describe status and outcome.

Does the organization share office space, staff, equipment, or expenses with any other organization?

No

If YES, please name the organization(s) and the nature of the relationship

Purpose and Use of Funds

Please provide the name of the program

To expand Adhikaar's immigration services, sustain our adult literacy classes, and strengthen our COVID-19 response

Please describe the specific programming/services to be funded.

Include a description on how the requested funds will be used.

Adhikaar seeks programming and operational funding to expand our immigration services, sustain our adult literacy classes and strengthen our COVID-19 response efforts to ensure we meet the growing needs and demands of the low-wage Nepali-speaking immigrants in Queens and Brooklyn. With support from the City Discretionary Fund, hundreds of Nepali-speaking community members will have increased access to immigration services and in-language case support, English literacy classes, and community-centered guidance and support as they navigate through the effects and aftermath of the COVID-19 pandemic. Adhikaar is seeking \$200,000 in City funding, including \$75,000 from Speaker's Adult Literacy Initiative; \$50,000 from the Immigration Opportunities Initiatives; \$20,000 from Boroughwide Initiatives; and \$10,000 from Anti-Poverty Initiative, as well as support from Council Members in Districts 21, 25, 26 and 34 with high populations of Nepali-speaking community members who seek our services in New York (NY).

Our unique combination as a worker and community center enables us to provide essential services to workers and immigrants while organizing and building power to create systemic changes on issues that impact low-wage immigrant communities. Based in community and rooted in our own feminist approach, we are at the crux of community-based grassroots movements and at the heart of the Nepali-speaking community in New York City. We are emerging as a leader in the immigrant rights movement and have changed policy and perception on various worker and immigrant rights issues. Our programs and services are conducted in Nepali, Tibetan, Hindi and English. We provide various direct services to our community, including language-accessible English for Empowerment

(EFE) classes, citizenship preparation classes, workforce development training, healthcare enrollment, legal clinics, KYR events and case support. Through these services and programs, we build trust and create ways for our members to gain the confidence and skills they need to become leaders and create social change at the local, state, national and global level. As a result, our members are negotiating higher wages, securing access to life-saving social services and benefits, and mobilizing the Nepali-speaking community to demand just immigration laws and policies, among much more.

Since 2005, our members have turned to Adhikaar because we provide essential, culturally competent in-language services and programs that address the needs of our community, while also offering space to reimagine and rebuild systems that work for all of us. Despite providing urgent and critical services to the growing Nepali-speaking community in New York, we get little to no funding from the City. With support from the City Discretionary Fund, we can ensure that our community has the resources it needs to combat poverty and thrive. Below are descriptions of the programs and services, specifically COVID-19 Community Response, Adult Literacy Classes, and Immigration Case Support, that Adhikaar requests funding for FY22:

COVID-19 Community Response:

“During the pandemic, I took part in Adhikaar’s mental health training. I learned a lot about my emotions and managing my own mental health, it gave me hope. If not for the training, I would have gone into depression. I was also fortunate to have received emergency funds from Adhikaar which helped me and my family a lot. During those difficult times, even if someone had given me a gallon of milk, it would have meant the world to me. As Vice President of the Nail Salon Worker Association, I also mobilized our community members, among which was a family who had just arrived in the U.S. I connected them to Adhikaar, where they received ERF, food packages, and COVID care packages. Being a woman, I felt great showcasing my leadership skills in the community that has been predominantly led by men. My husband was very proud of me. I feel energetic and passionate about my future leadership with Adhikaar and the nail technicians team.”

- Maya Bhusal Basnet, Adhikaar member, District 34, Queens Resident

Due to our cultural and linguistic niche, we are often considered our community’s 911 and 311 line. This gives us a unique perspective on community needs and an ability to reach Nepali-speaking immigrants. The pandemic made this powerfully clear. Being in the epicenter of the COVID-19 pandemic, thousands of members contacted us for urgent support and a listening ear. Once the pandemic hit NYC, we transitioned to work remotely and focused on COVID-19 community response work. Since March 2020, we responded to more than 5,000 Nepali-speaking community members seeking assistance, emergency relief, and a safe space to grieve. We had no option but to pivot into rapid emergency response efforts that spanned direct relief and services, community education, advocacy, and organizing. Central to these efforts was our language access work: translating policies and benefits, facilitating language support between community members and government agencies, and in some cases translating information that saved lives. Our COVID-19 response facilitated our members’ access to unemployment, health care, language access, and medical and food supplies. We’ve provided nearly half a million dollars in direct emergency relief resources to 750+ community members, focusing our efforts on those ineligible for state or federal relief. We also delivered and distributed food, emergency PPE supplies, and care packages to 600+ households. We ran virtual unemployment clinics, supporting 360+ members with limited English literacy, TPS, and those working in informal sectors with their unemployment application. Our work also involved directing 450+ healthcare inquiries to Nepali-speaking healthcare providers, city testing sites, vaccines, clinics, and hospitals, while also coordinating virtual consultations for our community members to connect with Nepali-speaking doctors and nurses for in-language emergency medical consultations.

To increase community education and address misinformation, we released a 15-part video series that provided in-language information on pandemic-related issues to our members. The videos covered topics relevant to the needs of our community, such as the social distancing guidelines, CARES Act, USCIS and immigration updates, PPE and small business loans, New York Unemployment Insurance, public charge, Temporary Protected Status (TPS) lawsuit updates, etc. In total, our COVID-19 community response videos received 211K views, a majority from our membership and the Nepali-speaking community. Each of the videos garnered a range of 1.3K - 55K views and served as community-specific talking points with updates related to TPS and other immigration issues. The videos were also an opportunity for us to engage with various stakeholders, including elected officials, partner organizations, state agencies like the Department of Labor and NYC Health + Hospitals.

The devastating impact of the pandemic on our community will reverberate for years to come. The crisis reveals the inequities embedded in our social and economic systems and the disproportionate effect on low-wage immigrant workers and communities of color. Adhikaar continues to provide around the clock support to our members to ensure that our community is safe during the crisis. The demand for our services has grown exponentially and we have extremely limited resources to fund our COVID-19 response efforts. Support from the City Discretionary Fund will allow us to continue providing essential services, including funding our emergency hotline service, unemployment clinics, mental health services, allowances for culturally relevant groceries and PPE distribution, vaccine coordination, and translation costs for community education materials. We are requesting abovementioned Council Members and City Initiatives--

especially the Queens Delegation--to fund our COVID-19 efforts through the Boroughwide Needs Initiative to ensure we can continue to provide essential support to the Nepali-speaking community during the COVID-19 pandemic and beyond.

Adult Literacy Classes:

For the past 15 years, Adhikaar has provided volunteer-based adult literacy classes to approximately 2,000 community members at our center in Woodside. Our signature EFE class launched in 2007 and our citizenship class began in 2014. For our EFE curriculum, we follow MOIA's 'We Speak NYC' and incorporate other topics such as workers' rights, political education, government agencies and other relevant practical skills and information. For example, our EFE students simultaneously learn level-appropriate English as well as tips to navigate the subway system using references familiar to the participants. EFE classes are divided into three sessions: spring, fall and summer, and we host 9-12 classes per session. We have four levels of classes: Beginner, Basic, Intermediate and Advanced. On average, 35 members attend our "Beginners" class, 40 members attend our "Basic" class, 25 members attend our "Intermediate" class, and 20 members attend our "Advanced" class. Since 2007, we have provided EFE classes to an estimated 2,000 individuals. Our EFE and citizenship classes facilitators have volunteered over 500 hours of their time, and developed an culturally specific curriculum that has been foundational to developing the political understanding and literacy of our members.

Unfortunately, we halted our EFE and citizenship classes in March 2020 due the COVID-19 pandemic. As a volunteer-run program, we experienced serious capacity and fundraising issues, as well as challenges due to the limited-digital literacy of our members. We resumed our Intermediate and Advanced EFE classes in July 2020, however, due to capacity challenges in providing direct support to our limited-digital literacy members, we had to pause the programs again in December 2020. Because we do not have a dedicated staff member to coordinate the classes, we were unable to train-up our members on digital literacy and translate the in-person curriculum to an online form. As a result, despite being a popular and important service we are unable to provide adult literacy classes at this time. If funded, we will be able to restart our program and hire a dedicated coordinator who will organize and coordinate the classes, and create a compatible online version of the curriculum to ensure sustainability.. We will also utilize the funds to provide stipends to the facilitators. Lastly, we will also provide one-on-one digital training to our EFE and citizenship classes members and engage them virtually. Due to industry shifts in domestic work and nail salon as a result of the COVID-19 pandemic, we are developing industry-specific EFE curriculum aimed at developing their knowledge on their rights as well as strengthening their English capacity.

We strongly encourage the Speaker's Initiative, Adult Literacy Initiative and Council Members and the other initiatives flagged in this application to consider funding this program to ensure we can resume our powerful and practical adult literacy classes. With dedicated funding, we will be able to hire a dedicated staff to coordinate our adult literacy programs and provide stipends for our facilitators.

Immigration Casework Support:

"I filed for unemployment in March as soon as I was let go from work. Finally, after 8 weeks I received a letter asking to verify my work permit because the DOL could not verify its validity since it's through TPS. How am I supposed to know what to do? There's already so much confusion with what's happening to TPS. I contacted Adhikaar about my issue and Adhikaar helped raise the issue with the Department of Labor. Thousands of TPS holders like me were experiencing the same issue. It was so confusing and it was affecting my health both mentally and physically. Rent is due then and my landlord is pressuring me to pay. Finally after months, I was able to get my unemployment benefit and have some temporary relief. It's nowhere close to enough."

Rajesh Shrestha, Adhikaar member, District 26, Queens Resident

Our one-on-one immigration case support provides culturally and linguistically competent services to our members, including application support, status change clinics, case management, ICE check-ins among other services. We work alongside various legal service providers like TakeRoots Justice, Legal Aid Society, City Bar, and others to provide pro-bono legal support for our members. Since 2015, we have been the only organization in the country providing TPS related-support to the Nepali community. We provide support to an estimated 1,500 TPS holders every year, a majority of whom live in NYC. We regularly host town halls, KYR events, legal clinics and one-on-one support to limited literacy TPS holders. To better understand the needs and contributions of Nepali TPS holders to the U.S., we conducted the first-ever national survey of Nepali TPS holders in partnership with the Center for American Progress and the U.S. Immigration Policy Center at the University of California San Diego titled, "Nepali TPS Holders Make Significant Contributions to America". The data revealed what we already know: Nepali TPS holders have built strong social and cultural roots in the U.S. and make vital contributions to the U.S. economy, including during the COVID-19 pandemic. In addition to TPS efforts, we provide legal case support and referrals to an estimated 300 Nepali-speaking individuals every year in NYC. These services are essential to our members and an integral part of Adhikaar's programming and community needs assessment tools.

With the Nepali-speaking immigrant population rising in New York City, there is an increase in the number of cases and types of cases referred to our

organization. We are also experiencing a rise in the number of inquiries related to TPS, from NY and all around the country, including inquiries related to application registration, lawsuit updates, green card eligibility, among other issues. Due to severe delays from USCIS and other state and federal agencies, our members are struggling to effectively navigate through the systems and receive updates related to their application, especially due to their limited English and digital literacy challenges. Members continue to report long waiting periods for phone calls to USCIS, DOL, DMV and other agencies. Some are reporting long response periods, while others are too afraid or confused to understand benefits available to them, if any. For our members seeking case related support, we provide in-depth information and support them throughout their application to ensure they understand the process and updates to their case. During the pandemic, our Case Coordinator coordinated directly with our members and ensured proper filing of their applications in coordination with legal service providers. This includes organizing in-person meetings for our members to sign their documents in-person because they are unable to sign digitally. For our members with virtual hearings related to cases, we provide one-on-one support to ensure that they are able to get online for their hearing. Often, having our staff member present with them alleviates their stress and anxiety and gives them a sense of support. It also allows us to provide in-language troubleshooting capacity, which is extremely crucial during these time-sensitive hearings.

Support from the City Discretionary Fund will allow us to meet the rising caseload fueled in part by the COVID-19 pandemic, and and strengthen our legal case support work by providing the resources to hire an in-house legal staff member (part-time or full-time based on available funding) or another case coordinator. In addition to the funds requested to enhance our current immigration support services, we are looking to be part of the specific immigration initiatives funded by the City to provide more legal support to Nepali-speaking individuals and families that are victims of a broken immigration system.

When will the program operate

Please list the times the program services operate

Currently, due to the pandemic, all of our services are operating remotely. We consider this is a significant achievement-- one that requires incredible flexibility and a substantial amount of time and resources to train our members to engage with our programs and services virtually. Over a six month period we held numerous training sessions on digital literacy topics including one-one-practice sessions and coaching on how to use virtual platforms like Zoom and Facebook Live. We will continue to follow reopening guidelines provided by experts and will continue utilizing virtual methods to reach our community. If our outreach workers are able to get vaccinated, we will be able to increase our efforts in the community.

COVID-19 Community Response: Our monthly food and groceries distribution happens in-person at our community center. We strictly adhere to all CDC guidelines and ensure safety and proper protection of our members, staff and volunteers. All other services are currently provided virtually and throughout the week. Community members can reach us at all times through our social media accounts and/or COVID-19 hotline. Additionally, our members can directly reach our Organizers and staff for any emergency.

Adult Literacy Classes: As mentioned earlier, we have not been providing EFE and citizenship classes since December 2020. Due to a lack of funding and the limited digital literacy of our members, we temporarily suspended our classes. If funded, we will resume regular weekly classes, whether virtual or in-person depending on the status of the COVID-19 pandemic. We are in the process of testing our industry-specific EFE curriculum in the meantime, with our domestic worker members and nail salon members, given the high rate of unemployment within our community. We will continue adapting our adult literacy curriculums based on member needs, and will resume classes once we are able to meet in-person.

Immigration Casework Support: We provide legal case support throughout the week and around the clock for urgent cases. Community members regularly contact us through our hotline, Facebook page, as well as contacting our staff.

Target population to be served

The proposed programs and services to be funded are targeted towards low-wage Nepali-speaking immigrants

Geographic Area served

e.g. Citywide; Brooklyn; Council District 39; Community Board 6; Flatbush, etc. Citywide

Briefly describe the staffing for the program

Adhikaar is run by Executive Director, Pabitra Khati Benjamin, who blends an intersectional approach to race, class, caste, gender, sexual orientation, and ethnicity, as well as a holistic approach to leadership to Adhikaar. Adhikaar is supported by a multi-lingual team of staff, all of whom are from the Nepali-speaking community. We have 13 full time staff and 1 part time staff, along with a large pool of volunteers, allies and supporters. Adhikaar is governed by a seven member Board of Directors, most of whom are first or second generation Nepali or Asian immigrants, who bring a wide range of experience in social

change leadership, individual organizing, philanthropy, non profit management, and law. Below are details on staffing related to proposed programs and services:

COVID-19 Community Response: All of our staff are engaged in the COVID-19 response work. Additional funding would allow us to purchase urgent supplies and strengthen our fundraising efforts for our COVID-19 response. It would also allow us to continue reaching hard-to-reach community members and basebuild.

Adult Literacy: As mentioned above, our EFE and citizenship classes have been volunteer run programs for 15 years now. Funding would allow us to restart our program and hire a much-need coordinator to provide essential adult literacy services to the community. Additionally, through the funds, we will provide stipends to our adult literacy classes facilitators.

Immigration Casework Services: We currently only have one Case Coordinator responsible for the management of all of our cases related to workers' rights violations, immigration issues, domestic violence, homelessness, labor trafficking etc. Our Case Coordinator works closely with our Director of Organizing and Programs and Domestic Worker Organizer. Our Executive Director also coordinates legal support for urgent and time sensitive cases. Additional funding would allow us to hire a second Case Coordinator or an in-house lawyer.

Please describe the community benefit of the program / services that is being considered for funding

The Nepali-speaking community is one of the newer immigrant communities and according to the Asian American Federation's 'Profile of New York City's Nepal[i] Americans' report, the fastest-growing Asian ethnic group. The report also finds that the Nepali-speaking community is largely concentrated in Elmhurst, Jackson Heights, Sunnyside, and Woodside. We have a significant population of members that live in Ridgewood, Rego Park, Maspeth, Jamaica, Jamaica Estates, and areas of Brooklyn that include Carroll Gardens, Coney Island, and Fort Greene.

Our members are low-wage workers that work in informal sectors and industries spanning domestic work, nail salons, ride-share companies, and restaurant workers, among others. They come from marginalized ethnic groups in Nepal, India, Tibet, Bhutan, and other countries with Nepali-speaking diasporas. Generally, our members are asylees, students, refugees, Temporary Protected Status (TPS) holders, Diversity Visa recipients, on employment visas, or are undocumented. A vast majority of our community have immigrated to the U.S. in the last two decades, and per the Asian American Federation's Report, as of 2015, about 87% of NYC's Nepali population were foreign-born. Our members primarily speak Nepali along with their ethnic language, including Tibetan. Many of our members, especially women of ethnic and indigenous backgrounds, have limited-literacy with little to no formal schooling, and a vast majority have extremely limited digital literacy and poor access to the Internet.

Community members come to Adhikaar searching for support while they are finding their way in NYC. They face language barriers and injustices on account of race, class, caste, gender, and immigration status. Often, due to linguistic and cultural barriers, our members are not able to access services and resources available to them. . As a result our members are vulnerable to exploitation and many have been victims of broken immigration and legal system. Because of the trust in Adhikaar and culturally competent methods that utilize relational organizing methodologies, our efforts turn out hundreds of people to town halls, engage tens of thousands online and reach hard-to-reach community members.

"The COVID-19 pandemic affected us all, many got sick and lost jobs, including myself. I am grateful for Adhikaar to have food delivered to my doorstep, when I could not go out as I was sick. I am also thankful for the emergency funds that I received, it was a life saver because I was unemployed, and it was a difficult time. It gave me hope to continue fighting and to move forward. Adhikaar went above and beyond, risking their lives during a global pandemic. I am grateful to them for all the work they did to assist me and our community."

- Goma Younjan Gurung, Adhikaar nail salon member, District 25, Queens Resident

As the community's 311 and 911, we respond to the urgent and critical needs of the community, while organizing and advocating for issues that impact our communities. Our COVID-19 response, adult literacy classes, and immigration case management are amongst our most critical and foundational services. We intentionally design our programs and services with accessibility in mind, and due to our cultural and linguistic ability, members regularly contact us for in-language and culturally-competent support. Through our programs, we holistically respond to issues affecting our members and build their leadership and understanding of issues that affect their lives.

Our success lies in our ability to shift and adjust based on our community needs. Our staff are directly impacted members from our community. Given our

organizing expertise and critical analysis of issues affecting our community, we are able to develop and incorporate creative strategies to engage our members. We comprehensively evaluate our programs and activities to ensure that our work meets the needs of our community, while creating pathways for members to dream and rebuild systems that work for all of us. To measure the impact of our work, we use both written and oral evaluations along with qualitative processes including focus groups and interviews, to assess aspects such as member retention, increase in knowledge and skills, and positive impacts on workplace practices, among others. We also measure member leadership and organizing skills by assessing attitudinal, behavioral and confidence level changes. By example, we track when members voice concerns on behalf of other community members, speak to policymakers or at a press event, take action to exercise their rights, and engage in outreach with their peers, family and friends, etc. Our evaluations systems are anchored in direct feedback from our community and participants. For example with our adult literacy classes, our members are not only developing and learning the curriculum, but also applying what they've learned at Adhikaar to other various aspects of their lives, from their homes, to their workplace and in the broader community. This results in people negotiating higher wages, navigating social services, receiving NYC ID cards, supporting their children in the NYC school systems and so much more. Our efforts also ensure that our limited-literacy members have access to information on issues such as workers rights laws, health care and immigration, among others. Our programs also provide a platform for our members to continue learning and understanding relevant and important issues and resources for themselves and their families.

Please provide a description of what the organization does and plans to do that invite the community

At Adhikaar, prior to the COVID-19 pandemic, we had a walk-in structure for all our direct services which allows for our members to come in at any time. Due to the pandemic, community members can reach us through our COVID-19 hotline, social media accounts and/or reaching our staff directly. Since a vast majority of our members are workers, we open our community center on Sundays to ensure that those with inflexible work schedules are able to access our center and our services. Our adult literacy courses are mostly held on Sundays, as most of our members have time-off. We don't have an enrollment deadline or restrictions on our adult literacy classes. We encourage attendance through a certification program and a graduation ceremony. Since many of our members do not have any formal education, a graduation ceremony makes them feel recognized and proud. If funded for the adult literacy services, we aim to go back to resuming classes online or in-person, and will circulate messaging within our membership and community accordingly.

Community members generally learn about Adhikaar's work via word of mouth. Our COVID-19 community response and our Census campaign was a great testament to our reach within the community. We utilized our existing membership and community networks and were able to directly reach community members in need of support. Through our COVID-19 response, we provided relief and resources to thousands of Nepali-speaking community members. Through our 2020 Census campaign, we collected Census completions of over 8,000+ community members in New York. This speaks to the reach and the trust that our members have in our programs and services. We post photos and descriptions of our services in our social media accounts to increase community education and awareness. We regularly post about our programs and events on social media to promote them and encourage others to engage. We also share information about our services within our membership of domestic workers and nail salon workers. Our sessions operate at maximum capacity.

Please Provide the address of the location/site where the programming/services are offered.

Currently the services are being offered virtually (except our EFE classes). If COVID-19 restrictions are lifted and it is safe to reconvene in person, we will continue to provide the proposed services through our community center/workers' center in Woodside, NY.

Fees

Does the organization charge fees for its services and/or programming?

No

Does the organization have a hardship clause and/or fee waiver policy, should the public/community be unable to afford fees?

Yes

Past Service/Capacity

Has the organization proposed or similar services in the past?

Yes

If yes, briefly describe how long service(s) have been offered.

We have been providing EFE since 2005 when we were first incorporated, and citizenship classes since 2014. We have been providing immigration-related case support since 2005 as well.

If no, briefly explain why proposed service/program had not been previously offered; and what qualifications the organization has to start providing these services.

Did the organization receive funding for Fiscal Year 2020

Yes

If yes, please describe how the Fiscal Year 2020 funds were utilized.

(Please respond to each separate allocation your organization received.)

We received \$7,500 from Councilmember Daniel Dromm's Office in 2020. Funds were utilized for our COVID-19 programming, which includes a comprehensive crisis response plan based on the needs of the community that includes emergency relief, supply support, comprehensive community education, direct services, and advocacy for immigrant workers.

Please list all performance evaluations from federal, state, and city agencies for the last three years

Include agency, rating and date

We are currently waiting to be assigned a contract manager for our grant from Councilmember Dromm's Office in 2020. We are in communications with DYCD's office to ensure the proper completion of our financials and required documents.

An organization requesting discretionary funding must itself deliver the programming/services of the funded program. Subcontractors or consultants must only be an ancillary part of the delivery of the programming/services. Does your organization have the capacity to provide the proposed programming/services?

Yes

Affiliations

Religious/Private Affiliation

Is/will the program/service be located in, operated by and/or affiliated with a religious/parochial and/or private school?

No

What estimated percentage of program/service participants also attend the religious/parochial and/or private school?

Is/will the program/service be located in, operated by and/or affiliated with a religious organization and/or place of worship?

No

What estimated percentage of program/service participants also participate or are members of the religious organization or place of worship?

Please describe what types of outreach and/or advertising is done to invite the community/general public to invite and participate in the programming/services being offered.

We utilize various methods, including relational organizing, to invite and reach our community. We post regularly on social media with in-language updates on any issue affecting our community, we circulate messages and urgent updates within our membership networks and messaging apps such as WhatsApp, Viber, Signal, etc. To reach our members with limited literacy, we also record messages of our updates and sometimes provide Nepali sign language interpretation based on our volunteers' capacity. Most members come to Adhikaar through word-of-mouth.

ELECTED OFFICE/PUBLIC AFFILIATION

Is/was the organization connected in any manner, officially or unofficially, to any elected official? (Please error on the side of disclosure if unsure.)

No

Please list the elected official and/or associated person, and time period. (Please see attached disclosure form for definition of Associate Person.)

Was the organization created, founded, expanded and/or directed by any past or current elected official, or any person associated with an elected official; in either an official or an unofficial capacity?

No

Does the organization have any relationships, partnerships, affiliations and/or associations with any elected officials, and/or political organizations, not including discretionary funding, standard community engagement and/or participatory budgeting?

No

Please describe any past and/or current roles, duties, responsibilities held by any elected official; including but not limited to Board Member, Consulting, Executive Staff, Managerial Staff, or Advisor (either official or unofficial).

Does the organization share office space (physical locale/address), staff, equipment (including telephones, cell phones, internet/network, and fax services) or expenses with any other community-based organization, business or political organization/entity?

No

If yes, please describe and list the affiliation of any elected officials to the above-mentioned entities

If so, please list the name of the organization, business, elected official, political organization or political campaign, time-period, and amount/value of office space.

Has the office space ever been or currently been provided to the organization, by either donation or payment, by another not-for-profit, business, elected official, political organization and/or political campaign?

No

Please review the discretionary funding policies and procedures .

Have you viewed the discretionary policies?

Yes

Do you certify that all statements, answers, information and representations given in the foregoing application and in all the supporting forms and documentation, are true, correct and accurate?

Yes

Required Attachments

Attachments to upload

Please download the forms from the link below, print them out and sign them.

After signing, please scan them and upload the forms here.

[Certification of Authorization form](#)

[Adhikaar FY22 Certification of Authorization.pdf](#)

Name of Person who signed Authorization Form

Pabitra Benjamin

[Conflicts of Interest Disclosure Form](#)

[Adhikaar FY22 Conflict of Interest Disclosure.pdf](#)

Name of person who signed Conflicts of Interest form

Pabitra Benjamin

[Organization Elected Official Affiliation Disclosure Form](#)

[Adhikaar FY22 Org Disclosure.pdf](#)

Additional Information/Documents

(Advertising, Board of Directors lists, lien satisfaction, etc.)

[List of Adhikaar Board of Directors - 2021.pdf](#)

Please note that all applicants are required to submit a notarized Certificate of Authorization form, a signed Conflicts of Interest form and a signed Affiliation Disclosure form. Applications are not considered complete without the required forms. The Charities Exemption form and the Supplementary Application (both found in the application) should only be completed as needed.

Adhikaar's COVID-19 Community Response

In March 2020, Queens was the epicenter of the COVID-19 pandemic in New York City. As cases began to surge, thousands of community members reached out to Adhikaar seeking assistance, emergency relief, and a safe space to grieve. Many of our community members live and work in Queens and were devastated by the pandemic, suffering from unprecedented levels of health, economic, and social insecurity. To meet the urgent demands of our community we quickly transitioned our operations remotely and pivoted into rapid response efforts. In conversations with members and partner organizations, we developed our COVID-19 Community Response. The four pillars of the response are:

- Direct relief & services
- Community education
- Campaigns & advocacy
- Organizing

Our members turn to Adhikaar because we provide services that address their needs, while also offering space to reimagine and rebuild systems that work for all of us. This transformative work is ensuring that we meet the demands of our growing community in New York City while also organizing and building community power for years to come.

Direct relief & services:

From support on unemployment, housing, food, and medical supplies to emergency relief and services, we provided direct relief and services to address the tremendous challenges fueled by the pandemic. Highlights include:

- **In-language support to 5,000+ inquiries** through our COVID-19 hotline, a majority from New York.
- Provided **\$467,400 in emergency relief funds to 750+** community members, prioritizing those ineligible for state or federal relief.
- Distributed food, emergency PPE supplies, and care packages to **652 households**.
- Ran virtual unemployment clinics with volunteer Nepali-speaking lawyers to **support 360+ members** with limited literacy, Temporary Protected Status (TPS), and those working in informal sectors.
- **Directed 500+ healthcare inquiries** to Nepali-speaking healthcare providers, city testing sites, clinics, and hospitals and coordinated virtual consultations to connect members with Nepali-speaking doctors and nurses for in-language emergency medical consultation.
- Facilitated language support for **450+ individuals at hospitals, trained 47 members to be mental health peer-supporters, and 216 individuals with COVID-19 related medical and housing resources.**

During the pandemic, I took part in Adhikaar's mental health training. I learned a lot about my emotions and managing my own mental health, it gave me hope. If not for the training, I would have gone into a depression. Adhikaar helped me and my family a lot.

As a VP of the Nail Salon Workers' Association, I mobilized our community members. I connected them to Adhikaar, where they received emergency relief funds, food and care packages. I also helped community members fill out their unemployment insurance. Being a woman, I felt great showcasing my leadership skills in the community that has been predominantly led by men.

I feel energetic and passionate about my future leadership with Adhikaar and the nail technicians team.



Maya Bhusal Basnet, Nail Salon Member Leader

Community education

Community education is key to flattening the curve. Given our 10k+ follower base on Facebook, we launched a 15-part public education video series to address COVID-19 related concerns and questions from the community, as well as provide updates on local, state, and federal campaigns and advocacy work related to pandemic and recovery. The videos were accessible, offering both language translation and Nepali sign language interpretation. To date, the videos have garnered 215.3k views. Additionally, we have utilized phone banks, direct social media message inquiries, online member chats, and virtual meetings to distribute up-to-date information and address community concerns.

Campaigns & Advocacy

We engaged in campaigns to address the systemic inequalities exacerbated by the pandemic. Some highlights include:

- **Quarantine facilities:** In April 2020, we secured quarantine facilities from the city by working with our local electeds like Councilmember Danny Dromm to ensure members could safely quarantine away from crowded quarters.
- **Immigration:** Through a collaboration called Communities United for Status and Protection (CUSP) with our partner organizations African Communities Together, UndocuBlack Network, and Haitian Bridge Alliance, we continue to push Congress and the Biden Administration to provide a path to permanent residency for all TPS holders. As the crisis rages on, we are racing the clock on TPS as almost 400,000 TPS holders are at risk of losing their status as early as Spring of 2021.
- In New York state we have expanded our work to join the Fund Excluded Workers campaign to provide relief to undocumented individuals left out of federal and state COVID-19 relief package, and basebuild among an emerging undocumented segment of our community. Through this campaign, we are engaging members to demand Governor Cuomo to create an Excluded Worker Fund and to #MakeBillionairesPay.
- **Language access:** We continue to advocate for better language access in Nepali and to address concerns in the unemployment system with the NYSDOL and NY Governor's office. We spoke to various media outlets on the importance of disaggregated data in creating language access.
- **Workers Rights:**
 - We advocated with our partners at the NY Healthy Nail Salon Coalition to push NYSDOL and the Governor's Office to ensure that worker-members' demands were reflected in the state phase 3 reopening guidelines for nail salons.
 - We engaged our domestic worker members in the campaign for Int 339, to expand protections for domestic workers by amending the NYC administrative code and expand human rights law to include domestic workers, especially in light of the pandemic.
- **Health Justice #Health4UsByUs:** As part of the People of Color for Health Justice Steering Committee, we have joined forces across the city to demand a more equitable and anti-racist healthcare system. We spoke at a press conference in June and continue to raise awareness on health justice issues in testing, contact tracing, vaccines, and community health safety nets.

सफाई र कीटाणुमुक्त

महान सफाईदिनेहरू कोषले भाइहरू (COVID-19) जसलाई टोकाइबाट आइसकेको कोठाहरू नैले सफाईकर्ताहरूलाई सार्ने छि ।

हाल सफाई

- सबै कार्यकारीहरूले सफाई गर्ने सफाई गर्ने (मन हातो) फर्कीने बाइकले लिएर भन्दा भन्दा र पनि आफ्नो हात कमिमा २० सेकेन्ड धुनु पर्छ ।
- यदि सफाई उपलब्ध छैन भने, रस्सीमा आधातिर सुत्तमा सफाई गर्ने सेनिटाइजर प्रयोग गर्नुपर्छ (कमिमा २०-३० सेकेन्ड) । सेनिटाइजर पूर्ण रूपमा सुख्खा नभएसम्म (साथमा ३० सेकेन्ड) हातहरू माइनुपर्छ ।
- सबै कार्यकारीहरूले सफाई साइडकोफेजि, बाइकको प्रयोग गरेपछि, सिमाना फासे पछि, पुष्पान गरेपछि, सेनिटाइजर पुष्पान गरेपछि, र सेवा पुष्पान गरेपछि आफ्ना हातहरू धुनु पर्छ ।
- यदि उनीहरूले अनुहार, नाक, आँखा, सेनाकेन, ओंसा, ३०सेन्टि काइ मेसिन, कम्प्युटर, भाइरु हुने वा कुनै सेवा नभएको सफाई उपकरण भन्ने सबै कार्यकारीले तुरुन्त आफ्नो पन्जा परिवर्तन गर्नुपर्छ वा सफाई र फर्कीने हात धुनु पर्छ ।
- सैलुममा प्रवेश गर्दा र प्रत्येक सेवा अघि सबै बाइकहरूको हात धुनु आवश्यक छ ।
- बाइकहरूलाई सेवा पछि हातमा सफाई गर्ने सेनिटाइजर प्रदान गर्नुपर्छ, जब किनकि सफाई उपकरण उपलब्ध नभए, बाइक सिफेसिङ र विनाशकारीबाट बाहिर निस्कने, उनीहरूको आफ्नो हात धोएको भए पनि सेनिटाइजर दिनुपर्छ । आफ्नो हात धोएको भए पनि सेनिटाइजर दिनुपर्छ ।

- सबै कार्यकारीहरूले सफाई साइडकोफेजि, बाइकको प्रयोग गरेपछि, सिमाना फासे पछि, पुष्पान गरेपछि, सेनिटाइजर पुष्पान गरेपछि, र सेवा पुष्पान गरेपछि आफ्ना हातहरू धुनु पर्छ ।
- यदि उनीहरूले अनुहार, नाक, आँखा, सेनाकेन, ओंसा, ३०सेन्टि काइ मेसिन, कम्प्युटर, भाइरु हुने वा कुनै सेवा नभएको सफाई उपकरण भन्ने सबै कार्यकारीले तुरुन्त आफ्नो पन्जा परिवर्तन गर्नुपर्छ वा सफाई र फर्कीने हात धुनु पर्छ ।
- सैलुममा प्रवेश गर्दा र प्रत्येक सेवा अघि सबै बाइकहरूको हात धुनु आवश्यक छ ।
- बाइकहरूलाई सेवा पछि हातमा सफाई गर्ने सेनिटाइजर प्रदान गर्नुपर्छ, जब किनकि सफाई उपकरण उपलब्ध नभए, बाइक सिफेसिङ र विनाशकारीबाट बाहिर निस्कने, उनीहरूको आफ्नो हात धोएको भए पनि सेनिटाइजर दिनुपर्छ ।

सामान्य सफाई

- बाइकको सैलुम पुनः सफाई अघि, सबै सफाईकर्ता, नुईहरू, निराहार, इलायजहरू, क्यान्डिडहरू, रिसेप्टन काउन्टर, औजार, उपकरण, नेल उत्पादहरू, र बाइकहरू सफाई गर्नुपर्छ । मास्क र पुनः प्रयोग गर्ने निस्कने रक्को पन्जा लगाउनुपर्छ ।
- कार्यकारीहरूलाई सफाईको स्थान, रकन भएको छुन नपर्ने छोडेर हान्ने टोकी, सफाई गर्ने र कीटाणुनाशक प्रदान गर्नुपर्छ ।
- नुई दिन भर राम्रोसँग सफाई गर्नुपर्छ ।
- सबै प्रयोग गर्नुपर्छ (टोकीहरू) केनिक सफाई गर्नुपर्छ र बाइक रकनको भाग धोएको बाइक राखे वा सफाईक वेलाहरू (साइडहरू)प्रयोग गरेर ।

Organizing

Organizing is at the heart of our work. We create opportunities for our members to grow as leaders and partner with other communities to create social change “by us, for us.” The pandemic forced us to design creative digital strategies to organize our members and the larger community. A snapshot of our digital organizing efforts include:

- Host regular virtual meetings for our nail salon, domestic workers, and TPS members, and member leaders to organize and strategize for campaigns and advocacy efforts.
- Train members, many of whom have limited digital literacy, to better use technology to organize, advocate, receive services and continue training and Know-Your-Rights sessions.
- Train domestic worker and nail salon worker member leaders to become workforce development trainers on digital platforms like Zoom.
- Develop and deliver accessible and virtual curriculums for our members and staff and transitioned workforce development trainings to operate virtually.



Adhikaar New York Census 2020 Campaign Highlight:

Through our Census 2020 campaign, we successfully **phonebanked 12,179** and **textbanked 3,054** Nepali-speaking New Yorkers about the Census and collected **8,150 form completions** from the Nepali-speaking community in New York City despite the challenges of the COVID-19 pandemic. We **engaged over 201,300 individuals** both online and in-person to educate and ensure a complete count.

Looking Forward:

Immigrant workers including Nepali-speaking workers were already living in an economically precarious situation, and the crisis has further exacerbated conditions. The ripples of COVID-19 in 2020 are shifting industries, and in turn, shifting how our members survive. This crisis yet again reveals the inequities embedded in our social and economic systems and the disproportionate effect on low-wage immigrant workers and communities of color.

Adhikaar will continue supporting and collectively building and pushing for an economic recovery plan that centers immigrant workers. Through our COVID-19 response efforts, we are building community power and working with our members to reimagine and rebuild systems that work for all of us. This includes fighting for domestic workers’ and nail salon workers’ rights on a city and state level through the NYC Cares Platform ([city platform here](#)), the Nail Salon Accountability Act ([state platform here](#)), and a number of other workers’ and immigrant rights legislations.

We have strengthened the digital capacity of our staff and members to equip them for this new era, and we will continue to do so. We will continue to provide in-language information and resources through industry-specific English classes and other digital methods to educate our community. We will continue to provide PPE, groceries, and other relief to our members while providing legal support on workers’ rights and immigration rights. As we grow we will ensure that services and organizing work hand-in-hand.

Additionally, vaccines are not accessible to all our community members especially those that are limited literacy or are unable to navigate digital appointments. The digital divide in accessing vaccines is expanding the economic divide and will exacerbate the impact of COVID on low-income communities of color. We are advocating for the following:

- **Ensure that all New Yorkers have access to the vaccine regardless of their language capacity (beyond languages provided now) and digital capacity.**
 - Ensure the government is funding and collaborating directly with us to provide slots to those who cannot access appointments online or on the phone.
- **Expand vaccine priority to domestic workers, nail salon workers, and outreach workers**
 - Childcare workers who work at authorized centers can receive vaccines but not childcare workers or house cleaners or health care practitioners or others. Right now, unemployment levels for domestic workers have risen and pay has decreased to rates our members were receiving a decade ago. When domestic workers are applying for jobs they are being asked if they have their vaccines, and often are being denied a job if they do not. We need to expand vaccination for all domestic workers who have to go to work or are applying for jobs to ensure people can support themselves.
 - Nail salon workers and employers of small businesses must go to work to make money to support their families. They are in contact with numerous people throughout the day and work in close proximity to others. We need to ensure our workforce who must go to work are vaccinated including nail salon workers.
 - Include outreach workers like food pantry workers and non-profit workers at centers like ours since working with people in person is critical to our work. Outreach workers have been critical to COVID-19 support in the State. Vaccinating outreach workers would in turn better support the community who depend on outreach workers' in-person presence, especially as more industries are slated for vaccines.

Summary of Adhikaar's FY22 City Discretionary Funding Request

Adhikaar is applying for City Discretionary funds for FY22. We are requesting \$200,000 to expand our immigration services, sustain our adult literacy classes, and strengthen our COVID-19 response. Due to the pandemic, the demand for our work has increased drastically. We are requesting funds from the following city-wide initiatives:

- Speaker's Initiative on Adult Literacy: \$75,000
- Immigration Opportunities Initiative: \$50,000
- Anti-Poverty Initiative: \$10,000
- Boroughwide Needs (Queens Delegation): \$20,000

Additionally, we are requesting funding from the following NYC Councilmembers of districts with a high concentration of Nepali-speaking New Yorkers:

- Council Member Daniel Dromm (District 25)
- Council Member Francisco Moya (District 21)
- Council Member Jimmy Van Bramer (District 26)
- Council Member Antonio Reynoso (District 34)

Queens, New York was an epicenter of the COVID-19 pandemic when the pandemic severely hit New York and the tri-state area. A large number of the Nepali-speaking community, including our members, who live in Queens, NY were directly affected by the COVID-19 pandemic and continue to face economic and workplace safety challenges. Our members are domestic workers, nail salon workers, restaurant workers, gig drivers, and other informal sector workers, and mostly live in Jackson Heights, Woodside, East Elmhurst, Elmhurst, Corona, Maspeth, Sunnyside, Ridgewood, Jamaica, and Flatbush - areas severely impacted by the COVID-19 pandemic.

Our community remains underserved, undercounted, and underfunded - despite the devastating impact of the COVID-19 pandemic. Our members turn to Adhikaar because we provide services that address the needs of our community, while also offering space to reimagine and rebuild systems that work for all of us. Our COVID-19 community response, immigration services, and adult literacy classes are among the most critical services needed for our community at this time. We request that your office consider our funding request so that we can strengthen our capacity to urgently respond to the immediate needs of our community.

Below are specific programs and services we are requesting funds from the NY City Discretionary Funds in FY22:

1. Adult Literacy Services: To date, we have served 1,000 Nepali-speaking immigrants through our EFE program. For almost 14 years, our staff developed and ran a robust project that has received minimal funding. Our EFE curriculum follows MOIA's 'We Speak NYC' guidelines and we have shaped our own curriculum that includes topics such as workers' rights, political education, government agencies, and other relevant practical skills and information. This results in people better navigating how to get around NYC, negotiating higher wages, understanding social services they qualify for, receiving NYC ID cards, supporting their children in the NYC school systems, navigating the healthcare system, and much more. Following the COVID-19 pandemic, we are working closely with our members to understand shifts happening in their workplace and their lives. Due to the rampant misinformation and violations of workers' rights, we want to develop industry-specific EFE curriculums that have information tailored to each workforce so that our members understand their rights as they develop their English language.

"[During lockdown] I lost my job, and I did not have any savings. It was a very difficult time, I was penniless and did not have any money to feed my family. There was also a shortage of masks and gloves in the market, and it was expensive, but I needed it to make sure I could stay safe and not infect my family.

Now I am back to work but my workdays are cut short, my commission was cut, and I don't get a break anymore. How am I supposed to continue to support my family with such little pay? "

KANDIS.

Nail salon member leader

2. COVID-19 Emergency Needs: In March 2020, we had no option but to pivot into rapid emergency response efforts that spanned direct relief and services, community education, advocacy, and organizing. Since March, we have provided direct support to more than 4000 people, facilitating their access to unemployment, health care, language access, and medical and food supplies. We've provided nearly half a million dollars in direct emergency relief resources to 750+ community members, focusing our efforts on those ineligible for state or federal relief, and delivered and distributed food, emergency PPE supplies, and care packages to more than 600 households. We also ran virtual unemployment clinics, supporting 360+ members with limited English literacy, TPS, and those working in informal sectors with their unemployment application. Our work also involved directing 450+ healthcare inquiries to Nepali-speaking healthcare providers, city testing sites, clinics, and hospitals, while also coordinating virtual consultations for our community members to connect with Nepali-speaking doctors and nurses for in-language emergency medical consultations. We have extremely limited resources and capacity for our response work. Additional funding will allow us to continue providing these critical services to our community.

3. Immigration Services: Due to our cultural and linguistic niche, we are often considered a one-stop-shop for many Nepali-speaking immigrants in the City - our community's 911 and 311 line. This gives us a unique perspective on community needs and an ability to reach Nepali-speaking immigrants. Despite limited capacity and resources for our service work, we continue to provide essential legal support to our members on immigration and workers' rights. We have experienced a rapid rise in legal case support within the community. Without an in-house attorney, we rely on other legal service providers for any type of immigration-related support. We are exhausting the capacity of legal service providers we trust and currently work with, such as the Urban Justice Center, the Legal Aid Society, SAALT, AAJC, etc. Under this political climate, they are working at maximum capacity as well and are not able to provide us the urgent response that the case demands. Additionally, even when we refer the cases out, members often want us to interpret for them as many interpreters offered by government services do not interpret thoroughly or convey what our member is expressing. They also need emotional and supplementary support which requires staff time and capacity.

"Since March 19, I am still unemployed. A lot of employers are not even offering minimum wage. When I do interviews, the current expectation is to work for very little money. In this country, domestic workers have their rights. We have protections, and while enforcing these protections we need to ask ourselves what other protections we need".

RUKMANI B.

Domestic Worker member leader, District 25

MAJOR SHIFTS AND NEEDS REPORTED BY MEMBERS:

→ Like Rukmani, a large percentage of our members are reporting job loss or reduced pay or hours as a result of the COVID-19 pandemic. Among those working, some members are reporting having to work extended hours for similar or less pay. Generally, our members are reporting health and safety-related issues at their workplace, including lack of protective gear and safety measures.

→ Experiencing barriers to resources, including information on healthcare, vaccinations, unemployment benefits, etc due to limited English literacy and limited digital access as well as access to in-language information.

→ School closures and remote learning for childcare have put our members in difficult situations - often forcing them to choose to stay home with their kids, instead of going back to work. Some members are reluctant to return to work due to safety concerns of the COVID-19 pandemic. Some domestic worker members are only being offered only a live-in option for nanny jobs.

→ Members and their families are reporting the need for food and essential supplies to make ends meet. Food pantries in the City are not providing culturally-specific food.

Adhikaar 2021 New York City Budget and Policy Priorities

We request that your office consider supporting the following city budget and legislative policy asks to support immigrant and workers rights, and essential services for our communities:

"About 4 years ago, I heard about Adhikaar from my friend. She told me Adhikaar had free English classes so I started coming. And I am very thankful because I learned so much - not only English but, you know, survival skills like getting from place to place, taking the train, understanding my rights at work.

In my work [as a domestic worker], it made me more confident. I was more assertive about my rights- like getting breaks and asking for more pay. And that also changed my relationship with my boss.

In my own life, I am proud of myself."



MOHINI K.

English for Empowerment Class Graduate & Facilitator

BUDGET PRIORITIES

Below are Adhikaar's budget recommendations in light of the COVID-19 pandemic for elected officials and agencies to consider for FY22 for CBOs like ours to continue providing essential and critical services to our communities. At this critical time, where CBOs remain the lifeline of the City for many communities, it's critical to **increase discretionary spending** and directly support Adhikaar and CBOs like ours providing culturally competent and language accessible services to their communities. Below are Adhikaar's programs that urgently need funding:

1. Adult Education: We are advocating for the city to fund more resources for immigrant adults and digital literacy in the city's budget for Adhikaar. Our English for Empowerment (EFE) program has to date served nearly 1000 members. For almost 14 years, our staff have developed a robust project that has received minimal to no funding. If funded, we can improve literacy, including digital literacy of our members, while expanding community consciousness towards civic participation, city navigation, support for children and improving working conditions for all.

2. COVID-19 Emergency Needs: Adhikaar's membership in Queens was at the epicenter of the COVID-19 crisis. We went from being a physical community hub to running 100% virtually. [A summary of Adhikaar's COVID-19 response can be found here.](#) The pandemic is far from over and as we begin to work on ensuring our immigrant worker members receive equitable information on and access to vaccines and ensure that workers are not left out of economic recovery plans. Adhikaar needs resources to fund the capacity to continue protecting our community. Through added capacity, Adhikaar will continue providing PPE, food delivery and direct emergency relief funds to workers and families in urgent financial need, in language education and support with services like Unemployment Benefits and understanding programs like SNAP.



3. Immigration Services: Due to our cultural and linguistic ability, we are considered a one-stop-shop for thousands of Nepali-speaking immigrants, and our immigration services are an essential lifeline. We provide in language one-on-one case support and run regular legal clinics with legal partners for those with TPS and in other vulnerable statuses. We also have members who are also at risk of deportation and detention, those who need to regularly check in with ICE, or those who have fallen prey to immigration fraud. We are

seeking funds to increase our immigration services to support more individuals and expand our case coordination with legal service providers.

[A more comprehensive description of Adhikaar programs seeking funding through the Discretionary Funds can be found here.](#)

WORKERS' RIGHTS



Care work is essential work

The NYC Care Platform: Expand protections for domestic workers in NYC

New York was the first state to pass a Domestic Workers Bill of Rights in 2010, and since then has made gains through the creation of the NYC Department of Consumer Affairs' Paid Care Division and the passage of Paid Sick Leave Law. However, domestic workers still remain excluded from basic labor protections in the city, and the COVID-19 crisis has further exacerbated working conditions, turning back the clock a decade on issues like low wages.

Adhikaar with our partners at Hand in Hand: the Domestic Employers Network, National Domestic Workers Alliance and Carroll Gardens Association propose the NYC Care Platform, a citywide campaign that includes a number of policy proposals and recommendations to ensure protections. This platform urges for:

- Passage of Int 339 that would amend the NYC administrative code to expand the definition of employer under the human rights law to include individuals who employ domestic workers.
- Creation of an employer & worker outreach program that focuses on transferring the responsibility to upholding labor law on employers.
- Provision of tax credits to domestic employers who comply with the law and have responsible practices for all workers.
- Passage of Paid Personal Time that would provide paid vacation to one million New Yorkers, including domestic workers.
- Creation of a retirement program in partnership with local organizations representing workers and employers.
- Tax law reform to tax the wealthy in NY, providing economic relief for workers, and invest in public programs to help the care sector
- Ensure universal childcare by investing in childcare through allocations from defunding the police to build childcare systems that work for all.

IMMIGRANT RIGHTS

Our City our Vote: Reinstate local voting rights to immigrant New Yorkers

In partnership with the New York Immigration Coalition, we support the Our City Our Vote campaign, that proposes legislation to allow for immigrants that are lawfully present and those with work authorizations to vote in municipal elections, as well as referenda and other local contests. Introduced by Councilmember Ydanis Rodriguez and supported by a majority of council members (26) and the Public Advocate, this bill ensures that millions of New Yorkers will have a voice on the issues that impact them.



TESTIMONY OF:

Ellen Pachnanda, Supervising Attorney – New York Immigrant Family Unity Project

BROOKLYN DEFENDER SERVICES

Presented before

The New York City Council Committee on Immigration

Preliminary Budget Hearing – Immigration

March 8, 2021

I. Introduction

My name is Ellen Pachnanda. I am a Supervising Attorney in the New York Immigrant Family Unity Project at Brooklyn Defender Services (BDS). BDS provides multi-disciplinary and client-centered criminal, family, and immigration defense, as well as civil legal services, social work support and advocacy, for nearly 30,000 clients in Brooklyn every year. I thank the New York City Council Committee on Immigration, in particular Chair Menchaca, for the opportunity to testify about our budget needs to serve the immigrant community in New York City.

BDS' immigration practice is a multi-unit practice that works to minimize the negative immigration consequences of criminal charges for noncitizens, represent our clients in applications for immigration benefits and defend our clients against ICE detention and deportation. Since 2009, we have counseled, advised, or represented more than 15,000 clients in immigration matters including deportation defense, affirmative applications, advisals, and immigration consequence consultations in Brooklyn's criminal court system.

BDS is one of three New York Immigrant Family Unity Project (NYIFUP) providers and has represented more than 1,500 people in detained deportation proceedings since the inception of the program in 2013. Our NYIFUP team represents people in detained and non-detained removal

proceedings in bond, merits hearings, release advocacy with ICE, administrative and federal court appeals, and federal district court challenges to unlawful detention.

Our Immigration Community Action Program (ICAP), which receives Immigrant Opportunity Initiative (IOI) funding, represents people in non-detained removal proceedings as well as applications for immigration benefits, including family-based applications for lawful permanent status, fear-based applications, U & T visas, Special Juvenile Immigrant Status (SIJS), DACA renewal and related applications. BDS' ICAP team specializes in providing affirmative immigration legal services in complicated cases and prioritizes people that are current or former clients of BDS and their families, formerly justice-system involved non-citizens, community residents referred from partner organizations, and individuals referred by constituent affairs offices.

Additionally, about a quarter of BDS's criminal defense clients are foreign-born, roughly half of whom are not naturalized citizens and therefore at risk of losing the opportunity to obtain lawful immigration status as a result of criminal or family defense cases. Our *Padilla* criminal-immigration specialists provide support and expertise on thousands of cases, including advocacy regarding enforcement of New York City's detainer law, individualized immigration screenings, and know-your-rights advisals.

II. The Impact of the COVID-19 Pandemic on the Needs of the People We Represent and Our Practice

As the pandemic raged in our city in 2020, ICE continued to detain hundreds of New Yorkers in detention facilities where COVID-19 spread rapidly. Fortunately, because of this Council's commitment to legal services, BDS and our partners were able to respond quickly. In an around-the-clock team effort to free at-risk clients from dangerous ICE detention conditions, BDS filed federal litigation challenging detention in the COVID era in nearly 60 cases for 85 separate clients. In March 2020, BDS staff won the groundbreaking *Basank v. Decker* decision freeing 10 people with serious health risks from life-threatening detention—the first decision in the nation finding ICE deliberately indifferent to the safety of detained people. BDS shared resources with other attorneys and worked with The Legal Aid Society and Bronx Defenders to file case after case throughout 2020 fighting for the liberty of the people we represent. **In total, the 3 NYIFUP offices have won the freedom of over 240 NYIFUP clients from March 2020 until now.**

NYIFUP staff continued to advocate for the release of all clients through bond and merits trials at the Varick Street Court that, unlike the non-detained immigration courts, never closed during the pandemic. Despite the demands of remote representation of our clients—accessing clients in jail in order to prepare for hearings; telephonic hearings; and inability to obtain documentary evidence—we have won our clients' freedom in bond hearings and won relief from removal in many cases.

In addition, BDS social workers and attorneys on both our ICAP and NYIFUP teams supported over 500 clients with pending deportation cases in the community during job losses, health crises and other hardships that affected their legal cases and their families. Our social workers made hundreds of virtual contacts and connected clients to services in extremely difficult circumstances with many services closed for clients experiencing job loss, homelessness, sickness, and death of loved ones.

BDS was also able to utilize our presence on the ground to amplify through media the voices of people in dangerous ICE detention and who had been released.¹ Our undocumented clients have suffered disproportionately during the pandemic – with serious health issues and the lack of economic security. BDS created the Todos Together fund to provide material support for our clients who were left out of stimulus funds and other services. We also released a new and timely video in our animated We Have Rights series, *We Have Rights: When ICE Arrests Us*,² in August 2020, to help educate our immigration communities about ICE enforcement.

BDS’s immigrant clients have been hit extremely hard by the COVID-19 pandemic, both in their personal circumstances (including job loss, food insecurity, harassment from landlords for inability to rent, impending evictions), and in relation to the fallout from lack of operations of EOIR (immigration courts) and limited and dysfunctional operations by United States Citizenship and Immigration Services (USCIS).

Non-detained immigration courts have been closed since mid-March 2020; however, closure announcements have been made on a weekly basis, announced two weeks in advance of the “closed through” date. Consequently, staff have been working tirelessly to prepare for trials and hearings that are ultimately cancelled. Court preparation under the constraints and inadequacy of virtual meetings and back-and-forth mailing of documents is more time consuming than in regular circumstance. Our clients’ individual suffering and stress is at an all-time high due to COVID, thus adding further layers of complication in preparation as well as needs for additional social work and civil legal services relating to employment, benefits, and housing.

While USCIS operations have reduced on a less drastic scale than EOIR’s, USCIS’s error rate has skyrocketed. Our staff consistently deals with error such as erroneously rejected applications (often multiple times for the same client); massive delays in processing; USCIS failing to honor its COVID-related accommodations.³ Each USCIS error drains staff time due to USCIS’s inadequate customer service availability, ability, and willingness to remedy its errors. The drastic increase in time-per-case results in ICAP reducing the number of New York City residents we are able to serve.

III. Legal Service Needs, Opportunities and Challenges in the Biden Administration

BDS and our partners need resources to be able to respond to our clients’ immediate community needs, such as detained deportation defense, screenings and know-your-rights advisals as those outlined above, in addition to resources to affirmatively address a person’s immigration status. Our work on affirmative applications, including through IOI-supported ICAP initiative, is critical

¹ See, e.g., ICE Detainee Says Migrants Are Going on a Hunger Strike for Soap, Pro Publica, March 23, 2020, <https://www.propublica.org/article/ice-detainee-says-migrants-are-going-on-a-hunger-strike-for-soap>; Detainees Describe Life In ICE Detention During the Pandemic, The Intercept, July 27, 2020, <https://theintercept.com/2020/07/27/coronavirus-ice-detention-2/>

² See <https://www.wehaverights.us/>

³ e.g. refusing to allow attorneys to appear telephonically for interviews, erroneously denying applications where clients have followed protocol for rescheduling related to experiencing symptoms, known exposure, or observing quarantine requirements following travel out of state.

to help New Yorkers obtain stable immigration status and advice about their risk of enforcement, preventing them from ending up in a triage situation later.

As vaccines become more readily available, the non-detained immigration courts will reopen. Based on our experience during the pandemic, we anticipate that court reopening will be done with little to no notice to practitioners. We also expect that the courts will intent to move at a much quicker pace to accommodate the yearlong backlog – cases will go to trial much faster, which recognizes some level of due process; however, it does mean a considerable strain on our staff, and demands on our resources. NYIFUP’s success winning release from detention, along with immigration court backlogs, means that the three NYIFUP providers collectively have over 1,000 pending non-detained cases that will need review and litigation as New York courts reopen.

It remains to be seen how the new federal administration’s priorities will impact immigrant New Yorkers. If new forms of status, relief from deportation, or prosecutorial discretion are announced, NYIFUP will need to evaluate hundreds of cases individually for new options and case preparation. It is possible the Biden Administration will discontinue ICE enforcement and detention against New Yorkers, as the Obama Administration did, and target individuals who have had even incidental contact with a racist criminal justice system. Thus far, while the Biden Administration issued new “enforcement priorities” and memos in January and February 2021, ICE officers and attorneys have shown no willingness to use those priorities to release individuals in detention or review pending cases, stating that they are still awaiting more guidance. **NYIFUP’s commitment to universal representation is critical to assure our communities that no family will be separated by deportation simply because they cannot afford counsel.**

IV. FY2022 Budget Asks

We ask that the Council fund immigration legal service providers to perform community outreach, present know-your-rights presentations, conduct legal screenings, and handle both straightforward and complex cases. The New York City Council has demonstrated its leadership and support for immigrants through funding to legal service providers and the creation of NYIFUP. New York City should continue to protect the rights of New Yorkers by providing them with education, legal counsel and support, and ending policies we have mentioned in other City Council testimony such as broken windows policing and the targeting of communities of color through unnecessary arrests and incarceration.

BDS works to support immigrants and their families and communities every day, but the need for our services and those of the dozens of other legal service providers and grassroots organizations is more acute than ever. We look forward to working together to craft policy responses that will help protect immigrant New Yorkers, strengthen families, and stabilize communities.

a. New York Immigrant Family Unity Project

NYIFUP continues to be a model of access to justice nationwide and has inspired replication in many states and cities that want to stand beside their immigrant communities to ensure families are not separated by deportation because they cannot afford counsel. Nationwide, there are now dozens of cities that have committed public dollars to deportation defense, with NYIFUP as the

gold standard and the model. This includes recently expanded funding in New Jersey and Pennsylvania's renewed program, PAIFUP (the Pennsylvania Immigrant Family Unity Project.) New York's NYIFUP organizations regularly provide support and training to those programs.

We ask that for FY2022, the City Council continue funding NYIFUP to allow us to retain our flexibility to address crises, like we did throughout 2020, and remain in intake at the detained immigration court throughout the year. NYIFUP work increasingly requires appeals to the Board of Immigration Appeals, which itself has become more hostile and political, appeals to the Second Circuit Court of Appeals, and federal court habeas corpus litigation. Nevertheless, we are digging in and doing the work to zealously represent our clients and neighbors, and we are grateful to partner with the Council to make sure we have the resources to keep up that fight.

The NYIFUP Coalition submitted a joint request for \$16.6 million, split evenly among the three providers, to fully fund the New York Immigrant Family Unity Project in FY2022.

This funding would allow this partnership to continue capacity to handle its large volume of direct representation to low-income detained New Yorkers facing deportation, including staffing intake at the Varick Street Court five days a week so we do not miss a single person who is starting their removal case locked up without an attorney. As our communities begin to emerge from a devastating pandemic, the hope of new forms of status on the horizon, but a need for vigilance against the continuing criminalization of immigrants, this project is more important than ever to prevent New York families from being torn apart.

b. Immigrant Opportunities Initiative (IOI)

BDS' ICAP team serves a large number of individuals in naturalization, adjustment of status, DACA, SIJS, and other affirmative asylum applications with USCIS. Most affirmative applications used to be considered straightforward and requests for additional evidence and denials were less common; however, the Trump administration effectively built an "invisible wall" *inside* its agencies by implementing hundreds of draconian policy changes. These changes resulted in a steep increase in erroneously rejected applications, applications rejected for empty boxes on forms, or simply and most often for failing to read the applications submitted. While these practices frustrate practitioners and delay applications, applicants without attorneys who lack the legal skills or resources to navigate the system are left without recourse and without immigration status.

One representative example is our client that was applying for naturalization (U.S. citizenship). Prior to coming to BDS, he filed for citizenship *pro se* (and paying the filing fees), attended an interview, and passed the required tests; however, the interviewing officer sent a follow up letter requesting additional documentation. The client never received the letter due to being the victim of identity theft. Once he learned the application was denied for failure to respond, he requested a re-hearing, which required yet another filing fee. In response, USCIS erroneously rejected the application, denying his request for re-hearing. It was only when a BDS attorney engaged in various, time-consuming advocacy strategies that she was able to convince USCIS to recognize and accept their responsibility for its black-and-white error. USCIS eventually corrected its error, held a re-hearing interview, and the client was sworn in as a citizen. USCIS's mistakes and delays resulted in his family being separated across international borders tremendously longer than

necessary. BDS is now representing him on his petitions for his children abroad to join him in the U.S.

Working in collaboration with our NYIFUP team, once a person is released from detention through BDS's NYIFUP representation, if there is a benefit that requires an affirmative application, our ICAP team assumes their immigration case through a seamless internal referral process (e.g., if they can apply to USCIS for a benefit that the judge does not have jurisdiction over, such as a U visa, SIJS, or a spouse's visa petition on their behalf). ICAP also assists people after a removal case is complete such as when relief is granted and there are next steps like green card renewals, citizenship, petitions for other family members, citizenship, orders of supervision, applications for employment authorization, etc. These critical immigration services comprise BDS's non-detained immigration legal and social services and are a necessary component of supportive immigration assistance for people in New York.

New York City non-citizen residents have needed advice and assistance even more frequently since the Trump administration began its harsh immigration policy in this country. Although Trump has left office, many of his policies remain and continue to impose lasting damage that will take much time and effort to remedy, where even possible. Further, and just as importantly, momentum is growing for the Biden administration to make drastic changes, both to revert some policies and to immigration benefits that will impact hundreds of thousands, if not millions of noncitizen residents. Given our experience and trust with our clients, BDS needs to be in the position to respond and serve our clients before these changes go into effect. We need robust funding to have sufficient capacity and reinforce our infrastructure to serve as many clients poised to benefit as possible. With increased funding we will also be able to educate the broader community to protect them from unscrupulous predators that will certainly be taking advantage of changes in ways that harm our noncitizen community members both legally and financially.

Increased funding is needed for BDS to more comprehensively serve New York City's immigrant youth, families, and communities with desperately needed high-quality immigration legal services. This funding would help BDS continue serving New York City's immigrant families by providing legal screening, advice, and direct representation to low-income immigrants in their pursuit of affirmative immigration benefits such as citizenship, lawful permanent residence, asylum, Special Immigrant Juvenile Status, special trafficking and victims' visas, VAWA relief, TPS and DACA, and in their defense against deportation in non-detained deportation proceedings and orders of supervision.

We ask that the Council support our IOI ask of \$200,000 to expand our ability to provide direct immigration legal services and Know Your Rights trainings to Brooklyn residents.

IV. Conclusion

The Council continues to play a critical role in safeguarding New York City's immigrant community. This Council has been a national leader in the creation of the NYIFUP program and a champion for the importance of access to high-quality immigrant legal services. We are not "out of the woods" in terms of the lasting harm to our communities that has been done by the Trump

Administration, nor is there a guarantee that the Biden Administration will follow through on new forms of relief that do not leave behind the most marginalized immigrant communities, including BDS' clients.

BDS has worked to protect the rights of the people in our communities every day for 25 years, but the need for our services is more acute than ever. BDS' requested funding will ensure we can continue to provide quality legal services to immigrant New Yorkers.

We thank the New York City Council for your continued support of low-income immigrant New Yorkers. If you have any questions, please feel free to reach out to Kristine Herman, Director of Policy and Advocacy at kherman@bds.org.

**New York City Council
Preliminary Budget for Fiscal Year 2022
Committee on Immigration
March 8, 2021
Testimony of The Bronx Defenders
By Sarah Deri Oshiro, Managing Director, Immigration**

Good afternoon, my name is Sarah Deri Oshiro and I am the Managing Director of the Immigration Practice at The Bronx Defenders. I would like to thank the New York City Council for its consistent, principled support of immigration legal services, and specifically acknowledge the efforts of Immigration Chair Menchaca and Finance Chair Dromm in their unwavering dedication to supporting New York City's vibrant immigrant communities. We are respectfully requesting level funding for the New York Immigrant Family Unity Project (NYIFUP) in FY 22, in the amount of 5.533 million per organization, or 16.6 million total, to continue providing our critical services during this time of great need.

Nineteen years ago, The Bronx Defenders embraced the model of holistic defense by embedding immigration services within a public defender office. Our robust immigration practice today consists of over fifty attorneys, social workers, advocates and administrative professionals. We provide deportation defense in both detained and non-detained court. We also provide advice and guidance to our non-citizen clients and their attorneys and advocates with Criminal and Family Courts cases, to avoid or mitigate negative immigration consequences. We also represent our clients in affirmative applications before U.S. Citizenship and Immigration Services to protect or secure their status in this country. Our advocates provide these services within three related but distinct programs: representation of detained people through NYIFUP, our "Padilla" practice, and general representation of Bronx community residents before the Immigration agency and courts.

Two themes punctuated our testimony at the budget hearings last Spring. First, New York City had become a target of the Trump administration due, in large part, to our city's commitment to protecting immigrant community members. This targeting implicated our ability to advocate for our clients family unification and stability. Second, for low-income immigrant communities, the COVID-19 pandemic unleashed harrowing physical and mental health consequences and economic devastation. In response, we pivoted our advocacy efforts to focus on securing release of as many clients as possible from the tinderbox of the unsafe, unsanitary jails where Immigration and Customs Enforcement (ICE) detains New Yorkers. And we were largely successful, thanks in large part to the Council's continued support of our programs. Since the start of the pandemic, The Bronx Defenders and the other two NYIFUP providers have secured freedom from ICE custody of over 240 people.

Today, there are glimmers of hope that we did not see one year ago. Our federal immigration policy is no longer driven by the overt xenophobia and racism of the prior administration. Vaccines protecting against COVID-19 have been rolled out to many people, and we are optimistic that the pandemic itself will recede in time. However, there is more work to be done

today on behalf of immigrant New Yorkers than there was last year, and we come before the Council today to explain why.

The immigration courts that process the deportation cases of people detained by ICE never stopped running throughout the pandemic. Despite securing the release of dozens of clients last spring, during when the rates of COVID-19 infection peaked, others remained incarcerated during the entirety of the past year. As such, we continued to represent dozens of detained clients in their deportation proceedings at the Varick Street Immigration Court, despite the challenges presented by the pandemic, including closure of many private and public institutions. For example, we had to largely meet and interview our detained clients, and discuss highly sensitive information, such as their fear of persecution or torture in another country via phone or video-conference. The technology platforms that support this communication often fail, and/or lack confidentiality. Obtaining critical evidence to support our clients' claims for relief became and continues to be more challenging than ever, as institutions such as courts, hospitals, schools, social services offices and treatment centers manage their own shut-downs, short-staffing, and restrictions on programming they can offer the public. And the detained trials have become even more difficult as our lawyers are literally phoning in to appear at trials for their clients' lives.

The three NYIFUP providers also represent over 1,000 non-detained people in removal proceedings, and while the courts for non-detained immigrants ceased to hold hearings in March of 2020, these pauses are temporary. The immigration court administrators issue notices extending the court's closure by just a few weeks at a time, on a weekly basis. Ultimately, this disjointed protocol results in ongoing, consistent litigation in support of our non-detained clients as we must still continue to prepare their cases as if the court will reopen any time.

Despite the new political era in Washington, the laws and policies promulgated by the previous administration are largely still in effect today. These legal obstacles make all of our client advocacy more challenging and time-consuming since the pathways to a successful outcome are still blocked by the barriers erected by Trump. This is particularly true for our many clients seeking asylum in this county who are stymied by restrictive case law published by the Board of Immigration Appeals and the previous Attorneys General, draconian regulations designed to impose procedural limitations on how, when and how they can seek relief from the courts and agencies, and less meaningful judicial review of agency conduct. Programmatically, the persistence of these Trump era legal obstacles means our staff must litigate cases through lengthy appeals more often than ever before.

While ICE enforcement slowed down during the worst months of the pandemic, there was an uptick in arrests of New Yorkers again starting in the Fall. Indeed, on multiple occasions, our clients have reported that their arrests by ICE began with agents pretending to be officers of the New York Police Department (NYPD) "conducting an investigation". A concerning pattern has emerged in which ICE uses this ruse and exploits the willingness of many New Yorkers to assist law enforcement's investigation of alleged crimes. Unfortunately, and despite the grave consequences of ICE detention amidst a global pandemic, New York City has not taken concrete steps to prohibit this practice by the federal government or investigate the involvement of the NYPD itself. Moreover, despite a law that significantly limits the Department of Corrections'

ability to honor ICE's detainers on incarcerated people, we continue to see instances in which the City takes advantage of loopholes to facilitate transfers of immigrants from their custody into ICE's.

In addition to the day-to-day litigation and support of our clients facing detention and deportation, there is a growing need for legal support for immigration policy work. The anti-immigrant laws, policies and regulations promulgated over the past four years need to be undone, one by one, and/or counteracted by state and local initiatives. Our staff are in a unique position to educate and advise policy-makers about how to reverse the harms meted by the previous administration and protect immigrant communities.

Moreover, there has been an uptick in requests for advice and counsel from current and former clients who seek information about the changing immigration laws and proposals. People see the references to President Biden's plan for immigration reform and understandably, want to know whether and how it may apply to them or their loved ones. Responding to these requests for information and support from community members places additional pressure on our program staff who are digesting the new information in real time and seeking to dispel misinformation that may be circulating in the community. If Congress passes any immigration reform, such as the United States Citizenship Act of 2021 recently introduced by President Biden, the need for legal services will increase dramatically, and immigration staff would respond yet again to community needs.

Despite the hope offered by a promising vaccine and declining rates of infection, the COVID-19 pandemic is far from over and support for our immigration programs fighting for the safety and freedom of our detained clients is more important than ever. Detention by ICE is still a life-or-death situation for every client. ICE has shown callous disregard for the wellbeing of immigrants in its custody and ICE detention served as a superspreading force.¹ The threat of COVID underscores the urgency of the representation and requires aggressive advocacy efforts in every client's case. Moreover, our clients, their families, community members and staff continue to experience a cascade of losses – loss of loved ones, of stable employment, of community support and companionship, of childcare, or a safety net. These losses take their toll, collectively and individually, and underscore the need for successful programming that prioritizes family unification and stability. Providing lawyers and legal advocates to immigrants who are at risk of deportation, and in particular, the programs that are funded by New York City such as NYIFUP, keeps families together and makes communities stronger.

Our immigration programs play an essential role in the lives of New Yorkers in crisis, particularly the residents of the South Bronx who were at one point living in the epicenter of the pandemic. Given the serious and ongoing needs of the clients we serve, The Bronx Defenders respectfully requests level funding from the Council for FY 22 in the amount of 5.533 million per organization, as part of the 16.6 million total NYIFUP budget.

¹ William D. Lopez, Nolan Kline, Alana M. W. LeBrón, Nicole L. Novak, Maria-Elena De Trinidad Young, Gregg Gonsalves, Ranit Mishori, Basil A. Safi, and Ian M. Kysel, 2021, Preventing the Spread of COVID-19 in Immigration Detention Centers Requires the Release of Detainees, *American Journal of Public Health* 111, 110_115, <https://doi.org/10.2105/AJPH.2020.305968>

CENTRAL AMERICAN LEGAL ASSISTANCE

Ayuda Legal Para Refugiados Centroamericanos

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Testimony to New York City Council

Subcommittee on Immigration

March 8 2021

Central American Legal Assistance (CALA) has for nearly 40 years represented asylum-seekers from Central and South America.¹ The support of the New York City Council has been critical in our ability to do so.

Our clients – especially those from El Salvador, Honduras and Guatemala, -- bore the brunt of the Trump Administration's anti-immigrant policies. When they tried to present themselves to federal border guards asking to be heard, they were corralled and sent back to wait in deplorable and dangerous conditions inside Mexico. Parents and children were separated. The prior administration decried the dangers of the Central American gangs but denied their victims protection.

Now that those cruel and illegal policies are being reversed by the Biden Administration, many new asylum-seekers will be able to pursue their claims in the city's three immigration court venues (26 Federal Plaza, 290 Broadway and 201 Varick Street). We expect a wave of new asylum-seekers; processing out of this population has just begun.

In addition to helping asylum-seekers, CALA has almost 1,000 DACA clients and an equal or greater number of TPS (Temporary Protected Status) clients for whom the new administration has promised a path to legal status. In pre-COVID times, we had an open-door policy where any immigrant could walk in without an appointment and obtain advice and counsel on his or her immigration rights and responsibilities. Now we do the same thing by phone. We have maintained an in-person skeleton staff all during the pandemic as well as continuing to file appeals, prepare applications and talk with clients remotely.

Ensuring that our clients have permission to work has been a priority during COVID so that they could qualify for unemployment benefits. Our clients are among those who have kept

¹ Asylum may be prosecuted by an affirmative filing or as a defense to removal. In fact, asylum is often the only available legal defense against deportation. CALA represents both types of cases.

the city running during the pandemic – as health and elderly care workers, food delivery, construction workers, and child care.

For the past several years, CALA has received funding through the **unaccompanied minors and families** program (\$380,000 in this FY); the **immigrant opportunity initiative** (IOI) (\$84,000) and from our City **Councilmember** Steve Levin \$5.500. We are also a sub-contractor of The Legal Aid Society for general removal defense. This NYC City Council funding has enabled us to put hundreds of people on the road to full legal status each year.

This year will be challenging as the Biden Administration tries to get Congressional approval for a major legalization program while we still face huge backlogs in immigration court (still closed here in NYC except for detained cases) and must process existing cases, renew DACA applications, and help the newest arrivals. This is a time when those of us providing removal defense must be especially agile and ready to respond to dramatic changes in policy.

We need to be able to count on at least level funding. This will enable us to continue our representation of existing clients as well as take on new cases. We know the city's coffers are depleted due to COVID's financial devastation, but we urge the Council to maintain its important support of our new immigrant population who have worked so hard and suffered so much during COVID.

Thank you.



Anne Pilsbury, Director



Testimony

New York City Council Immigration Committee

New York City Council Budget and Oversight Hearings on The Preliminary Budget for Fiscal Year 2022

Monday, March 8, 2021

Submitted by C. Mario Russell, Director

**Immigrant and Refugee Services
Catholic Charities Community Services, New York**

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Good afternoon Councilmember Menchaca and the members of the New York City Council Committee on Immigration. I am Mario Russell, Director of Immigrant and Refugee Services, Catholic Charities Community Services. Thank you for the opportunity to provide testimony today regarding the work of Catholic Charities with immigrants and refugees in New York City.

The impact of Covid-19 on the communities we serve, particularly immigrants and communities of color has been, is, and will be harsh, disproportionate, and lasting. Catholic Charities' connection to the immigrant and refugee community has a long history and today is as extensive as it is deep, with our Division serving close to 30,000 immigrants and refugees each year—through legal, resettlement, detention, integration, day laborer, ESL, clinical, family reunification, children, and court defense services—and providing information and referrals in over 86,000 calls through our immigration information and assistance hotlines. Indeed, adjusting and focusing our response to the pandemic—a job that is by no means finished—in just 12 months Catholic Charities distributed approximately 5 million dollars to 25,000 individuals and families in need throughout the Archdiocese. We also served hundreds of thousands of meals, engaging pop-up pantries and support fairs and home delivery networks. We have adjusted and reengineered our services to meet social distancing and remote demands, deployed and redeployed staff as appropriate, and, through that, deepened and extended our understanding of needs in the community and how best to serve them. Through this extensive network of outreach, legal, and education services in New York City and Lower Hudson Valley communities, we continue to come into contact with and have come to know and understand the many needs and realities facing workers, families, children who have recently arrived or are long-time residents with no status. In

particular, our work with day laborer groups and work collectives in the Bronx and in Yonkers—our day-to-day engagement with them on workplace rights and safety—gives us a unique perspective on their needs and realities.

Catholic Charities' Immigrant and Refugee Services client base is 75% composed of individuals, children, workers, and families from the Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Colombia, Jamaica, Ecuador, Guyana, Haiti, Trinidad, and China. They represent the breadth of diversity of nationality, ethnicity, culture, and race that make New York City strong and unique. They are mostly from communities that, for the most part, live with significant economic and social disadvantage. And they are our city's fabric, its "new" ancestors who will shape its economic growth, cultural life, and rich future.

I need not remind this Council—but it is critical to restate here—that the onslaught of Covid-19 in March 2020 was preceded by more than three years of sustained legal, social, and economic assaults on immigrant families and vulnerable newcomers by the current administration. Whether it was curtailing the reunification of families and refugees, eliminating important asylum protections such as those for victims of domestic violence, setting a moratorium on prosecutorial discretion for long-time residents, pulling out the stops on enforcement and detention and deportation, commanding the judge corps to accelerate and diminish case review, force the border separation of children from parents, or raising the bar on public charge, these policies—and there are many more—have had the cumulative effect of marginalizing immigrants economically, socially, and legally.

As a result, leading into 2020 and during the beginning months of the year, the clients we worked with reported already far higher levels of anxiety, distress, uncertainty, instability in family life, economic insecurity, lack of income, and food insecurity, than before. The administration's own assaults and toxic onslaughts had created, in effect, a pre-existing condition on immigrants, rendering them more vulnerable to the many effects of Covid-19. Thus, with the full-blown arrival of the pandemic in mid-March, our clients and the communities we serve were doubly affected, intensifying the health, social, economic, and financial challenges that, with each day, have become increasingly dire and seemingly insurmountable.

It is for these very reasons that we particularly urge the Council, today, to renew its discretionary spending commitments in two important areas—legal defense for unaccompanied children and integration assistance—and continue to commit itself to the critical work it has undertaken in several other crucial areas, including legal assistance to children in schools, deportation defense for separated families and adults, day laborer support, and the coordination of legal services through the hotline referral system. I have laid out in discrete sections in my written testimony the value of each of these programs for the clients and communities served, the value of each for New York City, and the staggering harm any diminution will have on them, and by reflection, on us. The bottom line is this: this Council has always demonstrated its belief in the fundamental truth of what immigrants and refugees are for this City and for this nation—putting its actions behind words and supporting assistance to over 104,000, just through the work of this division of Catholic Charities in the past 7 years. This work is the patient but real work of integration, of welcome, and of the building of a just and compassionate society. In time of crisis—such as now—we remind you of this sacred work, which we call on you to stand by and support more than ever.

Thank you for your attention.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Discretionary Priorities

ICARE

March 2021

Immigrant Children Advocates' Relief Effort // ICARE

- Reuniting the children separated at the border is finally a federal government priority. In addition, the number of unaccompanied children arriving at the southern border is increasing to levels not seen in several years, at a time when the Office of Refugee Resettlement has slashed shelter capacity due to COVID restrictions. The most likely result will be that unaccompanied minors will be released to families in the United States more quickly. Because the released minors will be at social, financial, educational, and health risk due to the effects of the pandemic, it is critical for New York City to maintain and increase its support to a child-welfare and care program that it has built, nurtured, and proven to be a model of success for providing meaningful and direct care to thousands of children, so that they become successful and productive members of our community. Abandoning these children at this time—who already are excluded from federal and state supports—would run counter to core values of this city and would leave hundreds of children's legal cases without representation.

Value and purpose of program for immigrants.

- Places vulnerable new child-arrivals to the United States on a pathway to permanent residency, social integration, and economic success.
- Connects young immigrants and their families with social services beyond legal representation, including school and health insurance registration, access to medical and mental health care, English-language learning, and vocational training and job assistance.
- Without a lawyer, only 5% of children avoid deportation. With a lawyer, 92% of cases avoid deportation.
- Connects children to badly needed psycho-social and physical health resources.

Value of program for New York City.

- Since 2014, the City has been a national leader in the movement to protect children from deportation, establishing ICARE as the first major municipal funding for lawyers for unaccompanied minors.
- The City's investment ensured that New York has always been ready to respond to major humanitarian crises affecting immigrant children.
 - i. In 2018, ICARE attorneys represented the hundreds of children in New York who had been separated from their parents at the border.
 - ii. In 2020 and 2021, ICARE attorneys connected children and families to life-saving medical services through the Catholic Charities medical-legal partnership with Montefiore Hospital, Terra Firma.
- Stronger social supports that come with legal services for immigrant youth strengthen our neighborhoods and communities by connecting youth and young adults to opportunities for education, medical care, housing, and vocational training.
- NYC has built integrated connection to psycho-social and physical health resources with Montefiore Hospital // Terra Firma.

Risk to Catholic Charities clients. To date, since 2014:

- Catholic Charities has represented over 500 children and adults with children in court proceedings, with 90% or more resolved favorably.
- Next year we would take 25 additional cases and maintain litigation on 240 more.
- Number of staff tied to cases: approximately 5.55 FTE.
- Number of cases orphaned without funding as a result of loss of funding: 280.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Discretionary Priorities

ESL

March 2021

English as a Second Language

- Covid19 has made it clear that preserving funding for adult literacy programs in New York City is critical. Over the past year adult learners have had to manage personal and family obligations, job loss and financial stress, food insecurity, health concerns—both Covid-19 and other, remote schooling for their children, uncertainty about their immigration status, systemic racial injustice, and more, all in the midst of a pandemic. Literacy funding will allow for stable, continued support by our International Center in areas of integration that permit its students to support their children’s schoolwork, successfully communicate at work, advocate for themselves and their families, and be meaningful participants in their communities. Catholic Charities seeks to maintain its modest discretionary funding so that our students, who are especially vulnerable at this time, can continue working toward their goals of becoming productive workers and supportive parents at this difficult time for our city.

Value and purpose of program for immigrants

- Our ESOL programs are designed to help New Yorkers gain the literacy skills and credentials they need to successfully integrate into their communities and increase their employment and earnings potential. In addition, during the pandemic, classes have provided a safe and welcoming space for students to share their struggles and receive support and comfort.
- Adult literacy programs are frequently the main connection that immigrant adult learners have to the wider network of New York City’s programs and services. During the pandemic, many students in our classes were connected with food pantries, healthcare, and emergency cash assistance.
- Non-English-speaking parents are being supported through our ESOL classes, leaving them better prepared to take on a greater role in the education of their school-aged children, a role that has become necessary in our current environment. The

- technology skills they learn in our ESOL classes help them to better support their children in online instruction and allow them to connect with remote parenting resources provided by the schools.
- In addition to our formal ESOL classes, we also offer targeted programming for the day laborer community and other essential workers in northern Manhattan and the South Bronx. An integral part of our programming is pairing our students individually with trained volunteers for 10 weeks to improve communication skills, pronunciation, grammar, and vocabulary. This partnership is a uniquely valuable resource for students to develop friendships, expand their professional networks, and receive individual support.

Value of program for New York City

- CCCS serves over 1,000 adult learners each year. Many of our students are grocery store workers, delivery workers, and home care workers who are risking their lives to maintain their livelihoods and to care for us all. These students provide key and critical work in our city's economic infrastructure.
- Adult literacy programs and providers are part of the larger human services sector, providing critical services to millions of New Yorkers. This sector must be kept whole as human services providers will be on the frontlines as our City responds, reopens, and recovers from the COVID-19 pandemic.
- Adult literacy education – and the additional support services that adult literacy programs provide – will play a vital role in the coming year to help stabilize the lives of many of our most essential, yet vulnerable, fellow New Yorkers.
- The educational gains made during this time can prepare our adult learners to help restart the economy instead of leaving them even further behind.

Risk to Catholic Charities students

- This is our fifth year of DYCD-funded programming, with a total of 580 students served since inception in 2016.
- This year CC will serve 110 students remotely.
- This programming supports portions of 1.15 FT positions.
- Students CC would be able to serve again next year with the funding: 150.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Budget Priorities

ActionNYC in Schools

March 2021

ActionNYC in Schools

- ActionNYC in Schools launched in April of 2016, with CCCS as the sole inaugural, and current, legal service provider for programming, supports vulnerable immigrant youth and their families in the safe spaces of public schools throughout the five boroughs. In partnership with MOIA, collaborating with localized outreach partners, and through DOE, CCCS engages school partners reporting high foreign born and recently arrived middle and high school students by providing on-site legal screenings and full representation before NYC family courts, USCIS, and the NY Immigration Court. Our services provide immigrant youth with time sensitive representation in age-out SIJS, support mixed status families to gain greater stability, increase economic mobility during a time of expanding need, and close a gap in legal services through a sustainable partnership with public schools. In January 2021, CCCS was granted a three-year baselined contract for the ActionNYC in Schools program. The students and families served through ActionNYC in Schools rely on this programming, which provides access to exemplary legal representation and a direct conduit, within a trusted space, for referral supports ensuring effective community integration. Loss of city-based support for this legal services program would be devastating as these students and their families are often overlooked given the necessary focus on detained and removal defense representation.

Value and purpose of program for immigrants.

- Provides virtual and co-located outreach and legal services for immigrant youth and their families throughout the trusted NYC public school system.
- Closes the family court representation gap for non-removal age-out Special Immigrant Juvenile Status applicants.
- Places vulnerable new child-arrivals to the United States on a pathway to permanent residency, social integration, and economic success.
- Connects young immigrants and their families with social services beyond legal representation, health insurance registration, access to medical and mental health

care, English-language learning, cash and food assistance programming, safe housing options, and vocational training and job assistance.

Value of program for New York City.

- Since 2016, ActionNYC has provided access to high-caliber legal services through the City’s immigrant trusted partners – hospitals, community-based organizations, and schools.
- Since 2016, the City has continued to innovate ActionNYC to meet the needs of the diverse immigrant communities the programming serves, expanding with demand, serving as a first responder collaborative in crises and during mass-application changes in law.
 - iii. ActionNYC providers present a connectivity network for referral and capacity building programming, including responding as a collective for TPS deadlines and threatening DACA renewal expirations as well as scalable screening delivery in response to federal executive orders.
 - iv. The City continues to add community driven partners to ActionNYC programming, specifically for the in Schools Project:
 - local CBOs partnered with public schools for outreach and appointment scheduling,
 - NYC shelters for expanded service delivery and referral capacity,
 - partnering with the Administration of Children Services to serve abandoned, abused, and neglected youth within the NYC foster care system through directed referrals,
 - expanding to include *pro bono* NYC firm partners, with long-standing CCCS partnerships serving immigrant youth, for representation expansion of ActionNYC in Schools for SIJS eligible children.
- From launch, this program has provided representation on nearly 600 cases, and since 2021, ActionNYC in Schools provides a universal representation model for all affirmative applicants as well as increased removal defense capacity and maintains representation for nearly 500 immigrant clients.
- Stronger social supports that come with legal services for immigrant youth strengthen our neighborhoods and communities by connecting youth and young adults to opportunities for education, medical care, housing, and vocational training.
- NYC has built integrated connection to legal services through NYC public school partners, engaging principals, assistant principals, guidance counselors, community school representatives, and parents to expand access to justice for NYC immigrant youth through the City’s trusted school system.

Risk to Catholic Charities clients. To date, since 2016:

- Catholic Charities has served 4,700 immigrant youth and mixed status family members through ActionNYC in Schools,
- We have accepted 1,130 new cases, ranging from DACA applicants and green card renewals, naturalization applications, including associated filings to access

fee waiver benefits, to the full gamut of complex affirmative representation and removal defense cases,

- We have made approximately 700 social services referrals for immigrant families served through ActionNYC,
- We have provided over 250 in-person clinics and over 60 remote clinical events for over 45 school partner sites, and after immediately implementing remote assistance for immigrant families due to the COVID-19 pandemic, we have provided nearly 400 screenings for individuals from 30 DOE schools,
- Number of staff tied to cases: 11.15 FTEs, including some supervision in kind from state and foundational contracts.
- Nearly 500 clients with over 1,130 orphaned cases would result as a loss of this funding.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Budget Priorities

ActionNYC Hotline

March 2021

ActionNYC Hotline

- Since 2016, leveraging its in-house expertise on immigration, CCCS has operated the ActionNYC hotline and appointment-scheduling system. Funded by the City through the Mayor’s Office of Immigrant Affairs (MOIA), the ActionNYC hotline provides valuable information about immigration benefits, makes appointments for legal services with ActionNYC providers throughout the five boroughs, and connects callers with other legal service providers. The hotline, which can be accessed by calling 311 and saying “ActionNYC” or directly by calling 800-354-0365, operates from 9 a.m. until 6 p.m. on weekdays, has the ability to extend hours to respond to emergent needs and currently answers an average of 2,000 calls per month. Our hotline operators speak English and Spanish, and also use a language service line to answer calls in up to 200 languages.

Over the past 5 years, the ActionNYC hotline has become a crucial resource for New Yorkers to obtain information about immigration developments and to schedule an appointment with an ActionNYC provider for free, safe immigration legal help. The ActionNYC hotline is also funded and has developed the necessary infrastructure to expand operations in emergency situations, and to work with partners to offer broader coverage when needed.

Our knowledgeable attorneys regularly train and update ActionNYC hotline staff on legal developments, and regularly partner with multilingual media and other providers to provide important and accurate information to immigrant communities by hosting televised phone banks on emergent issues. For example, in partnership with MOIA, ONA, the New York Immigration Coalition, other non-profits, and Univision and El Diario, the ActionNYC hotline has participated in phone banks about public charge regulations, immigration raids, standby guardianship, drivers’ licenses for immigrants and legal services fraud. Previously, two of those phone banks culminated with expert discussions on Facebook Live, reaching thousands of viewers.

Additionally, the ActionNYC hotline has responded to the increased need for emergency legal advice caused, for example, by the flurry of anti-immigrant rules and policies issued by the Trump Administration—such as public charge and COVID19 travel restrictions—to provide basic screenings by phone, followed by referrals to specific legal providers with increased capacity to handle specific types of cases.

Since mid-March of 2020 the ActionNYC hotline has been functioning remotely and has quickly pivoted to providing information and referral to immigrants on COVID19-related needs beyond legal representation, including access to Medicaid and health insurance, unemployment benefits, paid leave, food assistance, eviction stays, etc.

Value and purpose of program for immigrants.

- By providing information related to immigration law and policy and connecting immigrants and their families with free legal services through trusted ActionNYC providers, the ActionNYC hotline reduces the likelihood that immigrants are defrauded or placed at risk of deportation by fraudulent practitioners. Most recently, the hotline has been responding to questions and explaining the legislative process regarding proposed legislation by the new Administration in order to clarify confusion resulting from advertisements by unscrupulous providers regarding the availability of a “Biden Green Card.”
- By leveraging CCCS’ in-house immigration expertise, the ActionNYC hotline has continuously been responsive to developments affecting New York’s immigrant communities, such as, for example, in June - July 2019 and February 2020, when the hotline opened on weekends to provide support and Know Your Rights information to callers terrified by the announcement of massive ICE raids.
- By continuing to clarify the effects of public charge changes, the ActionNYC hotline reduces the likelihood that immigrants and citizens not subject to public charge forgo important benefits, including food stamps and Medicaid.

Value of program for New York City.

- Since 2016, the ActionNYC hotline has provided more than 90,000 New Yorkers with accurate information about immigration issues, appointments with ActionNYC providers, and referrals to reputable non-profit legal service providers funded by the City to assist immigrants.
- ActionNYC hotline operations increase access to accurate legal information, as well as help eligible immigrants access important safety net benefits during the COVID-19 pandemic, including food banks, health and mental health services, etc. The health, safety and well-being of immigrants increase the health, safety, and well-being of all New Yorkers.
- ActionNYC hotline has been deployed to keep New Yorkers informed of the benefits of participating in important public programs, including NYC ID, Green Light drivers’ licenses, and the 2020 Census. Participation by immigrants in these programs benefits all New York City residents.
- As described above, the ActionNYC hotline leverages attorney expertise and technical and administrative infrastructure to regularly partner with City agencies,

the media, and legal staff from other non-profits to set up large-scale informational phone banks in response to developments that affect immigrant communities. Phone banks take place during primetime hours on one or more consecutive evenings; during this time, CCCS staff and volunteers answer hundreds of calls, providing accurate information and referrals to non-profit legal service providers. During phone banks, our attorneys impart information about immigration policies and developments to a larger audience through interviews, and some phone banks culminate with a Facebook Live panel of experts answering questions posed online. These large-scale events reach thousands of New Yorkers to clarify complex immigration policies and legal developments, reduce anxiety, warn against *notario* fraud, and provide referrals to free legal services.

Risk to Catholic Charities:

- The ActionNYC and NYS New Americans hotlines work synergistically to increase our capacity to respond to crises affecting immigrants; part of this trained, efficient workforce and all of the effort put into training staff and acquiring technology would be lost.
- Number of staff tied to ActionNYC hotline: 5.50 FTE.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Budget Priorities

Legal Aid Immigrant Opportunity Initiative Sub-Contract

March 2021

Immigrant Opportunity Initiative ~ Separated Families and Adults with Children

- In the summer of 2018, a historical federal cruelty exploded at the southern border and simultaneously in NYC as hundreds of thousands of children were torn and transferred to Office of Refugee Resettlement shelters across the country away from their young parents who remained in ICE custody in Texas as well as Arizona, with several hundred immigrant youth moved to New York. Through the strong foundation built by the City's ICARE program, legal service providers banded together, joining forces with their long known *pro bono* firm partners to immediately address this vulnerable community's needs. These families, known as adults with children, are fleeing unconscionable persecution, extreme violence, and an utter lack of protection from their governments. In the fall of 2018, the City's Human Resource Administration stepped in to support this life-saving legal service provision, and for the first time, offered baseline funding for legal services *pro bono* programming dedicated to immigrant representation. To date, the migration of young families, with infants and toddlers, fleeing their homes to avail themselves at our borders, has only abated due to increased US enforcement policies preventing their entry. Despite facing immigration detention camps in Mexico, forced returns to countries where they fear for their lives, inhumane treatment processing entry to the United States, and deplorable access to effective legal representation, these children and young parents continue to seek refuge in our country, hoping to make NYC their forever home. Abandoning these families at this time—who already are excluded from federal and state supports—would run counter to core values of this city and would leave hundreds of children and young parents' legal cases without representation.

In 2020 COVID-19 definitively reshaped the ways in which immigrant families accessed services, interacted with service providers, and went about their daily lives. No facet of their lives was untouched by the pandemic. Our agency shifted to a blended remote services model: providing staff supports to address collective trauma, holding remote client intakes and needs assessments, and digital accompaniment to address ongoing challenges with access due to language barriers, and digital literacy. We engaged with our clients through emergency cash distribution and addressed needs of complex cases in

crisis. Our work was strengthened by our interconnectedness with our deep and broad network. Many of the immigrant families we serve are undocumented or in mixed status households and are more likely to be exposed to risky work conditions as essential workers who are critical to the way our city runs. Continued support for critical case management services will provide much needed relief and navigation assistance for immigrant families in crisis and help them to expand upon their sense of belonging in the community.

Value and purpose of program for immigrants.

- Places vulnerable new child- and family-arrivals to the United States on a pathway to permanent residency, social integration, and economic success.
- Case Management Services
 - Connects young immigrants and their families with social services beyond legal representation, including school and health insurance registration, access to medical and mental health care, English-language learning, and vocational training and job assistance.
 - Connects children and parents, many of whom who faced extreme abuse and cruelty, to badly needed psycho-social and physical health resources.
 - In 2020, IOI Case Management Services connected with over 120 families and adolescents for connection to social service support ranging from housing, education, and other important social service needs like document applications and interpretation services.
 - Introduces key concepts in mental health care and provides psychoeducation to children and parents who have experienced abuse and connects children and parents to badly needed psycho-social and physical health resources through mutual aid support groups, referrals for individual and family counseling and other community-based agencies providing key mental health and stress reduction services.
 - In 2020, 60 adults and adolescents were evaluated for continuing mental health services and connected to ongoing support, evaluated for supportive documentation for their asylum cases, and connected to individual counseling services.
 - Respond to emergency needs and families in crisis to ensure that they can adequately meet the situation and not become overwhelmed. More than 40 families and youth were connected to emergency shelter services, through intake referral, housing advocacy, or homelessness prevention.
- Legal Services
 - Preserves due process for newly arriving families facing enforcement under the fiercest federal regime in history by increasing access to representation through rapid response programming.
 - Offers exemplary, scalable collaboration responsive to emerging needs such as frivolous challenges to SIJS eligibility by federal adjudicators infringing on state family court discretion and rapid network creation to ensure access to City resources during crises such as the current global pandemic.

Value of program for New York City.

- ICARE Incubator. Since 2014, the City has been a national leader in the movement to protect children from deportation, establishing ICARE as the first major municipal funding for lawyers for unaccompanied minors. The City's investment ensured that New York has always been ready to respond to major humanitarian crises affecting immigrant children. In 2018, ICARE attorneys, with the support of *pro bono* partners, represented the hundreds of children in New York who had been separated from their parents at the border.
- IOI Expansion. In 2020, IOI AWC attorneys have continued to connect children and families to life-saving medical services through the Catholic Charities medical-legal partnership with Montefiore Hospital, Terra Firma. NYC has now built integrated connection to psycho-social and physical health resources there.
- Integration and case management.
 - Stronger social supports that come with legal services for immigrant youth and families strengthen our neighborhoods and communities by connecting children and their parents to opportunities for education, medical care, housing, and vocational training.
 - Supports the acculturative process by advocating for school enrollment, social service agency navigation, appropriate language access with interpretation and translation, and connection to community resources.
- Pro Bono.
 - IOI-AWC partners the City's preeminent immigrant youth legal service providers with trusted *pro bono* firms, who under the supervision and mentorship of LSPs, increase direct representation capacity for this ever-growing population of vulnerable families.
 - To continue streamlining referral processes with an eye toward continuous expansion of our own capacity for supervision, the CCCS Pro Bono Project offers existing and new pro bono partners the opportunity to host signature events where volunteers receive both legal training in assessing legal relief and developing cultural humility while also serving clients under the supervision of CCCS through small-scale clinics.
 - Incorporating our pro bono partners in the secondary screening process broadens our ability to place cases effectively on a tighter timeline, an essential component to serving young people who face impending deadlines for asylum or age-out risks, particularly during the uncertainty created by the Covid-19 crisis.
 - Our Pro Bono staff have also been working on the frontlines to protect this vulnerable population from harmful federal policies by engaging federal litigation on behalf of immigrant detainees who face greater risks of contracting Covid-19 and submitted public comments on Trump administration asylum adjudication rule changes.
 - Since inception, the program has been able to serve to over 70 unaccompanied children and adults in removal proceedings with over 30 pro bono partners. The Pro Bono project has continued to successfully engage the volunteer community despite the pandemic through case

placements with and mentorship of over 80 volunteer attorneys, all while mobilizing law students and non-legal volunteers to support individual client needs during this crisis.

Risk to Catholic Charities clients. Through this funding, to date, since 2018:

- Catholic Charities has accepted nearly 400 removal defense cases representing unaccompanied children and families seeking asylum, with over 150 matters supported by *pro bono* partners,
- We have engaged over 350 *pro bono* volunteer attorneys, trained over 60% of them, and continue to receive new capacity opportunities through *pro bono* partnerships, who specifically seek to support UAC and AWC representation,
- Number of staff tied to cases: 5.65 FTE.
- Number of cases orphaned without funding as a result of loss of funding: 375.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Budget Priorities

IOI - CILEC

March 2021

Immigrant Opportunity Initiative - Citywide Immigrant Legal Empowerment Collaborative (IOI - CILEC)

- Since August 2016, CCCS has received IOI funding through the Citywide Immigrant Legal Empowerment Collaborative (CILEC), a partnership with the Urban Justice Center/TakeRoot Justice, Catholic Migration Services, and Make the Road New York, to provide a wide range of free immigration legal services to indigent New York City residents. In addition to legal consultation and representation in straightforward immigration cases, CILEC attorneys handle a wide variety of complex cases, including asylum, U and T visas for victims of serious crimes and trafficking, special immigrant juvenile status (SIJS) for children who have been abandoned, neglected or abused by their parents, self-petitions under the Violence Against Women Act (VAWA), removal proceedings, bond hearings, motions to reopen, appeals, and federal court litigation.

CILEC's partnership with grassroots, base-building groups is especially designed to reach under-represented immigrant groups in New York City. Thus, CILEC accepts referrals from seven base-building groups that serve different immigrant communities: African Communities Together, Chinese Staff and Workers' Association, Damayan Migrant Workers Association, Desis Rising Up and Moving, National Mobilization Against Sweatshops, New Immigrant Community Empowerment, and Workers' Justice Project. In addition, CILEC accepts referrals of complex and removal defense cases from the City's ActionNYC programs, which generally handle only straightforward matters, as well as from the Mayor's Office for Immigrant Affairs and the Human Resources Administration.

In 2018, in recognition of its valuable work, CILEC was awarded additional funding to take on more complex and removal defense cases in response to the rising need caused by

increased immigration enforcement. To date, CCCS has served 2,598 New York City residents under the CILEC program.

In addition to immigration legal services, several CILEC partners aid with employment legal matters, including workers' compensation, unemployment insurance, unpaid wages, family & medical leave, etc. The base-building groups provide outreach to immigrant communities and case management support on ongoing immigration and employment legal cases. The CILEC partners also join efforts to organize and provide trainings, clinics and community presentations, a testament to the effectiveness of this collaborative. Preserving the CILEC model is crucial at this time when the previous Administration's relentless rollout of policies that hurt immigrants and refugees is about to be rolled back by the new Administration. Demand for immigration legal services is increasing as thousands who had been afraid to come forward under the Trump Administration are reaching out for consultations, application assistance and representation.

Value and purpose of program for immigrants.

- Provides wrap-around services to immigrant New Yorkers, particularly those in hard-to-reach communities that trust and turn to our partner base-building groups.
- Connects immigrant New Yorkers to both immigration and employment legal services, including representation in complex immigration cases not available through the ActionNYC network.
- Provides the opportunity to offer legal consultations by phone and video conferencing to members of the communities served by our partner base-building groups. In response to heightened demand, CCCS has already provided 200 legal consultations through CILEC in fiscal year 2021.

Value of program for New York City.

- Since FY'2017, the CILEC collaborative has provided effective immigration and employment legal assistance to thousands of the City's immigrants.
- By partnering with grassroots base-building groups, the CILEC legal partners have served hard to-reach communities through one-on-one lawyering, community clinics, and informational workshops.
- Free legal services provided through CILEC protect vulnerable communities from falling prey to immigration services (aka "*notario*") fraud.

Risk to Catholic Charities clients. To date, since late 2016:

- We have provided services to 2,598 New Yorkers, assisting many of them with multiple matters.
- Number of staff tied to cases: 8.25 FTE.
- Number of cases orphaned without funding as a result of loss of funding: approximately 900.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Budget Priorities

Day Laborers Program

March 2021

Day Laborer Program

- COVID-19 has disproportionately affected many immigrant communities, particularly those who are undocumented and from Black, Indigenous, and people of color communities. These communities were excluded from many state and national financial support programs. Jobs for men and women from these communities are usually limited to daily odd jobs that are precarious and unstable. In the Bronx, CCCS works to engage, promote, further, advance, and strengthen this population—in partnership with five other organizations (under the Day Laborer Workforce Initiative) that, collectively, maintain and expand day labor centers in all five boroughs. These centers provide job placement, workforce development, and occupational safety training, wage theft services, workers’ rights training, and referral services to low-income day laborers. Since the onset of the COVID-19 pandemic, workers’ centers across New York City have been at the front lines delivering essential services to day laborers in high-impacted areas. These worker centers have delivered food and emergency cash assistance, trained workers in Site Safety training and emergency preparedness, and have helped day laborers achieved job security through job dispatching. These centers have also connected day laborers to other essential services such as housing and rent relief, legal services (as it relates to wage theft), and mental health services.

Value and purpose of program for immigrants.

- Provides workforce development and job assistance to vulnerable community members who are often targets of wage theft and dangerous working conditions.
- Provides essential training for immigrants– such as the city-mandated 40 hours Site Safety Training, OSHA trainings, workers’ rights, and Disaster Preparedness trainings.
- Connects immigrants to vital resources to aid in community integration, better job opportunities, and legal protection by providing Know Your Rights trainings,

connections to immigration legal consultations, and English- language learning classes.

- Assists in recovery of stolen wages and workers' compensation claims, claims that are often unexplored and unfiled for fear of retribution from employers due to workers lack of immigration legal status.
- Provides of a thriving center which is a safe and dignified location for immigrants to access jobs and services.

Value of program for New York City.

- Since 2016, the City has been a national leader in the protection of day laborers and has consistently expanded its support and resourcing for this programming over the years.
- The City's investment ensures that day laborer centers can conduct Site Safety Trainings to comply with Local Law 196. This law, created to address the rise of construction related deaths in the city, mandates a total of 40 hours of construction safety training for all of its workers. The City has made a significant investment into an online platform to be able to deliver these trainings in a safe, remote environment.
- However, as many of these communities lack technological training and have limited access to the consistent internet at home, Catholic Charities has implemented a blended model of safe in-person and online training to be able to reach communities and assist them in developing computer literacy skills. Without this assistance and dedication to these communities, these works will be unable to access training that are linguistically and culturally competent, and they will be unable to secure work.
- Creating safe and dignified centers for day laborers ensures that workers do not have to utilize public spaces that are often precarious to access work and help contribute to the NYC economy.
- Stronger social supports that come with legal and social services for immigrant families who depend on daily work.

Risk to Catholic Charities clients. To date, since 2016:

- Catholic Charities has assisted thousands of day laborers to date with trainings, social service referrals, and other needs.
- With the expansion and development of our day laborer center, more fully trained workers can be connected to jobs throughout NYC.
- Number of staff tied to services: 5.6 FTE.
- As Catholic Charities is the preeminent organization serving day laborers in the Bronx, a loss of funding would create a vacuum for vital services and trainings to day laborers in this borough, the borough with the highest rate of poverty in NYC.



Catholic Charities Community Services
Immigration Services: Six Month South Bronx Report
(September 2020-February 2021)
March 2021

Overview

This report summarizes the achievements of the Bronx-based Division of Immigrant and Refugee Services staff in the six months between September 2020 and February 2021. All work has been performed remotely due to COVID-19. The remote operations and practice continue to be seamless. Yet the virus's impact on our clients has remained acute and thus consequently continues to inform our response to these non-legal needs, such as an increase in social services referrals. Moreover, the election and subsequent inauguration have further shaped the outreach and external messaging to clients, consults, and community partners.

Legal Services

- Bronx-based Immigration Legal Services counselors provided 290 legal consultations. Consultations were provided telephonically or by video conference.
- Bronx-based Immigration Legal Services counselors provided representation to 545 individuals.
- The Legal Orientation Program for Custodians of Unaccompanied Minor ("LOPC") program provided services to 582 individuals.
- More than twenty-five virtual outreach events – presentations, trainings, and clinics – targeted to communities in both New York City and the Lower Hudson Valley to approximately 1,200 participants. Services provided by Bronx-based staff benefited New York City residents from each borough, as well as communities in the Lower Hudson Valley, Long Island, and beyond.
- Presentations and trainings were developed in response to current events and to the communities' needs.
 - The Director of Bronx Immigration Services and the Director of Hotline Services and Training created an "immigration primer" workshop for partner Bronx-based and Bronx-serving social service organizations, targeted to case managers, social workers, educators, etc. More than two-hundred individuals from seventy organizations registered for the event. As a result, multiple partnerships and referrals have since developed (and continue to do so).
 - In coordination with Manhattan- and Lower Hudson Valley-based colleagues, the Director of Bronx Immigration Services drafted the expedited removal presentation,

which as presented through Facebook Live and reached approximately five-hundred individuals.

- In collaboration with the Bronx Immigration Partnership, Catholic Charities participated in a virtual informational community workshop, for which the Director of Bronx Immigration Services developed a detailed overview of the current Administration's Executive Orders, as well as of the U.S. Citizenship Act of 2021. More than 300 individuals benefited from this information.
- The Office of New Americans Bronx Opportunity Center program met and overperformed both its application assistance (naturalization and Deferred Action for Childhood Arrivals) and presentation deliverables early.

Coordination of Immigration Services

Working remotely has allowed the Bronx-based immigration services staff to use video conferencing to more often and more meaningfully liaise with colleagues who are based in Manhattan and the Lower Hudson Valley. These exchanges have created a stronger comradery among staff at different sites in addition to the benefit of exchanging knowledge and experience.

- The ONA Bronx Opportunity Center regularly worked with the International Center to coordinate civics classes and informational workshops, in addition to assisting in the outreach for both.
- LOPC continued to refer its participants to Terra Firma through the formalized referral system to ensure the receipt of social services.
- In coordination with the Director of Hotline Services and Training, the Director of Bronx Immigration Services, in addition to Manhattan- and Lower Hudson Valley-based colleagues rapidly created both internal and external summaries of the current Administration's Executive Orders and memoranda, in addition to the proposed bill, and which continues to be updated.
- Immigration Legal Services staff provided both COVID-specific workers' rights and specifically tailored immigration presentations to the Bronx-based Day Laborer Services program participants.
- A wage and hour rights and wage calculation worksheet was drafted for the Bronx-based Day Laborer Services program participants, and it has been shared at the workers' *paradas* through outreach by Immigration Legal Services staff. This partnership has also ensured the receipt of correct and up-to-date immigration legal information, which the workers regularly sought from the individual conducting the outreach.

Coordination with Bronx Center Programs

Remote work has not allowed for the development of a more involved, formalized, or systematic coordination between the Bronx-based immigration services programming and the social service programming that is housed in the Bronx Center. However, individuals were regularly referred by the social service programming, as well as the Day Labor Services, to Immigration Legal Services.

Advocacy

The Bronx-based divisional advocacy was largely in conjunction with the Bronx Immigration Partnership (“BIP”) and the Hudson Valley Nonprofit Immigration Providers, each of which are regional immigration coalitions comprised of legal service providers and community-based organizations.

- Immigration Legal Services staff regularly participated in and attended each of the monthly BIP meetings by video conference.
- Additionally, Bronx-based immigration services attorneys attended Hudson Valley Nonprofit Immigration Providers meetings, which are held less frequently than BIP



**New York City Council Committee on Immigration
Fiscal Year 2022 Preliminary Budget Hearing**

Monday, March 8th, 2021

Testimony submitted by: The Committee for Hispanic Children & Families (CHCF)

Thank you to Chair Menchaca as well as to members on the Committee on Immigration for the opportunity to present testimony today. My name is Ramon Peguero and I am the President & CEO of the Committee for Hispanic Children & Families, better known by its acronym, CHCF. CHCF is a non-profit organization with a 39-year history of combining education, capacity-building, and advocacy to strengthen the support system and continuum of learning for children and youth from birth through school-age.

Through our direct services, CHCF has always remained close with the communities that we serve, adjusting our services and ability to refer and support families on a number of issues relative to the ongoing and shifting needs. The communities we serve reflect the intersectionality of low-income communities, communities of color, and immigrant communities, each demographic group being disproportionately devastated by the COVID-19 pandemic. We have seen existing inequities exacerbated throughout the crisis, with families navigating threats to physical, mental, and financial health, in addition to the challenges of supporting their child's access to education and the central supports that schools offer as they moved to remote and hybrid learning models. Our communities are experiencing trauma at such an overwhelming level and we know that NYC has been working tirelessly to address the needs of its residents at a time of severe fiscal crisis. Our hope in this testimony is to underscore the dire need to direct state and city tax-levied dollars to residents who have not only been disproportionately impacted by the pandemic but have also been deliberately held out from receiving most federal financial relief funds: undocumented immigrants and mixed-status families. Withholding much needed relief funds from tax paying immigrants and U.S. citizen spouses and children, who would have been otherwise eligible, only added to the cruelty inflicted on these families and communities within the anti-immigrant climate that has escalated in the past years.

A significant amount of our direct services are targeted in the Bronx through after school programming, our family childcare network, and our community empowerment work. One of our central priorities throughout the pandemic has been informing families of supports that were safe for all to access regardless of immigration status, i.e., alerting families to the pandemic E.B.T. cards that would transfer the amount that would have been spent on school lunches directly to families with school-aged children and accessing food banks that were sensitive to the fears of families with mixed status members going to a public space to retrieve meals. Our awareness of the community we serve aligns with what Census data tells us – there is a high concentration of immigrants in the Bronx (Census data from 2015 to 2019 holds that over one in three Bronx residents is foreign born). We further know that these neighborhoods are a source of much of the essential services that our city and state relied on throughout the pandemic.





These communities overwhelmingly continued to place themselves at higher risk of contracting the virus, often by continuing to commute into other boroughs to keep essential businesses open. This is reflective of the financial circumstances that many families and individuals from these neighborhoods faced before the pandemic – they had to make a choice about personal/family health and safety and financial security. Knowing that so many families across the nation were struggling to keep financially afloat throughout the pandemic, the federal government offered minimal glimmers of financial relief through the \$1,200 relief payments in Spring 2020 and the \$600 relief payments in Winter of 2020. Obviously, this was nowhere near the levels of relief that so many of our community members needed, but it was still something. As we know, these minimal relief payments were denied to immigrants and mixed-status families.

We know that this is an allied committee space and we uplift this denial of support to immigrant families to underscore our expectation that the city and state, as stewards of this population, will further coordinate to ensure there are safety net relief supports specifically targeting immigrants and mixed status families as we know that they have been so severely let down by the federal government and continue to navigate uncertainties about safety in accessing government distributed resources, especially if an individual in their family is undocumented. We still firmly believe that the best means of distributing information and connections to resources is through community-based organizations that have a long-standing rapport in the communities that they serve, offering safe, trusted, culturally and linguistically responsive spaces for families to connect to resources. This includes creating contracted services as needed as well as structuring a rapid response network with partner CBOs that work in and with immigrant communities. Alerting immigrant communities to safe food, housing, financial, medical, mental health, etc. resources by borough and neighborhood with points of contact through trusted organizations to find out more could help to expediate rapid links to trusted supports. The Committee for Hispanic Children & Families (CHCF) continues to offer its partnership and support to the City of New York in supporting our most vulnerable communities and families. We know that we join a comprehensive network of CBOs across the city that offer safe spaces for immigrants and mixed status families to connect to supports and care. This network of support for immigrant families across communities continues to be a structural support that the City should strategically fund and utilize to ensure that our families are getting safe, needed access to relief.

Thank you for all that the Committee on Immigration is anticipated to do in support of NYC's immigrant residents in the FY 22 budget. We are hopeful that even within this difficult fiscal year we can be strategic and effective in ensuring *all* New York residents and families are given access to relief from the instability of this crisis, regardless of immigration status.

For any questions about our testimony, please contact Danielle Demeuse, Policy Analyst for CHCF, at ddemeuse@chcfinc.org or 212-206-1090 ext. 359.

Thank you for the opportunity to submit testimony on the FY 22 budget.





Written Testimony of Christine Heo
Adult Literacy Student at Korean Community Services of Metropolitan New York, Inc. (KCS)
Before the New York City Council Committee on Immigration Regarding
Preliminary Budget Hearings – Adult Literacy
March 8th, 2021

Good morning Chair Menchaca and members of the Committee on Immigration. My name is Christine Heo and I am currently taking English classes at Korean Community Services of Metropolitan New York, Inc. (KCS). KCS is a social service non-profit organization located in Bayside, NY. I am grateful that you have given me the opportunity to testify in front of you about the importance of adult literacy.

A couple of years ago, I went to see a play in Central Park. Someone had brought me to see Shakespeare in the Park. Even though I could not fully understand the play since it was in English, I was able to enjoy the atmosphere, the audience, and the stage actors. Watching this play motivated me to start studying English. I realized that I wanted to study English to not only better understand the culture but to also be able to communicate with my neighbors and have good relationships with my grandchildren. Studying English at KCS has allowed me to accomplish my goals.

Last year was a difficult year for everyone but even through all the hardships and the sorrow, I was glad KCS offered English classes online. It helped me in a lot of ways and seeing my classmates’ faces as well as my instructors face really brightened my day and week.

In closing, I am grateful that the City Council has supported students like me for a long time and I hope that the Council will continue to provide funding for Adult Literacy this upcoming fiscal year.

Thank you again for giving me the opportunity to testify today.

Written Testimony of Christine Lee
Adult Literacy Student at Korean Community Services of Metropolitan New York, Inc. (KCS)
Before the New York City Council Committee on Immigration Regarding
Preliminary Budget Hearings – Adult Literacy
March 8th, 2021

Good morning Chair Menchaca and members of the Committee on Immigration. My name is Christine Lee and I am currently taking English classes at Korean Community Services of Metropolitan New York, Inc. (KCS). KCS is a social service non-profit organization located in Bayside, NY. I am grateful that you have given me the opportunity to testify in front of you about the importance of adult literacy.

I used to hesitate talking on the phone with my daughters’ in-law and grandchildren who only speak English. But taking English classes at KCS has given me the confidence and the ability to freely communicate with them.

I have also been thankful that I have been able to continue my classes online even throughout the COVID-19 pandemic. This has been a huge help since I suffer from depression. Being able to see my classmates and my teacher twice a week has given me great joy and has allowed me to appreciate the small things in life. I am extremely grateful to be studying English during difficult times like these because it has not only helped me communicate with my family but it has also greatly helped my mental and physical health.

In closing, I am grateful that the City Council has supported students like me for a long time and I hope that the Council will continue to provide funding for Adult Literacy this upcoming fiscal year.

Thank you again for giving me the opportunity to testify today.

Written Testimony of Eun Ha Lee
Adult Literacy Student at Korean Community Services of Metropolitan New York, Inc. (KCS)
Before the New York City Council Committee on Immigration Regarding
Preliminary Budget Hearings – Adult Literacy
March 8th, 2021

Good Morning Chair Menchaca and members of the Committee on Immigration. My name is Eun Ha Lee and I am currently taking English classes at Korean Community Services of Metropolitan New York, Inc. (KCS). KCS is a social service non-profit organization located in Bayside, NY. I am grateful that you have given me the opportunity to testify about the importance of adult literacy.

Prior to taking English classes at KCS, I could only express my thoughts and feelings in simple sentences. Whenever anyone would ask me more difficult questions, I would automatically become nervous and lose confidence. In order to overcome my fear and have deeper conversations with other people, I decided to enroll in English classes.

Taking English classes at KCS has allowed me to improve my abilities in grammar, writing, speaking, and reading. Not only has it given me the confidence to speak with other people but it has also helped me realize that my dream could become a reality. Because I taught kids in Korea for 10 years before coming here, I have always wanted to start a daycare center. At first, I thought that my dream was impossible but learning English has given me the confidence to start a daycare center one day. The daycare center that I would run would not only be for Korean kids but for all ethnic groups. But in order for me to accomplish my goal, I would need to continue improving my English skills so that I am able to talk with the parents that bring in their children and to my future staff members as well.

In closing, I am grateful that the City Council has supported students like me for a long time and I hope that the Council will continue to provide funding for Adult Literacy this upcoming fiscal year.

Thank you again for giving me the opportunity to testify today.

Youth Ministries for Peace and Justice
Mayor's FY 2022 Preliminary Budget – Immigration Committee
March 8, 2021

INTRODUCTION:

Good Morning: Henry Lajara Legal Service Provider

Youth Ministries for Peace and Justice a community based organization founded in 1994

Located in the South East Bronx: Bronx River/Soundview/Bruckner/Parkchester community

We serve a diverse population: Covering all portions of our globe.

Ympj not only assist our Bronx community but accommodates all Metropolitan NY.

SERVICES PROVIDED:

Since 2006 we have:

Guided our immigrant community in their journey through the complex world of immigration:

>Offer In-depth consultation: providing proper information through their process

>File pertinent applications: naturalization, family reunification, adjustment of status

>Serve as Liaisons between government and state agencies: USCIS & NVC

This year, we are made up of:

(2) Case Managers and (2) Immigration Attorneys

Since then we've seen thousands of clients, help saved hundreds of thousands of dollars in attorney's fees

We've also deterred our community from the services of "Predatory Notarios"

In these unpredictable times of COVID there's a high number of unemployed immigrants.

On permitted occasions YMPJ helped fund a number of USCIS application fees: DACA

This philanthropy was met with tears of gratitude and a client allegiance that lives on.

Are services are always Free and Confidential

CURRENT FUNDING:

Immigrant Opportunity Initiates (IOI) since 2006

Legal Services CSBG since 2017

IN ADDITION:

In 2016 YMPJ helped form the "Bronx Immigration Partnership"

BIP is a group of 16 Legal Service Providers who address immigration issues.

Through our "list-serve" BIP confidentially, share cases and recommends best practices.

We also support our community by providing legal clinics around issues of:

>DACA, TPS and current immigration trends

As part of BIP's steering committee, we help direct decisions which result in our success.

Our free tax service, supports our immigrant community w/ITIN numbers.

This assures the applicant that they are following law which may lead to future right paths

CURRENT CC REQUEST:

Due to the varying route that immigration is taking, potential clients are calling non-stop.

We receive referrals from our local elected and accommodate all we can.

Our clients are pleased with our service - evidenced by their repeat visits and referrals made.

Therefore, there has been an increase in the demand for this type of service.

Consequently, our actual client numbers exceed the required contract amount.

The Mayors 2022 preliminary budget currently reduces immigration services.

We're asking to restore and increase this funding. This will allow us to continue our work so that we may report accurate numbers, demonstrating the true needs for immigration services.

CLOSE: QUESTIONS?

Thank you for your continued support and for your consideration of these budget request.

Our community will greatly benefit.

These funds will allow us to continue with these urgently needed service. Thank you.



**Testimony of Immigrant Justice Corps
Before the New York City Council COMMITTEE ON IMMIGRATION
The New York City Mayor’s Fiscal Year 2022 Preliminary Budget**

March 8, 2021

Immigrant Justice Corps is delighted to have the opportunity to submit testimony on the Mayor’s Fiscal Year 2022 preliminary budget. We are very grateful to the New York City Council for its unwavering support for New York City immigrants and for its commitment to providing funding for high quality legal counsel and other critical services. As we recover from four years of constant attacks on our immigrant communities and hope for a future in which immigrants everywhere are treated with the respect and dignity they deserve, continuing support of immigration legal services is absolutely essential. Now is the time to sustain and increase funding for immigration legal services to address the profound and damaging events of the last four years, respond to the needs brought on by the COVID pandemic, and combat fraud and misinformation by unscrupulous immigration service providers. Legal status is the lynchpin to lifting immigrants out of poverty. With a qualified representative assisting to navigate a notoriously complex and confusing system immigrants can access employment, health care and educational opportunities and help build their communities.

Organizational Information

The first and only fellowship of its kind, Immigrant Justice Corps (IJC) mobilizes promising lawyers and advocates passionate about immigration, places them with legal services and community-based organizations where they can make the greatest difference and supports them with training and expert insights as they directly assist immigrants in need. Now in our seventh year, IJC has trained and placed over 230 Justice Fellows (law graduates) and Community Fellows (college graduates) in support of our mission to increase both the quantity and quality of immigration legal services. All our fellows are lawyers, law school graduates, Department of Justice accredited representatives, or in the process of becoming accredited representatives.

Since IJC’s founding in 2014 by Robert A. Katzmann, Judge of the U.S. Court of Appeals for the Second Circuit, our fellows have provided legal services to over 80,000 immigrants and their families and have been able to help immigrants to secure lawful status or avoid deportation in 93% of these cases. Because we place fellows at multiple host organizations many of which are in New York City, as well as provide immigration representation through our own in-house legal practice, we have a unique vantage point of the profound need for immigration legal services.



Total pending cases at the New York City Immigration Courts are at an all-time high and USCIS processing times are ever-expanding.

As of January 2021, total pending immigration court cases in the New York City Immigration Courts amounts to 141,615. Exacerbating this shocking number of cases is that due to COVID-19, non-detained dockets have been closed for hearings since Spring of 2020 and continue to be closed through at least April 16, 2021. Immigration Court cases, consequently, are not resolving but instead being re-scheduled as far out as 2024. As attorneys are unable to conclude cases for which they already carry an ethical obligation to represent competently and are therefore unable to accept new cases, reinforcements are required. In addition, the new priorities set by the Biden administration may open opportunities for people in removal proceedings to ask for prosecutorial discretion on the basis that they are not a priority for removal. This is a near impossible task without the assistance of a legal representative who is familiar with court processes and can negotiate directly with the government attorney assigned to a case.

Furthermore, the Biden administration's end to the so-called "Migrant Protection Protocols" ("MPP" also known as "Remain in Mexico"), means that many asylum-seekers who were previously barred from entering the United States and forced to remain in Mexico, can now enter the United States and relocate to places where they have familial support. Estimates predict that 20-25% of these individuals and families will come to the state of New York, in large part to New York City and Long Island. Quality representation will be essential to help these asylum-seekers to navigate the newly changed regulations that aim to make it more difficult for them to obtain the employment authorization to support themselves and the asylum law that the previous administration purposefully altered to diminish their chances of getting protection from the persecution they flee.

Processing and adjudication of benefit cases at United States Citizenship and Immigration Services ("USCIS") is similarly stalled and backlogged. Although the USCIS offices in the New York City area have been open and operating at partial capacity since June of 2020, processing times are ever-increasing, and applicants are kept in limbo for years on many common applications. Moreover, USCIS has failed to observe its own COVID-19 health and safety protocols, creating unnecessary risks to applicants who appear in person for their interviews. Delays and miscommunications from USCIS about interview and appointments on a variety of case matters are also commonplace and regularly require motions to reopen and other advocacy to ensure proper adjudication of applications. Throughout all these challenges, legal representatives are vital to protecting applicants' rights, ensuring that appropriate process is followed, and monitoring procedures for legal as well as health and safety violations.

Fraud by unscrupulous immigration service providers is on the rise as they exploit confusion around the Biden administration's proposed legislative changes.

Every publicized change or proposed change to immigration law and/or policy is a chance for unscrupulous immigration services providers or *notarios* to take advantage of confusion to defraud



immigrants. This is a devastating truth which those of us who have been practicing immigration law for years have noted repeatedly. Since the Biden administration sent its immigration bill to Congress on January 20, 2021, our fellows have had multiple inquiries about how to apply for a “Biden green card.” The fellows have heard multiple reports of individual immigrants and/or families paying to “save a place in line” so that they will be one of the first to receive “Biden’s green card.” Clear, straightforward explanations are necessary to ensure that immigrant communities are aware of the actual current state of the law and the process through which Biden’s bill must pass if it is to become a law they can eventually benefit. This is crucial community education work that requires diligent, communicative advocates to bring about. Sufficient funding for comprehensive immigration screenings and legal education is necessary to make sure that accurate, timely information is available to all immigrant communities throughout the five boroughs.

Immigrant New Yorkers need legal representation to effectively apply for new or revived immigration benefits.

The Biden administration has publicly vowed to coordinate with the Department of Homeland Security (“DHS”) and Congress to designate Venezuela for TPS. The administration has also issued an Executive Order instructing the Secretary of Homeland Security to “preserve and fortify” Deferred Action for Childhood Arrivals (“DACA”). These imminent opportunities to regularize immigration status, even if temporarily, and obtain authorization to work lawfully in the United States, can be life-changing for those who benefit. The ability to do outreach in immigrant communities to promote awareness of the availability of these benefits, and the requisites to obtain them, is indispensable. Furthermore, assistance with the applications is key to ensure success as USCIS applications have increased in length and complexity. Additionally, if the Biden administration’s proposal for comprehensive immigration reform becomes law, there will be an overwhelming and urgent need for community education and representation. Funding for immigration legal services is vital to meet these needs.

Conclusion

We commend the City Council for its continued leadership in funding essential immigration legal services. We urge the Mayor to continue to sustain and expand immigration legal services funding to meet the current and forthcoming needs of New York City immigrant communities. As we recover and move forward to a brighter future for immigrants, families and communities, sufficient funding is essential to our success. Thank you for your attention today.¹

Submitted by,
Jojo Annobil
Executive Director, Immigrant Justice Corps
17 Battery Place, Suite 236, New York, New York 10004
Tel: 646-690-0481, jannobil@justicecorps.org

¹ Testimony prepared by Shannon McKinnon, Managing Attorney, Immigrant Justice Corps.



Commitment to Improve Quality of Life

Monday March 8, 2021

To: New York City Council Committee on Immigration
From: India Home, Inc.
Re: Preliminary Budget Hearing

We thank Chair Menchaca, Chair Chin and the Committee on Immigration for helping India Home and our fellow APA-serving organization provide better services.

India Home addresses the South Asian older adult immigrant community through culturally competent services. Our immigrant communities have faced exacerbated challenges during this pandemic. Prior to the pandemic, NYC's South Asian senior community faced a number of interconnected, compounding issues, including prevalence of poverty, overcrowded housing, low English proficiency, low digital literacy and a lack of access to benefits. India Home has been the support for this community that has been lacking in the existing infrastructure by addressing these issues through our culturally competent services. This dedication continued during the pandemic, through our culturally competent meals delivered to the safety of seniors' homes, virtual programming that kept seniors informed, engaged and healthy, and wellness checkup calls that provided reassurance and connected seniors to crucial resources and programming during incredibly isolating times. These programs are not just recreation, but are wellness, health, safety, and a lifeline to communities who are not adequately served in the City's existing infrastructure. Our programs have been far-reaching during this pandemic, with over 15,000 meals delivered to over 500 seniors, 1,200 grocery packages delivered, 300+ virtual sessions being given, including health education, yoga, exercise, ESL classes and arts classes, and 25,000+ wellness check-up calls being given to our South Asian older adult community. Furthermore, we have provided robust COVID-19 awareness and outreach through which we have distributed over 20,000 masks to the hardest hit NYC communities and now have made more than 220 vaccine appointments for seniors.

The older adult community was the hardest hit during this pandemic, and this was especially the case for older adults of color. We saw this in our APA communities firsthand. We saw the losses in our communities, we saw the disruption and distress that shook our older adults in an unfair way, and we gave our 1000% to make sure we can support them however we can. Our days of operation increased by more than 35% and our staff has gone above and beyond to provide services and answer calls from our clients at all times of the day.

The Mayor's FY 2022 Preliminary Budget is a crucial moment for us to stabilize our communities. Given budget cuts and contract delays this past year, it has been an incredibly testing time for nonprofits that have been a lifeline for the APA communities. We have powered through for the most vulnerable and it is time that the City recognizes that through a fair and equitable budget.

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Board of Director Officers
Mr. Mukund Mehta, President
Dr. Amit Sood, Treasurer
Mr. Ali Najmi, Secretary

Board of Director Members
Ms. Jaya Bahadkar
Ms. Neetu Jain
Dr. Ankineedu Prasad



Commitment to Improve Quality of Life

We make the following requests to attain this goal:

1. We ask for enhancements to and to be included in key citywide initiatives such as Digital Inclusion and Literacy, Mental Health Services for Vulnerable Populations, and Emergency Food/Food Pantries, all which we provide and have not been funded for in this last budget.
2. We emphasize the importance of restoration of \$5.1 million to the Support Our Seniors citywide initiative
3. We urge the enhancement of the CCNSF fund to \$5 million, the restoration of the Senior Centers for Immigrant Populations initiative to \$1.5 million, the enhancement of the Geriatric Mental Health initiative to \$1.9 million, and restoration of \$6.375 million to the Cultural Immigrant Initiative

We ask for equity in resource allocation and distribution. Our communities cannot continue to be shortchanged especially when they exist at the intersections of marginalization. The need is urgent and the time to act is now!

We thank the council for your leadership in pushing the city budget, and various other stakeholders and for listening to our needs and concerns. India Home's programs are an integral part of the diverse fabric of Queens and NYC. We request your continued and increased support in helping us stabilize our communities.

Sincerely,

Shaaranya Pillai

Deputy Director

Written Testimony of Iris Shyu
Adult Literacy Student at Korean Community Services of Metropolitan New York, Inc. (KCS)
Before the New York City Council Committee on Immigration Regarding
Preliminary Budget Hearings – Adult Literacy
March 8th, 2021

Good morning Chair Menchaca and members of the Committee on Immigration. My name is Iris Shyu and I am currently taking English classes at Korean Community Services of Metropolitan New York, Inc. (KCS). KCS is a social service non-profit organization located in Bayside, NY. I am grateful that you have given me the opportunity to testify in front of you about the importance of adult literacy.

Learning English has always been a challenge for me but I have been grateful that I have had the opportunity to improve my English by taking online classes at KCS especially during the pandemic. Since we are staying home and not going out anymore, being able to continue my classes online has helped me in so many ways. Every morning when I wake up, I look forward to my classes since I am able to see my instructor and my wonderful classmates. As a result, this has been a huge help to my mental health.

One day, I hope to be able to communicate with other people without having any language barriers. I also hope that I will be able to give back to the community and help others through my improved English skills.

In closing, I am grateful that the City Council has supported students like me for a long time and I hope that the Council will continue to provide funding for Adult Literacy this upcoming fiscal year.

Thank you again for giving me the opportunity to testify today.



Dear Councilmember Menchaca and the Immigration Committee,

We will submit written testimony to the email address supplied.

Please let me know if you have any questions or need anything from MRNY.

Thanks much,

Julie Miles

Julie.miles@maketheroadny.org

646-251-3899

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**TESTIMONY BEFORE NEW YORK CITY COUNCIL'S COMMITTEE ON
IMMIGRATION**

Presented on March 8, 2021

My name is Hasan Shafiqullah, and I am the Attorney-in-Charge of the Immigration Law Unit (ILU) at The Legal Aid Society (LAS). For 145 years, LAS has been a tireless advocate for those least able to advocate for themselves. ILU, founded in the 1980s, provides legal representation to vulnerable New Yorkers seeking relief for themselves and their families. We assist those in detention and fighting unlawful deportations, and represent low-income individuals in gaining and maintaining lawful status. Combining this representation with affirmative litigation work, we strive to ensure that families are able to stay together and stabilize their living situations.

Over the most recent year, ILU assisted in nearly 4,500 individual legal matters benefiting over 10,500 New Yorkers citywide.

A. New York City Council Funding Requests – Immigration

We are grateful for the Council's support for legal services for low-income immigrant New Yorkers, who are among the City's most vulnerable populations. The Council's commitment to ensuring parity of justice and access to comprehensive legal services for our immigrant communities is central to our work and establishes New York City's approach as among the most progressive in the nation. Thanks to support from the New York City Council and the Human Resources Administration, LAS currently conducts the following immigration-related programs:

The New York Immigrant Family Unity Project (NYIFUP) has represented detained immigrants facing deportation since 2014, helping to ensure New York families are

not separated simply because they cannot afford an attorney. The nation's first universal legal representation program for detained immigrants, NYIFUP provides high quality, holistic representation to New Yorkers detained and facing deportation who cannot afford an attorney. NYIFUP attorneys carry a full caseload of deportation defense cases, and provide services including master calendar, bond and individual merits hearings, appeals, and social work services. Many of our NYIFUP clients are long-term permanent residents or other non-citizens with strong family ties and long work histories in the U.S.

Since March 16, 2020, the three NYIFUP providers together have secured the COVID-19 related release of over 242 clients incarcerated by ICE, through a combination of individual and group habeas petitions, bond redetermination hearings, and successful requests for humanitarian parole by ICE. **The Legal Aid Society is respectfully requesting a continuation of \$16,600,000 for NYIFUP in Fiscal Year 2022, split evenly by the three NYIFUP providers in the amount of \$5,533,334 each.**

The Unaccompanied Minor Children and Families (UMFI) Initiative has been providing free legal assistance to Unaccompanied Children and Adults with Children fleeing endemic gang violence and domestic abuse since 2014, with the support of the New York City Council. With the NYC Bar Association's resolution supporting universal access to legal services for children in removal proceedings, LAS, along with our partners in the citywide Immigrant Children Advocates' Relief Effort (ICARE), are evaluating this initiative closely to determine how best to scale the program and realize the Bar Association's vision of universal representation. This traumatized and vulnerable population is especially in need of highly-

competent legal representation to advance their claims for asylum, Special Immigrant Juvenile Status, and other forms of immigration relief.

From 7/1/19 – 6/30/20, LAS worked on 244 ongoing representation matters that had not concluded by the end of Fiscal Year 2019. During this period, we achieved successful outcomes for 89 removal defense cases, with six individuals granted asylum, 10 individuals granted Special Findings Orders; 46 children granted Special Immigrant Juvenile Status (SIJS), 1 individual who was granted Motion to Terminate, and 26 individuals who were granted adjustment of status. We have successfully terminated proceedings for 168 minors before the Immigration Court since the start of ICARE, and anticipate additional successful outcomes in FY22. **The Legal Aid Society is respectfully requesting an enhancement to \$1,075,000 for UMFI in Fiscal Year 2022, out of \$5,157,300 being sought by ICARE as a whole.**

B. Responding to the COVID-19 pandemic

The impact of the COVID-19 pandemic on noncitizen communities in New York City cannot be overstated. The neighborhoods most impacted by the pandemic in our city since March 2020 - in terms of transmission, number of cases, and fatalities - have been in areas that are home to large noncitizen communities. As identified by the City Comptroller, there is a sizeable correlation between neighborhoods with high concentrations of immigrants and residential overcrowding – a key driver of COVID-19 transmission.¹ At the same time, noncitizen communities in New York disproportionately

¹ New York City Comptroller, Scott M. Stringer. Protecting NYC’s Most Vulnerable Populations During COVID-19 See: https://comptroller.nyc.gov/reports/protecting-nycs-most-vulnerable-populations-during-covid-19/#_ftn6

experience barriers to accessing health services and are often less likely to have health insurance, which create further difficulties in individuals being able to receive the care they need to successfully recover from and prevent further spread of the virus.² This dynamic is compounded by higher levels of institutional distrust among many members of immigrant communities, a distrust that was significantly exacerbated by the former Trump administration's overtly anti-immigrant agenda over the last four years, including its damaging public charge regulations.

Simultaneously, noncitizen New Yorkers have been disproportionately affected by the economic impacts of the virus stemming from the mass closures of "non-essential" businesses and associated economic slow-down. According to one report from The New School, during the early stages of the pandemic 54% of lost private jobs in New York City were held by foreign-born workers.³ Undocumented New Yorkers have been particularly hard hit: nearly one in six New York City jobs lost due to the pandemic had been held by an undocumented worker. Moreover, the job displacement rate among undocumented workers has been twice that of the overall private sector displacement rate: 54% versus 27% respectively.

This disproportionate impact of the pandemic on New York's noncitizen shines additional light on the vital need for legal services for this population, and we have been on the frontlines of efforts to defend immigrant New Yorkers during the current crisis. The NYIFUP providers have led

² Documented NY. *New York Immigrant Communities Hit Hardest by the COVID-19 Pandemic, Data Shows*. See: <https://documentedny.com/2020/04/02/new-york-immigrant-communities-hit-hardest-by-the-covid-19-pandemic-data-shows/>

³ The New School - Center for New York City Affairs. *The New Strain of Inequality: The Economic Impact of Covid-19 in New York City*. See: https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/5e974be17687ca34b7517c08/1586973668757/NNwStrainofInequality_April152020.pdf

groundbreaking efforts to litigate and advocate for New Yorkers held in dangerous and life-threatening conditions following the widespread transmission of COVID-19 at jails in the New York area where Immigration and Customs Enforcement (ICE) detains individuals, in light of ICE's inability to contain the virus effectively. As a result of our interventions, the three NYIFUP providers together have secured the release of hundreds of detained New Yorkers whose medical history and current circumstances made them particularly vulnerable during the pandemic. Our work during this time has exemplified the strength of our universal representation model in ensuring we are able to respond quickly and nimbly to our clients' emerging needs and secure significant protections for New York's immigrant communities at scale. Our federal suits in *Basank v. Decker*⁴ and *Coronel v. Decker*⁵ were the first two COVID-related federal court victories in the nation secured against ICE on behalf of detained noncitizens, and we have continued to pursue innovative approaches to ensure that we secure the best possible outcomes on behalf of noncitizen New Yorkers. For our detained clients, it is not hyperbole to state that being able to access our services during the COVID-19 pandemic has sometimes been a matter of life or death.

C. The need for continued funding for immigration legal services under the Biden Administration

Our representation during the pandemic on behalf of New Yorkers in detention provides just one illustration of the vital importance of our services at this point in time for what are among New

⁴ 1:20-CV-2518 (SDNY).

⁵ 1:20-CV-2472 (SDNY).

York's most vulnerable populations. While we welcome the transition to the Biden administration, it is clear that the need for high-quality immigration legal representation services will continue unabated. Many features of the immigration legal landscape that necessitate our services and interventions pre-date the Trump administration and continue under the current one. We note that there were more deportations under President Obama than any other president, until Trump. Even if Biden's administration were to reverse Trump's policies and revert to those of the Obama era, there would still be a substantial need for representation for New Yorkers fighting removal.

Further, other recent changes to the immigration legal landscape, such as the need for increased federal court interventions for detained clients, resulted from Supreme Court decisions endorsing mandatory detention regimes and not from policies specific to the Trump administration, and we expect they will continue under the Biden administration. In addition, it should be noted that the vast majority of the initial steps taken to change immigration enforcement priorities and explore broader immigration reform by the Biden administration have focused primarily on the non-detained immigrant population, and offer little relief to the hundreds of New Yorkers already held in ICE detention.

In addition, we anticipate asylum seekers to continue coming from Central America – perhaps in increased numbers following the end of the Migration Protection Protocol (also known as the “Remain in Mexico” policy) – and this population will continue to require access to our services to ensure they do not face forced return to an unstable and unsafe country of origin. The recent high volume of unaccompanied children being taken into custody at the southern border – averaging around 300 children each day recently - further points to the need for the specialized services provided by the

ICARE providers. Unaccompanied noncitizen children are an extremely vulnerable population, with the pandemic further complicating the very real difficulties facing advocates in attempting to represent them and ensuring their wellbeing. As a result of the growing numbers of children arriving at the border together with COVID-19 protocols to prevent overcrowding and potential transmission, many children have faced prolonged period in Customs and Border Protection custody as they await transfer to Office of Refugee Resettlement (ORR) shelters or relocation with parents or relatives in the United States. After being forced to make what is often a long and dangerous journey in the middle of a global public health emergency, it is vital that this population continue to be able to access immigration legal services to ensure they are secure immigration relief and have a fresh start and start a new life.

Further, with the real possibility that the DREAM Act, Venezuelan Temporary Protected Status / Deferred Enforced Departure, or some other form of immigration relief may be passed by Congress or announced by the Biden administration this year, we will likely see a significant increase in demand for assistance with pursuing affirmative immigration relief in New York. It is vital that the City continue to invest in immigration legal services to ensure providers are able to meet what may be overwhelming levels of need for assistance unseen in recent years.

Respectfully submitted,

Hasan Shafiqullah
Attorney-in-Charge
Immigration Law Unit

Justice in Every Borough.



Literacy Assistance Center

**New York City Council Committee on Immigration
Honorable Carlos Menchaca, Chair**

**Preliminary Budget Hearing
March 8, 2021**

Testimony of Ira Yankwitt, Literacy Assistance Center

Thank you Chair Menchaca, for the opportunity to submit this testimony. My name is Ira Yankwitt, and I am the Executive Director of the Literacy Assistance Center (LAC), a 38-year-old not-for-profit organization dedicated to strengthening and expanding the adult education system and to advancing adult literacy as a core value in our society and a foundation for equal opportunity and social justice. The LAC is also a proud member of the New York City Coalition for Adult Literacy (NYCCAL), a coalition comprised of adult literacy teachers, program managers, students, and allies from over 40 community-based organizations, CUNY campuses, and library programs across the five boroughs.

As you are well aware, currently, there are more than 2.2 million adults in New York City without English language proficiency or a high school diploma. Many of these New Yorkers have been on the frontlines of the pandemic, performing the essential work that has been sustaining our communities – as grocery workers, delivery workers, home care workers, and parents. Others are service workers and domestic workers who have lost their jobs and incomes and have faced a harsh reality with little or no safety net. While adult literacy education is only one part of the solution, it will be essential to a fair, just, and sustainable recovery.

Adult literacy education is an immigrant rights issue, a feminist issue, a racial justice issue, and an issue of educational justice. The majority of adults in NYC with limited literacy skills are women and people of color. Over 75% are immigrants, including many who are

undocumented. Others are BIPOC who were born in the US and underserved by the public school system. Adult literacy education can provide the foundation for greater security and autonomy, as well as the tools to access, navigate, analyze – and ultimately transform – social, political, and economic systems and conditions. Yet city and state funding for adult literacy education is so limited that fewer than 4% of the 2.2 million adults are able to access classes in any given year.

Last spring, community-based adult literacy programs rose to the moment, moving their instruction to remote platforms like Zoom, Google Classroom, and WhatsApp; providing additional one-on-one support to their students through phone calls, text messages, online platforms, email, and expanded support services; and providing vital information on the rapidly changing public health situation. Not surprisingly, adult literacy students have struggled with job and income loss, supporting their children’s homeschooling, food and housing insecurity, caring for family members, risks as essential workers, immigration issues, mental health issues, and access to healthcare – and all of these challenges have been exacerbated by limited reading, writing, English language, and/or digital literacy skills. For those students with reliable technology and internet access, remote learning has offered some benefits, including the ability to limit travel and child care expenses, participate in classes at a wider range of times, attend classes even if they were ill or less mobile, and gain digital literacy skills while engaging with other content. Still, lack of access to hardware and reliable internet have been major barriers for many students, and **the City must make universal digital access and equity a top priority.** Moreover, to serve all students as well as they deserve, adult literacy teachers need to be supported with more professional development, more instructional resources, and increased paid planning time.

We know that greater literacy skills are linked to positive social and economic indicators, including higher income. A national study from Gallup shows that the average annual income of adults who reach the minimum level of proficiency in literacy (level 3 on the international PIAAC assessment) is nearly \$63,000, substantially higher than the average of \$48,000 earned by adults who score just below proficiency (level 2), and much higher than those at low levels of literacy (levels 0-1), who earn just over \$34,000 on average. Yet in parts of New York City, well over 50% of adults fall below level 3: In the Bronx, 81% of adults are below level 3 and 50% are at or below level 1 in reading. Similarly, census data show that median wages for adults with a high school diploma or its equivalent are 24% greater than for those without a diploma; and immigrants who speak English “very well” are half as likely to live in poverty as those who do not.

Higher levels of literacy are associated with greater health knowledge, use of healthcare services, and the ability to manage chronic health conditions and communicate with healthcare providers. Moreover, according to the National Institutes for Health, “a mother's reading skill is the greatest determinant of her children’s future academic success, outweighing other factors, such as neighborhood and family income.”

Increased literacy not only benefits individuals but also drives broader economic gains. The Gallup study finds that “getting all U.S. adults to at least a Level 3 literacy proficiency would generate an additional \$2.2 trillion in annual income for the country,” and that large cities like New York would see a 10% increase in gross domestic product.

Clearly, adult literacy education should be regarded as vital to the health and economic recovery of our city, to the ability of parents to support their children’s education, and to ensuring greater quality of life for all. **It is time that we stop treating adult literacy education**

as a supplement to the education system and start recognizing it as a right of all those that need it.

So what do we need to do?

- 1) **The City must restore and baseline the \$12 million in annual funds that the Council secured in the budget every year from FY17 to FY20, and which were reduced to \$9.8 million in FY21.**
- 2) **We must ensure that every adult literacy student who needs it is provided with the necessary hardware and with free internet service to be able to access and engage in online education platforms.** No adult – no parent – who would otherwise be able to participate in a basic education, ESOL, or high school equivalency class should be denied the opportunity simply due to lack of basic infrastructure.
- 3) **We call on the City to invest \$10.5 million in the adult literacy pilot project** that NYCCAL had proposed prior to the pandemic. This project would **quadruple city funding for approximately 25 community-based adult literacy programs** to enable them to fully invest in the 14 “Building Blocks” of a comprehensive adult literacy programs identified in the LAC’s [*Investing in Quality*](#) report, to support greater investments in student support services, digital literacy development, professional development, and contextualized curriculum and instruction, all of which have proven vital over this past year.
- 4) Finally, **we need to increase the total funding for adult literacy education in New York City by sixfold** over the next five years. Currently, the total state and city funding for adult literacy education in NYC amounts to approximately \$85 million a year – less than \$40 a year for each of the 2.2 million adults in need and just over \$1,000 for every student who is able to access classes. **We need to work together to increase this funding to \$500 million per year**, both to serve far more than the 3%-4% of the 2.2 million adults in need that we’re

currently serving and to provide those students, their teachers, and their programs with the full range of resources, supports, and benefits they need and deserve.

Moreover, we need to recognize and capitalize on the role that adult literacy programs can play in furthering racial, social, and economic justice by linking adult literacy students to movements and campaigns relevant to their lives and emanating from their communities. **Adult literacy education is about cultivating individual leadership and building community power.** Adult literacy education can provide the space for community members to read, write, and speak the truth of their lived experience; to build understanding and solidarity across differences; to examine historical and current systems of oppression and envision alternatives; and to act to transform the cultural, social, political, and economic structures that circumscribe their lives.

Literacy skills give individuals the power to understand and command information, to communicate in the language of access, to make informed choices, to access critical resources and opportunities, to stand up for themselves in the workplace, to fully participate in civic life and institutions and, ultimately, to transform their lives and the world around them. A substantial investment in adult literacy education will mean that more people will have the skills to access better jobs and higher wages; more parents will be able to support their children's education; more families will be healthier; more people of all backgrounds will know and speak up for their rights; and more New Yorkers will participate in the democratic process. If we are truly a city committed to equality and justice, we should commit to no less.

Thank you.

Submitted by:
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Written Testimony of Mi Ok (Cecilia) Oh
Adult Literacy Student at Korean Community Services of Metropolitan New York, Inc. (KCS)
Before the New York City Council Committee on Immigration Regarding
Preliminary Budget Hearings – Adult Literacy
March 8th, 2021

Good morning Chair Menchaca and members of the Committee on Immigration. My name is Mi Ok (Cecilia) Oh and I am currently taking English classes at Korean Community Services of Metropolitan New York, Inc. (KCS). KCS is a social service non-profit organization located in Bayside, NY. I am grateful that you have given me the opportunity to testify in front of you about the importance of adult literacy.

In my opinion, I believe that in order for an immigrant to get adjusted to life in America, he or she needs to learn how to speak English. So when I found out that KCS was offering English classes for free, I was excited that I would be able to learn the language. Not only have I been able to get adjusted to my life in America, I have also been able to learn about American history, politics, and the culture through my classes. These topics have not only helped me understand the country that I am living in but it has also given me the opportunity to connect to those that are around me. After spending so much time with each other, my classmates have become my closest friends.

Even throughout the pandemic, I have been grateful that my classes have been online. It has allowed me to not only stay busy but also stay connected. More immigrants like me need to learn about these programs and the only way that they will be able to participate in the classes is if there is continuous funding.

In closing, I am grateful that the City Council has supported students like me for a long time and I hope that the Council will continue to provide funding for Adult Literacy this upcoming fiscal year.

Thank you again for giving me the opportunity to testify today.

KCS Main Office Adult Daycare Immigration ESOL	Corona Senior Center	Flushing Senior Center	Public Health and Research Center Workforce Development	Brooklyn Project	Mental Health Clinic
203-05 32 nd Avenue Bayside, NY 11361	37-06 111 th Street Corona, NY 11368 Tel: (718) 651-9220	42-15 166th Street Flushing, NY 11358 Tel: (718) 886-8203	325 W 38th Street, Ste. 1210 New York, NY 10018	8710 5th Ave. 1FL Bay Ridge, NY 11209 Tel: (718) 630-0001 Fax: (718) 630-0002	42-16 162nd Street, 2FL Flushing, NY 11358 Tel: (718) 366-9540 Fax: (718) 534-4149



TESTIMONY FOR A PUBLIC HEARING ON:

New York City Council Budget and Oversight Hearings on The Preliminary Budget for Fiscal Year 2022, The Preliminary Capital Commitment Plan for Fiscal Years 2021-2025 and The Fiscal 2021 Preliminary Mayor's Management Report

PRESENTED BEFORE:

THE NEW YORK CITY COUNCIL COMMITTEE ON IMMIGRATION
CARLOS MENCHACA, CHAIR

PRESENTED BY:

ERNIE COLLETTE
SUPERVISING ATTORNEY
MOBILIZATION FOR JUSTICE, INC.

MARCH 8, 2021

MOBILIZATION FOR JUSTICE, INC.

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I. Introduction

Mobilization for Justice envisions a society in which there is equal justice for all. Mobilization for Justice's mission is to achieve social justice, prioritizing the needs of people who are low-income, disenfranchised or have disabilities. We do this by providing the highest quality direct civil legal assistance, conducting community education, and building partnerships, engaging in policy advocacy, and bringing impact litigation.

Mobilization for Justice began as the legal arm of Mobilization for Youth, a large community-based anti-poverty program founded in 1962. The legal unit was founded on the principle of equal access to justice through community-based legal representation of poor New Yorkers. In 1968, we began an independent organization, incorporated as MFY Legal Services, Inc. when the federal Office of Economic Opportunity began funding community-based legal services programs, our model became the prototype for hundreds of new programs. By our 25th anniversary in 1988, MFY Legal Services was recognized as a national leader in poverty law, having served tens of thousands of low-income New Yorkers and won numerous test cases. In 2017, we changed our name to Mobilization for Justice (MFJ) to better reflect the expanded scope of our work while honoring our roots.

The Immigration Law Project (ILP) at MFJ works to improve the lives of immigrants and their families by assisting immigrant families and children from Latin America, West Africa, the Middle East, and Asia obtain residency and citizenship through family-based and humanitarian-based categories. By working directly with community-based organizations to develop clinics in low-income immigrant communities, we expanded the practice from assisting Special Immigrant Juvenile Status (SIJS) children obtain Special Findings Orders in Family Court to assisting individuals and families in both affirmative and defensive litigation obtain Adjustment of Status, Citizenship, Green Card Replacement, U-visa, T-visa, Temporary Protected Status, and Asylum. We provide application assistance and interview advocacy for immigrant families and children at United States Citizenship and Immigration Services (USCIS) offices and represent families in affirmative and defensive matters at the Executive Office of Immigration Review (EOIR), commonly referred to as the New York Immigration Courts. In October 2019, ILP became a stand-alone project within MFJ and receives funding through the Immigration Opportunity Initiative (IOI) grant, administered by the City of New York Mayor's Office of Immigrant Affairs (MOIA) and the Human Resources Administration (HRA).

In this testimony, we will highlight several reasons why the New York City Council should maintain or, preferably, increase IOI funding. Such reasons include:

- existing policies from the prior presidential administration, which require complex legal strategies necessitating the use of trained legal services staff;
- the implementation of new policies by the current presidential administration which will increase the need for immigrant clients and families to seek out legal advice and representation for application assistance and representation in immigration court; and
- the COVID-19 pandemic which effectively halted adjudication of non-detained immigration court cases in New York City since March 2020, and, when emergency measures to protect public health and safety are lifted, will require immense legal resources to assist clients with pending adjudicative claims.

II. Existing Polices from the Prior Administration Require Maintaining or Increasing IOI Funding for Legal Services

Many factors continue to impact immigrant communities in New York and emphasize the need for continued and increased IOI funding to properly assist current and future clients who will require our legal assistance and support. First, several policies implemented by the prior presidential administration continue to exist in law that have slowed immigration adjudication, restricted no- and low-income New York immigrants and their families from being able to seek residency or citizenship, and frustrated methods of processing so that routine matters become complex and complex matters become exceedingly difficult to achieve favorable outcomes despite strong evidence.

Former Attorney General and Board of Immigration Appeals (BIA) decisions¹ making it difficult for immigrant clients seeking asylum based on persecution due to gang-based or gender-based violence, as well as proposed rules by the prior administration² (which was fortunately halted by the current administration) have restricted the ability of individuals fleeing persecution from successfully being able to apply for asylum.

Furthermore, and as a result of the polices enacted by the former administration - policies magnified and exacerbated by the COVID-19 pandemic - USCIS continues to experience case processing delays.³ These delays have resulted in many clients being unable to access new or renewed Employment Authorization Cards in a timely manner, have their cases for adjustment of status for Lawful Permanent Residency or U.S. Citizenship adjudicated promptly, or allowed clients an opportunity to obtain an asylum interview at their local USCIS asylum office without significant delays. Also, USCIS's customer service line has largely become inaccessible to clients seeking information and updates on their applications, while USCIS has prevented walk-

¹ *Matter of A-B-*, 27 I&N Dec. 316 (A.G. 2018) (An applicant seeking to establish persecution based on violent conduct of a private actor must show more than the government's difficulty controlling private behavior. The applicant must show that the government condoned the private actions or demonstrated an inability to protect the victims); *Matter of A-B-*, 28 I&N Dec. 199 (A.G. 2021) (The concept of "persecution" under the Immigration and Nationality Act, 8 U.S.C. §§ 1101(a)(42)(A), 1158(b)(1)(a), (b)(i), is premised on a breach of a home country's duty to protect its citizens. In cases where an asylum applicant is the victim of violence or threats by non-governmental actors, and the applicant's home government has made efforts to prevent such violence or threats, failures in particular cases or high levels of crime do not establish a breach of the government's duty to protect its citizenry).

² Immigration Impact, "Death to Asylum Rule' Halted in the Last Days of the Trump Administration," <https://immigrationimpact.com/2021/01/14/death-to-asylum-rule-blocked/#.YEerzp1KhPY> (last accessed March 9, 2021).

³ American Immigration Lawyers Association, "AILA Policy Brief: Crisis Level USCIS Processing Delays and Inefficiencies Continue to Grow" <https://www.aila.org/advo-media/aila-policy-briefs/crisis-level-uscis-processing-delays-grow> (In FY 2019, the overall average case processing times surged by about 25 percent from the end of FY17 and 5 percent since the end of FY18, despite a 10 percent drop in cases received from the end of FY17 through FY19. Overall average case processing time rose by 101 percent from FY14 through FY19); USCIS, "USCIS Lockbox Updates," <https://www.uscis.gov/news/alerts/uscis-lockbox-updates> January 8, 2021 (As a result of COVID-19 restrictions, an increase in filings, current postal service volume and other external factors, you may experience a delay of four to six weeks in receiving your receipt notice after properly filing an application or petition with a USCIS lockbox).

in availability at local USCIS offices.⁴ Such delays require skilled legal services staff to assess the situation on a case-by-case basis, determine the delay and attempt to resolve the matter with USCIS or the USCIS Ombudsman's office. Lengthy advocacy efforts are often required for even the most routine of services such as rescheduling an appointment or inquiring about the status of an application.

Finally, the prior administration restricted the right of immigration judges to control their own dockets by eliminating their right to delay adjudication of cases based on Prosecutorial Discretion,⁵ Administrative Closure,⁶ or the Status Docket.⁷ This restriction created additional backlogs in immigration courts that have resulted in over 1 million cases currently pending in immigration courts nationwide, with approximately 143,811 cases pending in New York Immigration Courts alone.⁸

These unnecessary delays and restrictions on immigration judges have resulted in a prioritization of removal above due process. Significantly, this restriction of authority has prevented judges from deferring removal decisions for vulnerable populations, especially SIJS children who have an approved SIJS claim but are unable to obtain their green card because their visa category based on their country of origin (specifically Guatemala, Honduras, and El Salvador) is oversubscribed.⁹

However, despite or in spite of these policies, our office continues to see increasing numbers of immigrants seeking our services, either for advice on how to navigate systems made more difficult through prior policy, or through representation. Increasing IOI funding will expand our

⁴ American Immigration Lawyers Association, "Walled Off: How USCIS has Closed Its Doors on Customers and Strayed from Its Statutory Customer Service Mission," <https://www.aila.org/advo-media/aila-policy-briefs/policy-brief-walled-off-how-uscis-has-closed> (February 12, 2021).

⁵ Nolo, "Prosecutorial Discretion All But Dead as Immigration Remedy, Owing to Trump Order," <https://www.nolo.com/legal-encyclopedia/prosecutorial-discretion-all-but-dead-as-immigration-remedy-owing-to-trump-order.html>, (last accessed March 9, 2021).

⁶ *Matter of Castro-Tum* 27, I&N Dec. 271 (A.G. 2018), (Immigration judges and the Board do not have the general authority to suspend indefinitely immigration proceedings by administrative closure; Immigration judges and the Board may only administratively close a case where a previous regulation or a previous judicially approved settlement expressly authorizes such an action; Neither 8 C.F.R. § 1003.10(b) nor 8 C.F.R. § 1003.1(d)(1)(ii) confers the authority to grant administrative closure); Elizabeth Montano, *The Yale Law Journal*, "The Rise and Fall of Administrative Closure in Immigration Courts," <https://www.yalelawjournal.org/forum/the-rise-and-fall-of-administrative-closure-in-immigration-courts>, February 11, 2020.

⁷ James R. McHenry III, United States Department of Justice, "Use of Status Dockets," <https://www.justice.gov/eoir/page/file/1196336/download>, August 16, 2019, (Provides EOIR Policy for use of status dockets in immigration court proceedings).

⁸ Syracuse University, Transactional Records Access Clearinghouse (TRAC), "Immigration Court Backlog Tool Pending Cases and Length of Wait by Nationality, State, Court, and Hearing Location" https://trac.syr.edu/phptools/immigration/court_backlog/ (last accessed March 9, 2021)

⁹ United States Department of State Bureau of Consular Affairs, March 2021 Visa Bulletin, https://travel.state.gov/content/dam/visas/Bulletins/visabulletin_march2021.pdf, (the EB-4 category where SIJS children are placed for adjustment of status to obtain a green card, provided on page 4, demonstrates that as of March 2021, SIJS children from El Salvador, Guatemala, and Honduras, with approved I-360 applications who have a priority date on their I-360 receipt notice on or prior to June 1, 2018 may be eligible to file an I-485 application to adjust status to lawful permanent residency. The visa bulletin is updated at the end of each month, meaning that there is currently a nearly three-year backlog for children in this category who must wait until their priority date is current before they can adjust status to obtain their green card).

ability to serve more clients facing these issues, expand the types of services we can provide, and allow our organization the means and opportunity to do more to help vulnerable New York immigrant communities through legal representation and know-your-rights education.

III. New Policies from the Current Administration Will Require Maintaining or Increasing IOI Funding for Legal Services

While our organization will continue to monitor the current Administration's attempts to eliminate prior bad policies and support an agenda that will aim to assist to our clients, this new agenda will realistically increase the needs of our services to new and existing clients.

On March 9, 2021, the Department of Homeland Security announced the opportunity for Venezuelans fleeing a humanitarian crisis due to political instability to apply for Temporary Protected Status (TPS).¹⁰ We anticipate that once the I-821 application is updated to reflect this recent policy change, that Venezuelans residing in New York will seek assistance to apply for TPS and employment authorization. This increase in application assistance will allow beneficiaries to obtain gainful employment in New York but will require free legal advice and representation to ensure that TPS applications are appropriately granted.

The 2019 Public Charge rule,¹¹ expanding the types of public benefits that qualify as negative factors that prevent individuals from receiving Lawful Permanent Residence (LPR) status within the United States or admission into the United States, was rescinded on March 9, 2021.¹² The intended impact of the rule not only chilled access to public benefits to individuals or households otherwise eligible,¹³ but also required clients to produce extensive documentation and meet high income, asset, and resource tests that severely restricted the ability for low- and no-income immigrants who may have lawfully received benefits in the past from applying for lawful immigration benefits. Screening and preparing such applications required a complex understanding of the rule, substantial documentation gathering, and adjudication by a USCIS officer who determined how each factor of the public charge rule is applied on a case-by-case basis. The fear that the rule created within the immigrant community, as well as the complexities of successfully preparing and adjudicating even marginal claims, resulted in the abandonment of claims and the curbing of lawful immigration pathways for our clients. Now that the public charge rule is invalidated, clients initially considered ineligible under the rule will now be able to apply to adjust status, increasing the need for additional funding for staff to conduct outreach and provide application and interview services to eligible clients.

¹⁰ United States Department of Homeland Security, "Secretary Mayorkas Designates Venezuela for Temporary Protected Status for 18 Months" <https://www.dhs.gov/news/2021/03/08/secretary-mayorkas-designates-venezuela-temporary-protected-status-18-months> (March 8, 2021).

¹¹ United States Citizenship and Immigration Services (USCIS), "Final Rule on Public Charge Ground of Inadmissibility," <https://www.uscis.gov/archive/final-rule-on-public-charge-ground-of-inadmissibility> (last accessed March 9, 2021).

¹² On March 9, 2021, the Biden Administration requested that the Supreme Court of the United States dismiss litigation in the Second, Seventh, and Ninth Circuits related to the 2019 Public Charge rule. Judicial invalidation of the 2019 Public Charge Rule became final that same day, applying the former 1999 Public Charge guidance. *See DHS Statement on Litigation Related to the Public Charge Ground of Inadmissibility*, March 9, 2021 at: <https://www.dhs.gov/news/2021/03/09/dhs-statement-litigation-related-public-charge-ground-inadmissibility>.

¹³ American Academy of Pediatrics, "Study: Public Charge Rule having a Chilling Effect on Immigrant Families' Use of Public Programs," <https://bit.ly/3qunygH> (last accessed March 9, 2021).

On February 19, 2021, the Department of Homeland Security (DHS) reinstated the processing of individuals and their family members currently placed in Migrant Protection Protocol¹⁴ across the U.S.-Mexico border. As our organization and the city council has witnessed through prior spring caravans, the reinstatement and processing of migrants across the southern border will likely result in more individuals being welcomed to New York. These individuals will require much needed legal assistance, including information on access to public benefits, navigating the immigration court system in New York and offering representation for their defensive proceedings. They will also need assistance meeting any statutory or judicial deadlines for available forms of immigration relief.

This expectation of increased clients through the Migrant Protection Protocol can already be seen analogously through the November 14, 2020 and December 7, 2020 Orders by U.S. District Court for the Eastern District of New York¹⁵ which forced the Department of Homeland Security to accept new Deferred Action for Childhood Arrivals (DACA) applications.¹⁶ This court order resulted in an increase at our community partner clinics and during our hotline hours of individuals seeking information to determine DACA eligibility and new application filings for the program.

Furthermore, if Congress passes the U.S. Citizenship Act of 2021, upwards of 3 million people, DACA recipients, TPS recipients, farmworkers, and their qualifying family members, could be granted a pathway to citizenship.¹⁷ If the bill is signed into law in its entirety, a pathway to citizenship could be extended to include up to 11 million people.¹⁸ The immigrant history of our city suggests that many individuals eligible for relief by this proposed legislation would be low-income or indigent New York city residents requiring assistance adjudicating their cases to ensure that they are afforded a pathway to residency and citizenship.

Increasing IOI funding to meet these needs is paramount to ensure that as the current Administration continues to revise, reverse, and create policies which benefit immigrant New Yorkers, those policies receive appropriate funding so that non-profit agencies providing free services can keep up with the increased demand.

¹⁴ United States Department of Homeland Security, “DHS Begins to Process Individuals in MPP Into the United States to Complete their Immigration Proceedings,” <https://www.dhs.gov/migrant-protection-protocols>, (February 11, 2021).

¹⁵ *Batalla Vidal, et al. v. Wolf, et al.*, 16-CV-4756 (NGG) (VMS) (E.D.N.Y.) (November 14, 2020); *State of New York, et al. v. Trump, et al.*, 17-CV-5228 (NGG) (VMS) (E.D.N.Y.) (December 7, 2020)

¹⁶ United States Department of Homeland Security, “Update: Deferred Action for Childhood Arrivals,” <https://www.dhs.gov/news/2020/12/07/update-deferred-action-childhood-arrivals>

¹⁷ Migration Policy Institute, “MPI Offers Estimates of the Number of Unauthorized Immigrants Who Could Be Placed on Expedited Path to Citizenship under Biden-Backed Bill,” <https://www.migrationpolicy.org/news/mpe-estimates-unauthorized-immigrants-path-citizenship>, (February 22, 2021).

¹⁸ *Id.*

IV. The Consequences From the COVID-19 Pandemic Will Require Maintaining or Increasing IOI Funding for Legal Services

Finally, the COVID-19 pandemic, which has disproportionately impacted immigrant communities in New York,¹⁹ brought adjudication of non-detained immigration court cases in New York City to a standstill since March 2020.²⁰ Despite this freeze, representatives are still required meet statutory and judicial deadlines for cases that are outside of the suspension date. This means that even though New York Immigration Courts are closed for non-detained hearings, advocates are still filing motions and Memorandum of Law on cases that have not yet been adjourned but have required judicial or statutory filing deadlines. As mentioned above, this standstill has exacerbated an already existing nationwide backlog of well over 1 million cases, that, while rightfully continues to be delayed due to public health and safety concerns, will inevitably need to be addressed when conditions are safe again for people to meet in person.

While EOIR maintains the possibility of virtual appearances once COVID-19 conditions in New York meet satisfactory levels for reopening,²¹ support will be required from the New York City Council through increase IOI funds to allow for more screenings, for more advice, and for more representation to as many individuals will now be required to attend immigration court to adjudicate their claims.

IV. Conclusion

New York City Council has long promoted a stance of protecting immigrant families and households. Mobilization for Justice thanks the Committee on Immigration and its Chair, Councilmember Carlos Menchaca, for holding a hearing on this important topic. We are committed to continuing to educate and help the New York City Council improve immigrant access to legal services for immigrant clients and their families. Even with the generous support of the New York City Council, we continue to witness strong evidence of unmet legal needs. There is much work left to be done to ensure equal access to justice for the most vulnerable immigrant New Yorkers who, without resources made available by this committee, struggle to obtain and maintain the essentials of life. We urge the City Council to closely monitor these proposed changes and prepare accordingly to ensure that no immigrant New Yorker is left without vital legal services.

¹⁹ Make the Road New York, “Excluded in the Epicenter: Impacts of the COVID Crisis on Working-Class Immigrant, Black, and Brown New Yorkers,” https://maketheroadny.org/wp-content/uploads/2020/05/MRNY_SurveyReport_small.pdf (May 2020).

²⁰ United States Department of Justice, “EOIR Operational Status – New York” <https://www.justice.gov/eoir-operational-status/operational-status-map?keys=new+york> (last accessed March 9, 2021).

²¹ James R. McHenry III, United States Department of Justice, “Enhanced Case Flow Processing In Removal Proceedings,” <https://www.justice.gov/eoir/page/file/1341121/download>, December 1, 2020, (guidance to implement an enhanced case flow processing model for non-status, non-detained cases with representation in removal proceedings).



Make the Road New York Immigration/Finance Committee Budget Hearing Testimony | March 8th, 2021

Good evening. My name is Rebecca Telzak and I am the Health Director at Make the Road New York. We thank the Committee for the opportunity to testify about our critical services for immigrant New Yorkers during this devastating pandemic and the funding needed to sustain them.

Make the Road New York is the largest grassroots immigrant organization in New York City, with a membership of over 24,000 low-income New Yorkers. We have 20 plus years of experience serving our communities, who have been disproportionately affected by the COVID-19 pandemic and the resulting economic fallout. We have provided crucial health and legal survival services, while also engaging our members with community organizing, transformative education, and policy innovation.

We would like to thank the City Council for past support which has been essential during this immensely difficult past year. But prior cuts from both the City and State have made it difficult to upscale to meet the drastically increased need of the most affected New Yorkers, who already lacked service providers and are labeled as hard-to-serve - also facing significant risk of COVID exposure. These extreme conditions have led to a dramatic increase in the need for legal, health and continued wraparound survival services. I would like to highlight seven areas of service supported by City Council discretionary funding that play a key role in our overall strategy to support and uplift immigrant families and communities during this time.

Adult Literacy Program:

Our program serves 1,400 people a year, with all participants being 18 years or older, not enrolled in secondary school, and seeking to develop their English speaking, listening, reading and writing skills to be able to secure jobs, pursue education, and navigate life in the U.S. We continue to adjust our adult curriculum and programming to respond to new and ongoing COVID related needs while adhering to the rules of social distancing and tie critical 'know your rights' information into classes in an ongoing way so that thousands of immigrants can continue to learn English and access economic opportunity. We respectfully request that the City Council:

- 1) Restore and baseline the \$12 million in annual funds that the Council secured in the budget every year from FY17 to FY20, and which were reduced to \$9.8 million in FY21.
- 2) Ensure that every adult literacy student who needs it is provided with the necessary hardware and with free internet to be able to access and engage in online education platforms.

BROOKLYN
301 GROVE STREET
BROOKLYN, NY 11237
718 418 7690

QUEENS
92-10 ROOSEVELT AVENUE
JACKSON HEIGHTS, NY 11372
718 565 8500

STATEN ISLAND
161 PORT RICHMOND AVENUE
STATEN ISLAND, NY 10302
718 727 1222

LONG ISLAND
1090 SUFFOLK AVENUE
BRENTWOOD, NY 11717
631 231 2220

WESTCHESTER
46 WALLER AVENUE
WHITE PLAINS, NY 10605
914 948 8466

- 3) invest \$10.5 million in the adult literacy pilot project that the NYC Coalition for Adult Literacy had proposed prior to the pandemic.
- 4) Work to increase the cumulative funding for adult literacy education in New York City by six-fold over the next five years (from \$85M in city and state funding to \$500M).

This funding increase will: 1) significantly better serve the over 2 million new Yorkers with limited English proficiency, no high school diploma, or both and, 2) better cover the costs of the work so that CBOs don't have to choose between financial stability and critical community services provision for the long term.

Workplace Justice Project: Second, we respectfully request the City Council renew and expand past funding for low-wage worker support services in the amount of \$750,000 in legal services funding through the Low Wage Worker Initiative and \$450,000 in supporting outreach and organizing funding under the Low Wage Worker Support Initiative. Past funding has allowed groups like MRNY to represent hundreds of workers on wage theft and discrimination claims. Through our project we conduct outreach, education, support, and emergency legal representation and guidance to low-income immigrant workers, including those who have been at the epicenter of the COVID pandemic. This work has become absolutely urgent as essential workers confront unprecedented dangerous conditions during the pandemic, laws that are rapidly changing and a lack of direct service providers and educators due to reduced funding.

This funding is essential in our ability to continue to field calls from hundreds of low-wage workers each week and educate workers with critical Know Your Rights programs in both Spanish and English via remote platforms. We have rapidly evolved this work to meet new emergency needs of essential workers facing dangerous COVID exposure and coach them how to advocate for their rights to a safe workplace and on the changing landscape of sick days rights, income replacement benefits, and other protections.

The dangerous working environment created by this pandemic also makes all the more urgent and complex our pre-existing work on cases involving wage theft, employment discrimination, Paid Sick Leave, retaliation, worker misclassification, unemployment insurance, Paid Family Leave, and workplace injuries. We strongly urge this delegation to demonstrate its commitment to low-wage and immigrant essential workers and stabilize this critical funding, and baseline \$6 million for the Low Wage Worker Initiative and \$1.5 million for the Low Wage Worker Support Initiative.

Deportation Defense Project: Third, we are requesting continued funding, including \$1 million for the Rapid Response Legal Collaborative (RRLC) and an additional \$250,000 in discretionary funding for MRNY's Deportation Defense Project, to support critical immigration legal services to meet the specific challenges our communities are facing. The RRLC, which includes legal providers UnLocal, NYLAG, and MRNY, represents community members who are detained and on the verge of being deported or who have orders of removal and are at risk of ICE detention. The RRLC also monitors ICE activity and trends, and works with organizers to provide real-time information to community members.

Our general Deportation Defense Program is a grassroots and community-based effort to provide critical outreach, organizing and legal services to immigrant communities who continue to be heavily targeted for deportation. Under the extraordinary circumstances created by the COVID-19 pandemic, MRNY has worked around the clock to respond in real time to support community members who are already detained or those at risk of imminent detention.

Detained clients experience serious delays and challenges in securing any relief. Those who are locked up in overcrowded immigration detention centers face life-threatening COVID exposures. Our legal staff are filing requests to get people released from detention centers where the virus is putting their lives at risk, and are working with allies on solutions to eliminate the continued violent and harmful immigration enforcement activity impacting families in NYC.

Through the initiative our legal team also provides representation and guidance for DACA applications, citizenship, green card applications, family petitions, VAWA, U visas, and affirmative asylum applications. In addition, we hold virtual Know Your Rights trainings, and publish and distribute informational materials via social media and other platforms to provide policy updates as quickly as possible.

With this new federal administration, we fully expect and have already seen immigration legal needs become even more complex and numerous due to the shifts in policy and enforcement. Support through this initiative is pivotal for keeping our most vulnerable families safe, together, and able to thrive.

Know Your Rights (KYR) Program/CWE: Fourth, we request that the City Council restore funding toward the Consortium for Worker Education (CWE) and its network of partners, which includes \$5.1 million for community partners a part of “Jobs to Build On” and \$2.2 million for the Worker Service Centers.

Specifically, for Make the Road, we are asking for \$200,000 under the Job Training and Placement Initiative to support our KYR immigration protection program. Funding supports our classes which serve members of unions, community groups, and immigrant service providers. The curriculum includes rights as immigrants in the workplace; responding to workplace raids and other immigration enforcement actions; support systems for family members in the event that someone is detained or deported; and how to access legal advice and representation. Since the onset of the pandemic, we have been holding our trainings on virtual platforms such as Zoom and Facebook Live until it is deemed safe to resume meeting in person. It is essential that we are able to continue these services with renewed funding and support from the Council, led by the Queens delegation.

It is also crucial that we are able to expand critical services through other organizations in CWE’s Immigrant Protection Group. Restoring this funding would allow an additional 7,500 New Yorkers to receive this training in Fiscal Year 2022. The City Council’s past commitment to community-based workforce development resulted in tens of thousands of New Yorkers gaining meaningful employment with family-sustaining wages. These allocations are crucial for us and the nearly 40 workforce development providers throughout the City.

Legal Services: Fifth, we ask that the City Council allocate \$150,000 in funding under the Legal Services for the Working Poor Initiative to support our legal department in providing an array of services for low-income immigrant communities. This includes a full range of crucial civil legal services, including housing and eviction prevention; immigration; public benefits; healthcare and health insurance access; labor and employment; and civil rights (with a focus on language access and LGBTQ issues).

MRNY attorneys and advocates handle over 10,000 cases annually. Continued funding will allow us to work on a range of cases in our three NYC offices. We expect to use the funds to support these important, core services of our program: 1) fighting tenant harassment and preserving affordability, including access to subsidies and other public benefits; 2) combatting wage theft and discrimination in the workplace; and 3) representing community members in their affirmative applications for immigration relief.

Health Programs: Last, we request that the City Council maintain funding for Ending the Epidemic at \$6 million, maintain its allocation for the Access Health Initiative to \$2.5 million, maintain its \$2 million allocation to the Immigrant Health Initiative, and restore \$500,000 in funding to the MCCAP program to support efforts to help individuals understand how to use their insurance, resolve billing issues, etc. A full restoration of these funds is crucial to ensure that low-income individuals, communities of color, immigrants, individuals with special needs, and those in culturally and linguistically isolated communities can obtain information about their rights, access available health resources, and address health care disparities. Additionally, we respectfully ask the Brooklyn Delegation to support our recent initiative for Community Health Workers who are hired by Community Based Organizations but working in partnership with Health + Hospitals facilities. Finally, the City should increase funding to \$22 million for the Emergency Food Assistance Program (EFAP) to support this critical source of food for more than 500 pantries and soup kitchens in the City. These Programs enable MRNY and other community-based organizations to reach out to immigrant families with information about their rights and available health resources and address health care disparities.

Thank you again to the Committee Chair, the entire Immigration Committee, Speaker Johnson and the entire City Council for your ongoing support and consideration. Make the Road appreciates our partnership with each of you to ensure the respect and dignity of immigrant families in New York City. I hope you will give additional consideration to the requests we have made, and we look forward to working together in Fiscal Year 2022.

Written Testimony of Myong Hee Sung
Adult Literacy Student at Korean Community Services of Metropolitan New York, Inc. (KCS)
Before the New York City Council Committee on Immigration Regarding
Preliminary Budget Hearings – Adult Literacy
March 8th, 2021

Good morning Chair Menchaca and members of the Committee on Immigration. My name is Myong Hee Sung and I am currently taking English classes at Korean Community Services of Metropolitan New York, Inc. (KCS). KCS is a social service non-profit organization located in Bayside, NY. I am grateful that you have given me the opportunity to testify in front of you about the importance of adult literacy.

When I first came to America in 1986, I didn't know how to speak English. Unfortunately, I did not have the time or the opportunity to learn the language until later on in my life. For a long time, not being able to speak English was a big embarrassment for me but I am glad that I now have the opportunity to take English classes at KCS. My English has improved a lot as a result and I have always been grateful that the City has provided free English for immigrants like me.

Ever since my classes have moved online as a result of the pandemic, I have enjoyed seeing my teachers face and my fellow classmates faces over Zoom. It has really helped me get through this difficult time and have given me something to look forward to.

In closing, I am grateful that the City Council has supported students like me for a long time and I hope that the Council will continue to provide funding for Adult Literacy this upcoming fiscal year.

Thank you again for giving me the opportunity to testify today.

**NORTHERN MANHATTAN
IMPROVEMENT CORPORATION
(NMIC)**

TESTIMONY

In Support of

**City Council Funding of Immigrant Opportunities Initiative in
FY 2022**

PRESENTED BEFORE:

**THE NEW YORK CITY COUNCIL
IMMIGRATION COMMITTEE**

March 8, 2021

PRESENTED BY:

Maria Lizardo, LMSW

Executive Director

NORTHERN MANHATTAN IMPROVEMENT CORPORATION (NMIC)

My name is Maria Lizardo, and I am the Executive Director at Northern Manhattan Improvement Corporation (hereafter, “NMIC”). On behalf of NMIC, we thank you for inviting us to present our testimony on the importance of Immigration Opportunity Initiative funding to support services for New York immigrants who, along with other communities of color, have experienced disproportionate negative impacts from the COVID-19 crisis. We ask for the council to make financial investments by fully funding the Immigrant Opportunity Initiative in FY 22 so that community-based organizations may receive the resources necessary to support immigrant New Yorkers. Receiving funding from this initiative allows NMIC to address the immigration needs as they emerge for over 14,000 community members that depend on NMIC services each year. To maintain legal immigration services, which are crucial for the long-term recovery and stabilization of immigrant New Yorkers, we ask the council to renew its investment of \$2,600,000 towards the Immigrant Opportunity Initiative and to increase NMIC’s allocation in FY 22 to \$50,000.

NMIC is a community-based settlement house founded in 1979 which has grown into a leading multi-service agency with a staff of over 120 employees, serving all of New York City. Our mission is to serve as a catalyst for positive change in the lives of the people in our community on their paths to secure and prosperous futures. Immigration legal services are part of our legal, organizing, and advocacy initiatives which also includes housing court representation/eviction prevention, family law services, and general counseling for immigrant communities. Our education and career services provide the community with the additional tools necessary to build secure and prosperous futures. We also offer weatherization services to improve the housing stock in Upper Manhattan. The investment in immigration legal services allows us to offer new and existing clients (those already accessing any program at NMIC) the opportunity to work with our attorneys and paralegals to advance their goals of increased stability through gaining legal status and citizenship. NMIC does not charge any fees for services and serves low-income communities and immigrant persons and families. NMIC is ideally situated in Washington Heights and University Heights where the large immigrant and mostly Spanish speaking populations in these communities can easily access the broad range of services available. Our priority service areas, Manhattan City Council Districts 7 and 10; Bronx City Council Districts 14 and 16, are over 75%

people of color. These areas are the only ones in their respective borough, designated yellow COVID-19 zones due to the sustained resurgence in COVID-19 cases.

The neighborhoods we serve experienced the highest number of COVID-19 cases in the city, in Washington Heights alone there were 3,939 cases during the first peak of the pandemic in the spring. These are only cases of folks that reported being medically affected by the virus and NMIC understands that the pandemic has led to widespread loss of income throughout our community. In fact, [City data](#) shows that 68% of Hispanics, compared to 45% of white residents, experienced income loss. Over the summer, nine different New York City organizations (including NMIC) [revealed that](#), on average, at least 75% of their immigrant clients lost jobs due to the pandemic. This has led to unprecedented levels of food insecurity, inability to pay rent, and other social stressors (such as domestic violence incidence). Despite this, many immigrants are completely left out of all federal cash-relief initiatives and deemed ineligible for unemployment insurance benefits, rental arrears, and other essential safety net programs. NMIC launched several projects to close this gap such as executing cash distribution, food pantries, and application assistance for rental arrears from private charities. Achieving legal status is the best way to ensure our clients can access benefits and is therefore a priority for NMIC's immigration legal services.

NMIC's immigration legal services team provides free advice, advocacy, and legal representation to about 3,000 New York immigrants each year. We help our clients with applications for citizenship/naturalization, family-based petitions, status adjustment, U visas, T visas, DACA, TPS, Special Immigrant Juvenile Status, and more. Providing these services in 2020 presented new challenges surrounding the need to communicate via telephone or video chat and share documents digitally. This hurdle was exacerbated by the digital divide that limits access to and fluency with technology amongst our immigrant clientele. To overcome this obstacle, we devote increased amounts of staff time to clients and thus our need for an increase from \$38,000 in FY 21 to \$50,000 in FY 22 to support additional staff resources cannot go understated. Despite social distancing challenges, in 2020 NMIC:

- Handled 2,453 immigration cases,
- Filed 471 applications,
- Assisted 22 clients in receiving work authorization, and
- Helped 94 clients obtain their citizenship.

Funding from the Immigration Opportunity Initiative makes these activities possible and has a significant positive impact on clients like Laura.

Laura first **met her abuser** as a teenager when she was visiting the U.S. They began a relationship and had a child together in New York. The relationship was short-lived and he showed no interest in their son, so Laura took him and returned home to the Dominican Republic. A few years later, Laura's abuser reconnected with her via social media. He visited her and they began dating again. He "affirmed" his commitment to her and their son and invited her to come be a family in the U.S.—promising Laura he would file for her green card. This would **disrupt Laura's long-pending permanent resident petition** her grandmother had filed, through which Laura would have gained legal status.

Shortly after they married in New York and started living together, he became extremely controlling. This behavior increased in frequency and culminated in **physical violence** so eventually **Laura fled** for her children's safety. She was able to stay with a cousin in the Bronx but was left **without employment authorization** nor a source of income. Now married, she no longer qualified as a beneficiary under her grandmother's petition.

Laura came to NMIC in crisis, having escaped her abusive USC spouse a few days before. She received counseling and safety planning from our Domestic Violence Project before having an Immigration consultation. **We filed a VAWA petition**, for spouses of U.S. Citizens who had suffered domestic abuse and advocated for its review. In the Spring of 2020, she had her Adjustment of Status interview at 26 Federal Plaza, which the **NMIC attorney attended** to provide *necessary* legal and emotional support. Through this process and only a few weeks later, Laura successfully **received her Lawful Permanent Resident Card**. Since then, Laura began working at an insurance company and has moved into her own apartment in NYC. With NMIC's support, **made possible by the Immigrant Opportunity Initiative**, Laura started and can now continue her career and remain in the United States with her sons.

Access to legal services has always been important for immigrant New Yorkers to feel a sense of security and remain protected from the possibility of suddenly being separated from their family and home. In FY 2019 (most recent available city data) ICE total arrests increased by over 34% compared to the final year of the Obama Administration. Disturbingly, the number of NYC area arrests of individuals without criminal convictions are still up 292% after peaking in FY 2018.

These facts cause concern for the estimated 600,000 undocumented residents and additional half a million New Yorkers who live with an undocumented family member. Changing federal administrations also causes concern and confusion for DACA recipients, for which New York is the city that houses the second most of (over 17,000 according to Center for American Progress). We serve all ten of the community districts in Manhattan and the Bronx with the highest number of non-citizen residents and so the need for immigration services is high for our core clients. The constantly changing political, administrative, and legislative environment at the federal level drives this constant need for immigration legal services. Community members are encouraged by new pathways for residency, and even citizenship, that the Biden Administration has discussed but remain without access to legal resources and are extremely vulnerable—in particular to scams by predatory businesses that promise immigration help for a substantial fee. NMIC exists so that low-income immigrants may take advantage of policies that will grant legal status.

There is much discussion of how immigration woes were a large contributor to the disproportionate impacts faced by our communities. Immigrants without insurance were more hesitant to reach out to doctors when experiencing symptoms, New Yorkers without documents were significantly less likely to access care until it was absolutely necessary, and mixed-status households were left out of almost all forms of financial relief forcing them to continue working amidst a raging pandemic. Even now, our community continues to experience additional barriers to accessing the vaccine including hesitancy to trust city-run hospitals, some vaccine sites being staffed with no Spanish speakers, confusing information and registration procedures, and limited fluency with and access to digital tools to navigate appointment availabilities. Addressing legal immigration needs will mitigate some of these impacts during the crucial recovery period and for future crisis by increasing eligibility for employment, health insurance, and safety-net programs.

The continuation of service is only made possible by the council's commitment to make financial investments in our communities and the immigration legal services sector. Without increased funding, NMIC and other community-based organizations will be less equipped to overcome service provision challenges, brought on by the pandemic, as well as offer basic immigration legal services for free to low-income residents. With this in mind, we ask that the council fully fund the Immigrant Opportunities Initiative and increase NMIC's FY 22 allocation to \$50,000.

**Testimony by the New York Legal Assistance Group (NYLAG)
before the NYC Council Committee on Immigration regarding:**

Preliminary Budget Hearing – Immigration

March 8, 2021

Chair Menchaca, Council Members, and staff, good afternoon and thank you for the opportunity to speak to the Immigration Committee about the FY22 budget. My name is Jodi Ziesemer, and I am the Director of the Immigrant Protection Unit at the New York Legal Assistance Group (NYLAG). NYLAG uses the power of the law to help New Yorkers in need combat social, racial, and economic injustice. We address emerging and urgent legal needs with comprehensive, free civil legal services, impact litigation, policy advocacy, and community education. NYLAG serves immigrants, seniors, the homebound, families facing foreclosure, renters facing eviction, low-income consumers, those in need of government assistance, children in need of special education, domestic violence victims, persons with disabilities, patients with chronic illness or disease, low-wage workers, low-income members of the LGBTQ community, Holocaust survivors, veterans, as well as others in need of free legal services.

We appreciate the opportunity to testify to the Immigration Committee regarding the FY22 budget. NYLAG is proud to operate in a City that values its immigrant citizens and supports much-needed services to them through its annual budget. Funding for legal services for New York City immigrants is crucial to keeping families and communities safe in a difficult time. Even as positive changes in immigration law are proposed and enacted by the federal government, we encourage the City to continue looking for ways to provide the resources necessary to allow legal services providers to ensure that immigrants are well informed and have advocates to help them navigate the complexities of immigration legal system.

The Immigration Landscape

We are coming out of four years of intense anti-immigrant rhetoric and policies, which have had profoundly damaging effects on our communities and the values of our nation. We saw our immigration policies and systems weaponized against our immigrant communities and our “sanctuary cities.” We had a President and Administration which strongly messaged through rhetoric and action that immigrants and people of color are not welcome in our country and who turned their back on the proud immigrant history of our nation and our domestic and international obligations. The deep damage done to our communities and to immigration systems, the distrust, and the laws themselves will be challenging to change, undo, and rebuild. Encouragingly, President Biden and his Administration have made immigration reform a priority. They have already begun to change the messaging and have put in place committees and leaders to review, reverse, and reform the destruction inflicted by the previous Administration.

New York City has long been a national leader in protecting and serving our nation’s immigrant communities. The anticipated changes and reforms of our federal immigration laws gives the City an opportunity to be on the vanguard of how these changes are implemented and ensure that they are delivered effectively and equitably to our immigrant neighbors and families. We must pivot our resources and focus to the emerging changes, fund creative methods to provide wide-ranging legal assistance, build on the tools we have marshaled for safe and remote service provision, and revive older methods of disseminating information and services on a large scale.

Rapid Response Programs

Deportations, detentions, and ICE enforcement action continued and even increased despite the global pandemic, appalling conditions in ICE detention facilities, and public outcry as COVID-19 swept through detention centers, refugee camps on our borders, and as infected deportees spread the

virus abroad.¹ ICE deported 185,884 people (and expelled 200,000 additional migrants at our borders) in fiscal year 2020.² Although the number of people held in ICE detention decreased dramatically during the pandemic, there are still 16,000 immigrants currently held in immigration detention facilities, separated from their families, and often kept from speaking to legal counsel. Despite an attempt by President Biden to halt deportations, they continue apace, and both the ICE union and states have fought, successfully, in the courts for deportations to proceed. The need for attorneys providing legal services to detained immigrants is critical.

New York City is fortunate to be home to the New York Immigrant Family Unity Project (NYIFUP), a groundbreaking defender program that provides free lawyers to low-income detained immigrants. While NYIFUP provides services to the majority of detained immigrants in New York City courts, there are a few notable exceptions, such as when an immigrant has a prior order of deportation or when providers have conflicts with certain clients and cannot represent them. In order to fill the gap in service, NYLAG, Make the Road New York, and UnLocal recently launched the Rapid Response Legal Collaborative (RRLC), which provides a safety net to those detained immigrants who cannot be served through NYIFUP. The RRLC is funded through both the State and the City and has been incredibly successful in its first year and a half. In 2020, RRLC received almost 400 referrals and was able to serve 281 people.

The need to maintain this funding at its current levels is paramount. RRLC was instrumental in responding to the pandemic and the conditions in immigration detention centers. We filed numerous parole requests for detainees with medical conditions and represented more than 12 individual detainees in habeas petitions to obtain their release from ICE custody. Rapid response cases are exceedingly complex and time-consuming, requiring very experienced attorneys who are admitted to

¹ Maria Sacchetti, “Deportation of Migrant Families Spiked in 2020,” Washington Post, December 23, 2020. https://www.washingtonpost.com/immigration/ice-deportations-decline/2020/12/23/b9c8841c-4532-11eb-b0e4-0f182923a025_story.html

² *Id.*

and equipped to bring cases in federal and circuit courts. With steady funding, the RRLC would be able to continue to respond to emerging crisis and issues with immigration detention, changes in the law and policy, and to hold ICE accountable for releasing non-priority immigrants. As a recent report from the New York Immigration Coalition found, 32% of detained immigrants represented by counsel win their cases, whereas only 3% of non-represented detainees win.³ Additionally, RRLC has begun to focus on non-detained immigrants who are subjected to a final order of removal—potentially a huge population of tens of thousands of New Yorkers—to resolve their immigration issues, protect them from detention, and prepare them to take advantage of future reforms in the law.⁴ The ability to take advantage of future reform will be paramount in light of the widespread violations of due process that were inflicted by the Trump administration. Without your support, immigrants who might be eligible to address these past violations by reopening their final orders of removal will go unrepresented and potentially removed pursuant to illegal and unconstitutional proceedings.

Preparing for Universal Representation

While the need for rapid response removal defense services is critical, there is still an overwhelming unmet need for legal advice and representation for the hundreds of thousands of New Yorkers in non-detained removal proceedings with the New York city Immigration Court.⁵ Although the New York City Immigration Courts have been closed since mid-March, ICE placed more than 14,00 New Yorkers in removal proceedings in 2020 (and more than 100,000 nationwide), adding to an

³ Mackler, Camille, Carmen Maria Rey, Vilma Ilic, Jessica Olive, and Alejandra Collado. “No Safe Harbor: The Landscape of Immigration Legal Services in New York.” The New York Immigration Coalition. February 2020. https://pronto-core-cdn.prantomarketing.com/537/wp-content/uploads/sites/2/2020/02/NoSafeHarbor_Final2020.pdf

⁴ New York City Immigration Courts have issued more than 10,000 removal orders *each year* in 2018 and 2019 and between 5,000-6,000 removal orders in each of the proceeding four years. Monsy Alvarado, “How Many People Have Been Ordered Deported in NY and NJ?” NorthJersey, July 10, 2019. <https://www.northjersey.com/story/news/new-jersey/2019/07/10/how-many-people-have-been-ordered-deported-nj-and-ny/1673856001/>

⁵ Austin Kocher, “ICE Filed Over 100,000 New Cases and Clogged the Courts at the Peak of the Pandemic,” Documented NY, September 16, 2020. <https://documentedny.com/2020/09/16/ice-filed-over-100000-new-cases-and-clogged-the-courts-in-the-peak-of-the-pandemic/>

overwhelming backlog at the already stressed system.⁶ There are currently around 284,000 New York city residents who are in active removal proceedings in the New York Immigration Courts.⁷ Because of the vast disparities in success between immigrants who are represented by an attorney and those who are not, funding legal services for this population of New Yorkers is essential for keeping immigrants out of detention, safeguarding them from deportation, and ensuring that they have the best access to permanent immigration status.⁸

There are currently two pending pieces of legislation that propose a universal representation model for immigrants in removal proceedings: New York Senate Bill S7261 and the U.S. Citizenship Act of 2021 recently introduced in the U.S. House and Senate. While both of these bills will require enormous advocacy to become law, New York City has the opportunity to experiment with models of universal representation in immigration court that would be used as a model for the implementation of any new laws. The Council should fund pilot programs to collect data and explore different strategies for a universal representation. Funding small test programs now will allow the city to assess different models, prepare structures and systems that can be expanded if universal representation legislation passes, and begin to develop additional capacity in community-based non-profit legal service providers.

Restore Key to the City Funding and Provide Resources for Informing and Advising Immigrant Communities

In 2020, the New York City Council cut all funding for the Key to the City (KTTC) program, a long-standing collaboration between the New York Immigration Coalition and NYLAG. KTTC provided large-scale screening and application preparation clinics for immigrants in New York City.

⁶ *Id.*

⁷ *Id.* (Broken down by county: Queens (122,445 residents in removal) Kings (85,584), Bronx (38,094), Manhattan (31,332), and Richmond (7,313).

⁸ New York State Bar Association, Committee on Immigration Representation, June 15, 2019 (citing that 78% of represented immigrants succeed in their removal case while only 15% of unrepresented immigrants do); <https://nysba.org/app/uploads/2020/02/Resolution-as-Approved-by-the-House-of-Delegates-on-June-15-2019.pdf>

This funding and programming should be restored in full. There is a huge need to provide information, Know Your Rights presentations, and guide immigrant communities through the myriad of changes in immigration and public benefits resulting from the change in Presidential Administrations and the pandemic. The need to reach immigrants on a large scale will only increase as the Biden Administration continues to move forward with immigration reform, as the city recovers from the pandemic, and as the New York Immigration Courts reopen. Indeed, changes in immigration law may open up avenues to relief for thousands of New Yorkers, requiring the kind of large-scale clinics that were being provided through KTTC.

NYIC and NYLAG continue to collaborate despite a lack of funding to engage the city's immigrant communities through Facebook Live presentations, dissemination of information materials on social media and our websites, and to provide virtual legal consultations and screenings with individuals. NYLAG and NYIC have spent much of the last year putting in place technologies and systems to screen and provide application assistance to our clients and constituents and can scale up these services as need increases. The Council should not let this vital and innovative program atrophy but should restore the funding to FY20 levels.

Citizenship & Naturalization

Additional funding is also needed for citizenship and naturalization services, which have fallen by the wayside as the federal administration has, understandably, caused City government to focus on removal defense. Still, for immigrants with green cards, the benefits of making the leap to naturalization are myriad. Most importantly, naturalized citizens are protected from deportation. In addition, they can travel, petition for family members, and vote in U.S. elections. NYLAG has been proud to be the legal services partner of the public-private NYCitizenship program for the last four years, providing citizenship services to immigrants throughout the five boroughs through 12 public libraries and an HRA site. NYCitizenship is the only dedicated funding stream the City currently provides for full representation citizenship services, including complex cases involving criminal

history, medical waivers, and other such issues. With a goal of filing 1,000 naturalization applications each year, NYCitizenship has been a flagship City program, but it ended in June 2020. While an ActionNYC in Libraries program will replace NYCitizenship's presence in some of the current host libraries, the new program does not focus on citizenship and immigrants no longer have a dedicated place to go with their naturalization cases. With some 622,000 lawful permanent residents in New York City who are eligible for naturalization but have not yet applied, the City should be expanding funding and outreach to green card holders, not eliminating it.⁹

I want to once again take the opportunity to thank Chair Menchaca and the members of the Committee for their exceptional leadership and commitment to overseeing issues related to immigration in New York City, and for working to schedule this hearing today. I welcome the opportunity to discuss any of these matters with the Committee further.

Respectfully submitted,

New York Legal Assistance Group

⁹ New York City Mayor's Office of Immigrant Affairs and Mayor's Office of Economic Opportunity. "Fact Sheet: Eligible to Naturalize New Yorkers." December 2019.
<https://www1.nyc.gov/assets/immigrants/downloads/pdf/Elig-to-natz-fact-sheet-2019-12-18.pdf>



**New York Lawyers
for the Public Interest, Inc.**

151 West 30th Street, 11th Floor
New York, NY 10001-4017

**Testimony of Mia Soto, Health Justice Program,
On behalf of New York Lawyers for the Public Interest to the
New York City Council’s Committee on Immigration
March 8, 2021 FY22 Preliminary Budget Hearing**

Good afternoon, during this unprecedented public health crisis, I urge the Council today to support renewed funding for the Immigrant Health Initiative, which has saved lives and improved health across the City. My name is Mia Soto, and I am the Community Organizer in the Health Justice Program at New York Lawyers for the Public Interest, where we work to ensure that undocumented immigrants have access to healthcare.

I. NYLPI’s Work as Part of the Immigrant Health Initiative: UndocuCare

NYLPI is privileged to be part of the **City Council’s Immigrant Health Initiative**, and we thank you for that support. At a time when access to medical care and information is crucial and misinformation can endanger our communities, this support has allowed us to expand our work educating immigrant New Yorkers with serious health conditions, their healthcare providers, and legal service providers about how to access healthcare and how to stay safe. We have responded directly to community needs for medical/legal information and, partnering with the New York Immigration Coalition, created and staffed a facebook live educational panel with doctors and lawyers to answer questions on how to prevent the spread of the novel coronavirus and the implications of the public charge rule. In the wake of the COVID-19 case surge this past fall in Sunset Park, Brooklyn, NYLPI, in coalition with the Academy of Medical & Public Health Services (AMPHS) and others, hosted virtual Town Hall events to hear directly from the community. This offered individuals an opportunity to hear updates on local school reopening and testing efforts directly from representatives from the Department of Education and Test and Trace Corp, and gave the local community a public forum to engage directly with city officials on issues of great concern. Most recently, NYLPI co-hosted an important conversation hosted by the NYC Department of Health that provided information and answered questions regarding the COVID-19 vaccine. NYLPI actively participates in the City’s Emergency Partner Engagement Council addressing the COVID-19 crisis and its impact on our community partners.

Your support has also led to increased enrollment by eligible immigrants in state-funded Medicaid. The improved access to Medicaid has had life-changing and often life-saving effects on the lives of our clients. In October of 2020, we expanded our reach and launched UndocuCare TGNCI+, a project that aims to break down two major barriers to accessing health care: lack of immigration status and risk of detention. Following NYLPI’s holistic approach to

accessing health care through immigration advocacy, UndocuCare TGNCI+ provides direct legal services to transgender, gender-nonconforming, intersex (TGNCI) and undocumented individuals living with HIV by filing for viable immigration relief.

Through City Council funding, we are able to provide comprehensive screenings and legal representation to individuals, particularly those who are in health emergencies, including holistic support during these challenging times by providing our clients information on financial assistance, food banks, and housing relief to meet their intersecting needs. Our individual cases are complex, given that we deal with clients in health emergencies who are stuck between two complicated bureaucratic systems: immigration and health care. We have developed a nuanced practice taking the cases no one else can.

For example, our client *BA* was diagnosed with heart failure shortly after he entered the United States. He was sixteen years old at the time. He was denied a heart transplant in part because of his undocumented status. Our team met with him in the hospital after he was operated on and given a left ventricle assist device to ensure that his heart continued pumping. While advocating for his heart transplant, we ensured that he was represented in immigration court and before the asylum office and advocated fiercely for an expedited process. After we pressed his case, *BA* was granted asylum in March 2020 and was reunited with his mother after being separated from her for the past 12 years. We are proud to share that last month he received a heart transplant and is recovering well.

II. Improving Healthcare for NYC Residents in Detention Through the Immigrant Health Initiative

The Immigrant Health Initiative funding also supports NYLPI's work seeking to improve access to healthcare in immigration detention facilities. Despite the dire health risks posed by the spread of COVID-19, Immigration and Customs Enforcement officials continue to arrest and confine people in immigration detention facilities and jails. For NYC residents held in detention, NYLPI provides crucial and urgent advocacy to improve health care and advocate for release.

We have built and continue to expand our volunteer Medical Providers Network, now with over 200 medical professionals, available to perform reviews and consultations for people in detention in support of advocacy efforts. Through our work, we have connected the overwhelming majority of people who requested assistance in obtaining better care to a medical provider with experience relevant to their needs. In light of the COVID-19 health crisis, we have received increased numbers of requests for advocacy addressing people's vulnerabilities to exposure and illness while detained in already crowded facilities. The Council's support means we can move quickly to activate our network and to respond. During the pandemic, NYLPI's Medical Providers Network has worked on more than 40 COVID-19 specific referrals for medical advocacy letters, in addition to our ongoing range of work, and 22 people have been released from area detention facilities and jails.

We work with City Council-funded New York Immigrant Family Unity Project attorneys to help secure the release of their clients from immigration detention, in large part because our medical evaluations help an adjudicator understand that the denial of adequate care is unacceptable.

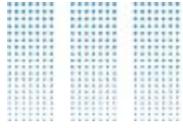
III. Conclusion

Thank you to Chairperson Menchaca and the Committee members for giving us the opportunity to present testimony today and for this tremendous assistance, and we **ask that the funding continue in FY 2022** for both NYLPI and our partners. We look forward to continuing our work to improve immigrant New Yorkers' access to health care.

Mia Soto, Health Justice Program
New York Lawyers for the Public Interest
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New York, NY 10001
msoto@nylpi.org

NYLPI has fought for more than 40 years to protect civil rights and achieve lived equality for communities in need. Led by community priorities, we pursue health, immigrant, disability, and environmental justice. NYLPI combines the power of law, organizing, and the private bar to make lasting change where it's needed most.

NYLPI's Health Justice Program brings a racial equity and immigrant justice focus to health care advocacy, including ongoing work addressing the human rights crisis in immigration detention and advocating for healthcare for all New Yorkers.



QUEENS MUSEUM

Preliminary Budget Testimony: March 8, 2021

New York City Council: Committee on Immigration

Presented by Gianina Enriquez, Community Organizer, Queens Museum

Good Morning, Chairman Menchaca and members of the Committee. Thank you to Councilmember Moya for coming to visit us at the Museum last week. My name is Gianina Enriquez and I am a Community Organizer for the Queens Museum (QM) and an immigrant Latina working for her community. Thank you for your continued support of our organization during these difficult times and thank you for the opportunity to testify today. Like other members of New York City's Cultural Institution Group (CIG), the operations of QM were significantly impacted by the COVID-19 pandemic. Despite this, we continue to offer essential programs and resources to advance and support public health, public life, and public benefit of Queens residents and specifically the immigrant community.

One of our most long standing programs is the *New New Yorkers* program. In partnership with the Queens Library, the *New New Yorkers* program offers free multilingual classes to meet the needs of adult immigrant communities in Queens. Broadening horizons and teaching valuable life skills through the arts, *New New Yorkers* offers adult immigrants the opportunity to interact closely with accomplished professional artists and engage with their innovative work. The program provides opportunities for personal creative expression through virtual art courses, exhibitions and participation in outdoor festivals. Courses emphasize the arts, technology and English language acquisition, provided at no cost, in a variety of languages. While offerings are most often in Spanish, Mandarin and Korean, past workshops have included Arabic, Bengali, Croatian, Hindi, Nepali, Persian, Portuguese and Tibetan.

In addition to the *New New Yorkers* program, we put together a number of offerings to meet the needs of the immigrant community during the pandemic. This includes:

La Jornada Food Pantry

Corona, Queens has suffered more cases of Covid-19 and more deaths than any neighborhood in NYC. As Black, Brown, and immigrant communities have been disproportionately impacted by this health crisis across the country, the largely immigrant communities living in Corona face devastating loss and food insecurity due to unemployment and unequal access to resources. Since June and as a result of the pandemic, the Museum has been working in partnership with La Jornada, Together we can and now with Commonpoint Queens to serve more than 19,000 people from Corona, Elmhurst and Flushing as a food distribution site and cultural food pantry. Since the beginning of the pandemic this food pantry expanded from serving 2000 families a month to serving 10,000 families a month. We also provide education handouts, artmaking kits and outdoor activities for the children. In fall 2020, Street Lab ran 6 Wednesday's of outdoor activities for the kids of food pantry visitors and volunteers, including their signature touch-free obstacle course and ArtLab in the Park art-making workshops. Additionally, we are now serving as a self-testing site in partnership with New York City Health and Hospitals Test and Trace program.

Hecho Local

Aspiring artisans, craftspeople, and makers were invited to apply for a free 8 week online workshop series on product development. Offered by [The August Tree](#)'s Christine Jeanjaquet, this workshop series is geared to support Spanish speaking immigrant communities who live in Queens. Selected participants will learn how to build on their craft and develop a new product line for income. Participants will be offered the opportunity to sell through the [The August Tree's Queens Museum Collection](#), as well as guidance on how to expand and sell through other channels. Material for the Arts donated industrial sewing machines to members of the program to create products that will be sold in the QM store.

Kind-er Garden at Home

Kind-er Garden at Home, a community supported relief effort in response to the impacts of the Covid-19 pandemic that provided families in Corona, Queens, with plants, seeds, and materials to grow edible gardens in their homes. Kind-er Garden at Home was developed in partnership with an extensive network of local community gardeners. The program began on May 30th with the distribution of 130 milk crate planter units, over 800 edible / medicinal plants seedling and seeds donations, and related art and educational materials to over 80 families in Corona. Each family received 1-2 milk crates with liners and soil to plant in, up to 10 seedlings of different edible plants and herbs, and seed packages for further plantings.

As part of Kind-er Garden at Home, a series of Spanish language educational videos and interactive online programs are being released on the QMs community facebook page Coronate, including lessons on how to grow edible plants,, a Q&A session with professional gardeners, and a knowledge exchange and a report back from people on the plants they are growing. The report backs and pictures we have received are a ray of joy, as kids and parents engage together in transplanting and caring for their new plants.

Thank you to the committee for this opportunity to share information about QM programming. We look forward to our continued partnership with the Council and value your leadership as we make our way through this crisis and look to rebuild the economy.



March 11, 2021

Committee on Immigration
New York City Council
City Hall
New York, NY

Re: Immigration Committee Hearing on Monday, March 8, 2021

Dear Immigration Committee:

Please accept these written comments for the Immigration Committee hearing you held on Monday, March 8, 2021.

My name is Rex Chen and I am the Director of Immigration at Legal Services NYC (LSNYC). We are the largest civil legal services provider in the country. We fight poverty and have been dedicated to fighting for racial, social and economic justice for low-income New Yorkers for over 50 years. In 2018, we gave immigration assistance to households in which over 23,000 people lived.

LSNYC Responds Quickly To Immigration Law Changes

During the hearing, the Committee raised how it was important to support legal service organizations to respond quickly to immigration law changes. LSNYC has taken and is taking steps to respond quickly to major immigration law developments and concerns. I would like to share two examples.

First, in March 2020, New York City effectively shut down due to the pandemic, but the immigration court system refused to relax filing deadlines for immigration court cases. This meant that immigrants and their legal representatives frequently had to make a

difficult choice about whether to honor safety guidelines to shelter in place or to leave home in order to print, copy, compile, and mail large paper packets of immigration court evidence to meet immigration court filing deadlines. This affected not only legal service providers and their clients, but also affected immigrants who did not have a lawyer and had to prepare evidence packets on their own during the pandemic. LSNYC immediately started preparing to sue the immigration court system for forcing immigrants and their lawyers to choose between protecting their health and meeting filing deadlines. In April 2020, LSNYC filed a lawsuit in federal district court on behalf of some LSNYC clients, two nonprofit organizations, and a nonprofit immigration lawyer. In the end, the immigration courts made some helpful policy changes but the district court judge denied our request for an injunction because it did not have jurisdiction over the case. LSNYC then issued a practice advisory to help lawyers around the country file motions in immigration court to postpone hearings due to Covid risks.

A second example of responding quickly to immigration law changes is how LSNYC is working with the New York Legal Assistance Group (NYLAG) to figure out the best way to help immigrants who are no longer an enforcement priority under the new immigration enforcement priorities. We are working with NYLAG to find out the best way to ask the government to exercise prosecutorial discretion, both in New York City and across the country. We will help give a roundtable on this topic to lawyers around the country and will soon give a presentation on it to immigration lawyers in NYC. On January 20, 2021, President Biden directed the United States Department of Homeland Security (DHS) and other agencies set new interim enforcement priorities. Now, over a month later, it is still unclear how and whether DHS will consider requests for immigrants

who are not detained. We are quickly responding by investigating how immigrants can ask DHS to exercise its discretion if they are not an enforcement priority.

Thank you for exploring ways in which legal service providers need to respond quickly to emerging immigration issues and needs. Greater flexibility for legal services providers to address immigration developments would help protect immigrants and help them navigate the immigration system.

Sincerely,

Rex Chen
Director of Immigration
Legal Services NYC
40 Worth Street, Suite 606
New York, NY 10013
(646) 442-3552



Thank you to the Committee on Immigration for convening this hearing and for inviting us to speak. My name is Alexandra Rizio and I am a Managing Attorney at the Safe Passage Project, a non-profit legal services organization that provides free representation to immigrant children facing deportation. We serve children who live in the five boroughs of New York City and in the two counties of Long Island. The support of the City of New York has been instrumental in our work.

No immigrant, not even a child, is appointed a lawyer in immigration court. If a child cannot afford to hire a lawyer, they will be forced to defend themselves alone, against a trained government prosecutor and a judge, with deportation back to dangerous conditions as the likely outcome. Safe Passage Project helps correct this injustice by providing free attorneys to kids. Beyond legal services, our social work team addresses the broader needs of clients, such as school enrollment, homelessness, access to health care, psychological services, and public benefits.

As I mentioned, the City Council has been a stalwart support that allows us to fight on behalf of young immigrants: you fund our work through the Unaccompanied Minors Initiative and the IOI grant stream. Without your unwavering support, which we've had since 2014, we would not be able to serve the over 1,200 clients that Safe Passage serves. In fact, the City Council's support for the ICARE collaborative is groundbreaking on a national level, and has shown that local initiatives that support universal representation for immigrants –essentially filling a gap where the federal government refuses to act – is not only possible, but successful. Thank you.

The COVID-19 pandemic has laid bare and heightened many of the inequalities in our system. Undocumented immigrants may work in essential jobs, but most lack job security, are less likely to have health insurance, and can be hesitant to seek emergency medical treatment. To compound these problems, undocumented immigrants have been deliberately excluded from most economic recovery programs. At the same time, our immigration work didn't stop. Filings still had to be made on time. Kids were still being entered into removal proceedings and they needed lawyers.

Since the first cases of COVID-19 were reported in New York City, our social work team worked to connect young people with essential resources including food, housing, and medical help. In response to the urgent needs of our clients, Safe Passage Project launched an emergency response cash assistance program in April 2020. Over the course of 2020, we distributed \$40,000



in assistance to 130 households. Our social work team made more than 500 referrals to an array of resources, including connecting clients to mental health, medical health, health insurance, food assistance, and shelters. We are proud to have connected so many families with badly needed resources, but we know that many clients continue to struggle with food and housing insecurity. We likewise continued the struggle on the immigration front: we have conducted legal intake screenings for 285 clients since April 2020, and filed hundreds of applications and motions with immigration services and with various courts. The deportation machine never stopped, so our team works tirelessly to ensure that our clients are protected.

Funding for organizations like ours is never guaranteed, but the need for our services is greater than ever. The ICARE Collaborative was very successful in ensuring that New York's child immigrants are represented in court, but the Robin Hood portion of the funding from this public-private partnership is coming to a close. We recognize that these are very uncertain times, particularly from a budgeting perspective, but I ask that the City Council continue to elevate the need for these services.

With the City Council's support, Safe Passage Project and our partners will hopefully help even more clients navigate the maze that is the immigration system, defend themselves against deportation, and access stability and essential services during this difficult period. Safe Passage Project offers our sincere thanks to the City Council for being a leader on the issues of legal representation in immigration court, especially for children, and for caring for all New Yorkers, regardless of immigration status. Thank you.

To: New York City Council
From: Melissa Peterson, Supervising Attorney, The Door's Legal Services Center
Re: City Council Immigration Committee Preliminary Budget Hearing
Date: March 8, 2021

The Door is a comprehensive youth development organization that has been supporting vulnerable youth in New York City since 1972. Each year, we serve nearly 11,000 young people between the ages of twelve and twenty-four, providing them with a variety of resources, including healthcare, education, supportive housing, career development, mental health counseling and legal assistance. Many of these services are provided on site. At The Door, we emphasize empowering and engaging the young people we serve, and we are committed to creating a safe, equitable and inclusive place for our young people and staff. The Door's unique and all-inclusive approach has become a model for other like organizations locally and nationally.

The Door's Legal Services Center receives funding from The New York City Council as part of our work in the ICARE collaborative, a coalition that provides legal representation to unaccompanied minors who are in removal proceedings before the New York Immigration Court. The young people we represent have come to the U.S. seeking humanitarian relief, whether it's because of abuse, neglect or abandonment by their parent(s), or because they have suffered persecution or other forms of violence in their home countries. Our work ensures that these young people's rights are respected and that they have a fair opportunity to seek the relief to which they are entitled. The U.S. immigration system is complex and incredibly challenging to navigate, even for lawyers. Despite this, immigrants have no right to legal representation in immigration court. This means that regardless their age, they must represent themselves *pro se* if they do not have access to a lawyer. The Door's work as part of the ICARE coalition is thus imperative to keeping children safe from deportation because without legal representation, their deportation is nearly certain.

Challenges Children and Youth Face in Immigration Court

Even at its best, the U.S. immigration system is incredibly complex and challenging to navigate. 2020 was perhaps the most challenging year-to-date for immigrants facing deportation. Four years' worth of anti-immigrant executive orders and policies, unprecedented changes in caselaw, and the advent of a global pandemic, have created this perfect storm that we are in today. To illustrate this, I will focus on a young woman named Maria. She came to the U.S. at the age of 19 with her two-year-old daughter, Ana, seeking protection from domestic violence and death threats that they received in Honduras. Upon their release from immigration detention, they settled in the Bronx and currently reside in a shelter. On the morning of their immigration hearing, they arrived not 30 minutes late and were ordered removed. Despite attempts to explain her daughter's health scare and their trip to the hospital that morning, Maria was advised by the court to find a lawyer.

After much work, our office was able to get both of their cases reopened and file an application for asylum based on the domestic violence that Maria suffered in Honduras. Additionally, Maria was eligible for Special Immigrant Juvenile Status (SIJS) because of the abuse, neglect and

abandonment by her father. We were able to get an emergency hearing in family court and obtain the necessary orders to apply for SIJS, and her application was recently approved by USCIS. Unfortunately, the outcome of Maria and Ana's case, like many others in their situation, cannot be known with certainty. Though the government granted Maria SIJS, a visa for a green card in her category will likely not be available for another 2-3 years from now, and current immigration policies place her at risk of deportation. We will have to pursue her asylum claim with the court, which is no easy task since asylum laws in the U.S. have been altogether gutted over the last four years.

New case law and policies under the Trump Administration have left many young people stuck in removal proceedings without recourse. One major contributor to this problem is the EOIR's Family Unit (FAMU) docket. For children who enter the U.S. with one or both parents and are placed in removal proceedings, immigration judges are forced to complete their case within one year. For asylum seekers, this is an incredibly short timeline to find an attorney, file an application, collect supporting documentation from their home countries, identify experts and prepare witnesses for testimony in court. Furthermore, the Board of Immigration Appeals issued decisions in 2018 and 2020 that limit immigration judges' ability to grant continuances or administratively close cases when more preparation time is needed, or when there are applications pending with USCIS. For SIJS applicants, this can result in their deportation, since courts will not put a hold on their removal while their applications are pending with USCIS or while they are waiting in line for a green card.

Impact of the Covid-19 Pandemic on Our Work

The Pandemic has enormously affected how immigration applications are processed and how courts operate. For those seeking SIJS, which make up the majority of our young people covered by the ICARE grant, they must fight legal battles in three different realms: family court; USCIS; and immigration court. Firstly, they must obtain requisite court orders in family court in order to qualify for SIJS. During the pandemic, family courts in New York City have only been hearing emergency cases. Secondly, they must file their SIJS applications with USCIS. In 2020, USCIS staff was cut significantly, meaning slower processing times, and an increased number of administrative errors which leave young people waiting on receipts and biometrics appointments for months. Finally, they must terminate their removal proceedings or file for relief with the immigration court.

As EOIR rolls out their new remote practices, we have seen increasingly inconsistent and unfair rulings which accelerate the deportation process for our young people who are SIJS eligible. One of these mechanisms rolled out by the EOIR in the end of 2020 is the "scheduling order." Young people who don't have applications currently pending with the immigration court have received orders which require them to submit an application for relief with the court or receive a removal order in the alternative. Unaccompanied minors and "vulnerable populations" are supposed to be exempt from these scheduling orders, yet we have continued to receive scheduling orders for our young people who have been designated unaccompanied minors, and the EOIR has yet to define who is included in "vulnerable populations." The deadline for these applications is usually weeks, which is never enough time to prepare applications during a pandemic. As SIJS applicants wait 2-3 years for their visa to become current before they can apply for a green card, they have

no pending relief with the immigration court, which means deportation in the wake of these new scheduling orders, unless they qualify for asylum. During this time, they remain in a state of limbo without authorization to work in the U.S. and without a meaningful opportunity to progress and succeed in their personal and professional lives until their visa becomes current. This has a grave impact on their emotional development, and for those who are now college-age, they have no access to financial aid and no opportunity to seek gainful employment.

Despite these unprecedented challenges, we have been successful in terminating removal proceedings for over a dozen of our young people, we filed adjustment of status applications in more than 30 cases, and we have received green card approvals in over 20 cases. We have obtained family court orders in a number of cases, and we are doing systematic advocacy in service to our young people who are stuck in the “SIJS backlog” and facing deportation. Our work at The Door has inspired and informed what is now a nationwide coalition of 22 organizations (not including trade organizations, law schools, cities and states who support the project) in an effort to end this harmful SIJS backlog.

In addition to the legal challenges that this pandemic has brought about, our young people face extraordinary challenges in their personal lives. Many have survived traumatic experiences in their home country and on their journeys here. While here in the U.S., their lives are not without difficulty, especially during this pandemic where many are experiencing joblessness, homelessness, increased isolation, and increased stress. For those in school, they must overcome language barriers in a remote setting, with limited technologic resources and academic support. The Door is an entry point to these much-needed social services. We work alongside social workers who counsel our young people on a regular basis and advocate for them in academic settings, help them enroll health insurance. We connect them to other benefits that they qualify for with their immigration status, and work to fill in the gaps. This past year, when many of our young people became jobless or lost their financial support and could not access pandemic relief from the government, The Door created an emergency fund to support them. We also hold space for weekly support groups (now remotely) and we connect our members to their peers within this supportive community. In 2020, we collected surveys from our clients to better understand what factors influence their decision to access (or turn down) mental health services. We hope to use this feedback to improve the services we provide as well as find creative ways to better educate young people on the benefits of obtaining mental health services. We continue to operate both in person and remotely, in order to ensure the safety of our young people and staff, and still provide our young people with the support that they need.

The challenges of the pandemic are far from over, and there is still much work to be done in order to roll back the damage from the last four years of the Trump Administration’s assault on immigrants. The courts remain stacked with Trump appointees and ICE trial attorneys who were hired to forward the administration’s anti-immigrant policies. New fee rules and regulations remain uncertain with ongoing litigation, and there is a constant need to update and educate ourselves as practitioners. This will not change in the upcoming year. The future for our young people like Maria and her daughter Ana remains insecure, and nothing under the new administration promises them protection from deportation. What is certain is that these young people will not be able to navigate this complex and highly adversarial process alone. Each year, The Door represents nearly 200 young people with our ICARE funding. The ICARE coalition is

losing private funding and without such funding and the continued economic support of the City Council, our office would be unable to continue doing such important work. The Door's work as part of the larger ICARE coalition is therefore imperative to prevent the deportation of these remarkable young people and support them when they need it the most. The Door is asking for \$703,500 as part of the ICARE's ask for \$5,192,300.

Respectfully,

Melissa C. Peterson

Melissa Peterson, Esq.
Supervising Attorney
The Door's Legal Services Center

Written Testimony of Teresa Baik
Director of Education at Korean Community Services of Metropolitan New York, Inc. (KCS)
Before the
New York City Council Committee on Immigration Regarding
Preliminary Budget Hearings – Adult Literacy
March 8th, 2021

Good morning Chair Menchaca and members of the Committee on Immigration. My name is Teresa Baik and I am the Director of Education for Korean Community Services of Metropolitan New York, Inc. (KCS). I am grateful that you have given me the opportunity in order to testify in front of all of you on the importance of adult literacy education.

Founded in 1973, KCS is a non-profit organization that provides culturally appropriate social services to the Korean American and other immigrant communities in Queens around the areas of Aging, Education, Immigration, Mental Health, Workforce Development and Public Health. We are a "one-stop" shop where clients - regardless of their immigration status or income - can access the resources they need to overcome socioeconomic and cultural barriers and become thriving members of American society.

Our adult literacy program at KCS, which has been around for over 20 years, has seen a continuous increase in the number of students that we serve year after year even in the midst of a pandemic. Unfortunately, the pandemic has proved to all of us how important adult literacy education is. As a result of the current health crisis, we have had to expand our services to provide one-on-one support to our adult literacy students in terms of helping them find a job, obtain health care information, provide support for their child’s and/or grandchild’s education, and the like.

Starting from last spring, all of our in-person classes had to quickly and effectively adapt to remote learning. Using online platforms like Zoom, Google Classroom, and YouTube, our instructors have been able to help our students build their confidence in their English skills and also prepare them to go back into the workforce. In addition, many of our students have shared how these remote classes have helped them cope with isolation and mental health issues and have also given them the courage to start pursuing a job. KCS currently offers remote classes from Monday to Saturday, with flexible class times in the morning, afternoon, and evening to best accommodate our students and their busy schedules.

We at KCS are grateful that the City Council has supported our adult literacy students all these years and during this crucial moment in history, we are once again asking the Council for the following:

1. The City must restore and baseline the \$12 million in annual funds that the Council secured in the budget every year from FY17 to FY20, and which were reduced to \$9.8 million in FY21.
2. We must ensure that every adult literacy student who needs it is provided with the necessary hardware and with free internet to be able to access and engage in online education platforms.
3. We call on the City to invest \$10.5 million in the adult literacy pilot project that NYCCAL had

KCS Main Office Adult Daycare Immigration ESOL	Corona Senior Center	Flushing Senior Center	Public Health and Research Center Workforce Development	Brooklyn Project	Mental Health Clinic
203-05 32 nd Avenue Bayside, NY 11361	37-06 111 th Street Corona, NY 11368 Tel: (718) 651-9220	42-15 166th Street Flushing, NY 11358 Tel: (718) 886-8203	325 W 38th Street, Ste. 1210 New York, NY 10018	8710 5th Ave. 1FL Bay Ridge, NY 11209 Tel: (718) 630-0001 Fax: (718) 630-0002	42-16 162nd Street, 2FL Flushing, NY 11358 Tel: (718) 366-9540 Fax: (718) 534-4149



proposed prior to the pandemic.

- 4. Finally, we need to increase the cumulative funding for adult literacy education in New York City by sixfold over the next five years (from \$85M in city and state funding to \$500M).

Thank you again for the opportunity to testify today.

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Immigration | ESOL
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Bayside, NY 11361

Corona Senior Center
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Testimony by Allan Wernick
Director, CUNY Citizenship Now!

The New York City Council, Committee on Immigration

Thank you Chairperson Menchaca and members of the New York City Council Immigration Committee for inviting us to submit testimony. I, Allan Wernick, am submitting this testimony as the Director of CUNY Citizenship Now!, the largest university-based citizenship and immigration law service provider in the United States.

As you are aware, CUNY Citizenship Now! (CN!) provides free, high quality, and confidential immigration law services. Our attorneys and paralegals offer one-on-one consultations to assess participants' eligibility for legal immigration benefits and assist them in applying when qualified. We began as a university effort to help permanent residents become U.S. citizens. In 2012 we expanded services to City Council districts and are now providing services in 40 districts. Through this City Council expansion, we have assisted an additional 51,000 New Yorkers. Last fiscal year we helped 7,245 constituents at the city council offices and through city council sponsored events. With your assistance we will continue to help NYC immigrants.

The New York City immigrant community has a continuing need for naturalization application assistance. To better assist constituents we created the "Naturalization Extravaganza" initiative where we help individuals complete their citizenship and fee waiver applications remotely. Through this effort we addressed the common misconceptions and obstacles that permanent residents face when applying for citizenship. We also conducted a Zoom group event where we

screened and assisted participants in applying for fee waivers and naturalization.

Last year was a tumultuous year for the immigrant community. Not only were immigrants coping with the hardships and setbacks of the pandemic, but in addition, were dealing with increasingly xenophobic federal immigration policies. The debilitating effects of the public charge rule, the threat of ending the DACA program, the threats of the elimination of naturalization fee waivers and an increase of immigration application fees, severely impacted immigrants. Our ability to pivot, take quick action, and increase services by extending hours and moving quickly to online services, allowed us to assist a large number of constituents prior to these changes.

CN! was on the forefront of informing constituents of these changes. We created social media campaigns to advise the public concerning these changed rules. These campaigns will continue to focus on important current immigration topics. As part of these campaign we create and provide flyers and social media kits to City Council Members to share with their constituents.

As we emerge from the pandemic, we are happy to welcome a more immigrant-friendly federal administration. President Biden has proposed broad legalization legislation. Faced with Republican opposition, passage of a more modest bill is likely prior to the 2022 midterm elections. President Biden's comprehensive bill is asking Congress for a pathway to U.S. citizenship for America's 11 million undocumented immigrants, with a more favorable six-year citizenship path for those with DACA, TPS, and certain farmworkers. We already see a

Allan Wernick- CUNY Citizenship Now!

bipartisan group of senators uniting around a less comprehensive bill that would benefit those with DACA and TPS. We expect this bill to pass this fiscal year. An estimated 28,000 DACA recipients and 23,000 TPS recipients in New York City would be helped by this legislation. CUNY Citizenship Now! is a leading provider of legal assistance to DACA and TPS recipients. With the current immigration proposals we see an increased need for the services CN! provides. We can meet this demand with your support. Together we can help NYC immigrants arise from the pandemic with a pathway to US Citizenship.

This pandemic has further widened the poverty gap for immigrants. Many immigrants are unable to afford the cost of private attorneys and/or immigration application fees. Because of this, and because they are unaware of other options, immigrants often turn to notarios or unethical businesses for assistance. These notarios and business entities take advantage of the immigrant's vulnerability by making false promises which can result in an immigrant's removal from the United States. The first step in assisting NYC's immigrant population is to educate them on emerging immigration issues. In partnership with the city council, we aim to reach out to the immigrant population before the notarios and unethical businesses. We will disseminate information to the community on constantly changing immigration policies through media promotions, briefings, presentations at town halls/immigration forums, and Facebook Live events on various immigration topics. To further inform the public on the proposed legalization bill, we are holding monthly virtual intake events where we will conduct general consultations and provide information to the community.

Allan Wernick- CUNY Citizenship Now!

In late December, USCIS began to again accept initial DACA filings. This led to a high demand for DACA consultations and in response we organized “DACA Tuesdays.” We focused our efforts on assisting DACA applicants and as part of this initiative, we also participated in webinars hosted by the Mexican Consulate. This is a continuing effort.

There remains a pressing need for the services CN! provides. We need your support in helping the New York City immigrant community navigate the anticipated changes in immigration benefits.



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**TESTIMONY IN SUPPORT OF RENEWING LOW-WAGE WORKER INITIATIVE
FUNDING FOR FY22 ON BEHALF OF THE CITYWIDE IMMIGRANT LEGAL
EMPOWERMENT COLLABORATIVE (“CILEC”)**

Testimony from Tito Sinha,
Workers’ Rights Supervising Attorney, TakeRoot Justice
and
Katisha Andrew, Coalition Coordinator,
Citywide Immigrant Legal Empowerment Collaborative (CILEC)
Before
New York City Council Committee on Immigration
March 8, 2021

TakeRoot Justice (“TakeRoot”) thanks the New York City Council Committee on Immigration for the opportunity to submit this testimony on behalf of the Citywide Immigrant Legal Empowerment Collaborative (“CILEC”), a consortium of several NYC legal services providers and Community-Based Organizations, in support of increased, robust, sustainable, and multi-year/baseline funding for the Low-Wage Worker Initiative. As we arrive at the one-year mark for the onset of the COVID-19 pandemic, we impress upon this body the ongoing urgent need for workers’ rights advocacy for low-wage, documented and undocumented workers, the vast majority of whom are essential workers performing essential services on the frontlines. Much of our work under the Low-Wage Worker Initiative is geared towards recovering money that were lawfully due to immigrant families from their employers, and which can provide them with substantial economic assistance, especially during the pandemic.

There is no other dedicated City funding that ensures that the City’s low-wage and immigrant workers have redress from wage theft, discrimination, and other workplace injustices except for funding for the Low-Wage Worker Initiative, which has lagged behind other funding priorities. We respectfully call upon the Administration and City Council to demonstrate its ongoing commitment to the City’s low-wage and immigrant workers by renewing and expanding the baseline Low-Wage Worker Initiative for employment-related legal services funding from \$2 million to \$6 million for employment-related civil legal services and providing an additional \$1.5 million for the Low-Wage Worker Support for community outreach. This expansion will stabilize the funding so low-wage and immigrant workers can continue to receive this essential advocacy through vital civil legal services and community outreach.

For the past three years, the Administration and City Council have provided dedicated City funding to CILEC, the Legal Aid Society, Legal Services NYC, and New York Legal Assistance Group through the Low-Wage Worker Initiative to support the staffing and administrative structures needed to deliver high-quality and culturally sensitive employment-related civil legal services and case management support for NYC's low-wage, documented and undocumented workers. In both FY19 and FY20, the Executive Budget included \$2 million for the Low-Wage Worker Initiative and an additional \$500,000 for the Low-Wage Worker Support for outreach and organizing efforts to low-wage workers. In FY21, the Administration restored \$2 million for the Low-Wage Worker Initiative after it was previously excluded from the Executive Budget: however, funding for the Low-Wage Worker Support was decreased.

We applaud the Mayor's Office of Immigrant Affairs for its thoughtful leadership and support for the restoration of funding for the FY21 Low-Wage Worker Initiative. To meet the increased employment-related civil legal needs impacting low-wage, immigrant workers and their families, our organizations have hired new attorneys and legal staff and taken on cases, the vast majority of which will last beyond the funding cycle of one fiscal year. That is why ongoing, robust, and sustainable funding is urgently needed for this life sustaining work.

TakeRoot Justice's mission is to dismantle racial, economic, and social oppression by strengthening the work of New York City's grassroots and community-based groups by providing legal, participatory research and policy support. Since January 2020 to date, TakeRoot has obtained approximately \$800,000 in settlements from employers, providing much needed recovery for low-wage and immigrant workers who were owed such wages and entitled to be free of retaliatory and discriminatory practices from the outset. Despite the many challenges in doing this critical work remotely, we continue to press forward to seek justice and empowerment for New York City's immigrant workers.

TakeRoot is part of CILEC, a consortium of several legal services providers organizations and community-based organizations delivering high quality civil legal services in employment and immigration matters, providing culturally sensitive case management, and engaging in community outreach to the City's low-income immigrant communities. During this past year, TakeRoot and CILEC have been diligently collaborating with CBOs to respond to the employment-related civil legal and case management needs of the City's low-wage and immigrant workers at this crucial time when legal rights and workplace protections can legitimately make a life-or-death difference. In addition to our legal representation, we have been responding, and continue to respond, to an increased need in immigrant communities to provide employment-related community Know-Your-Rights trainings for both organizers and workers on new federal, state, and city pandemic-related laws and directives providing workplace protections and also avenues for remedies and relief when workplace violations occur. We know that health and safety at the workplace are critical issues for essential workers, and we will continue to provide guidance on these issues as well.

Low-wage and immigrant workers have always typically been vulnerable to wage theft, discrimination, retaliation, and other labor law violations, for which the Low-Wage Worker Initiative was created. The pandemic has only made such workers even more vulnerable to such unlawful workplace practices and has also drastically increased the number of cases involving paid sick leave, unemployment insurance denials, and health and safety issues. Failure to renew and expand this funding will have a devastating impact on low-wage and immigrant workers,

leaving them without high-quality and culturally sensitive representation in their efforts to obtain economic and worker justice. TakeRoot and our allied CILEC partners work to hold exploitative employers accountable through direct negotiations, representation at the State Department of Labor, the City Commission on Human Rights, other administrative agencies, and in litigation at State and Federal Court.

Now, more than ever in this critical time, low-wage and immigrant workers need champions from advocates such as TakeRoot Justice and our allied CILEC partners, Catholic Migration Services, and Make the Road New York. As much as the November 2020 restoration of the Low-Wage Worker Initiative was direly needed and appreciated, the pandemic health and economic crisis has continued past this fiscal year, and that is why I am here to urgently request the expansion of this funding to \$6 million for legal services and \$1.5 million for the Low-Wage Worker Support for community outreach. This expansion will stabilize these funding streams so that we can continue to provide dedicated employment-related civil legal services and community outreach to advocate for low-wage and immigrant workers.

The ability of our organizations to retain and hire staff and maintain and expand crucial administrative infrastructure to continue this life-sustaining work under the Low-Wage Worker Initiative and the Low-Wage Worker Support require expanded and sustainable funding. We look forward to working with the Administration and City Council to re-envision a holistic model of employment-related civil legal services for, and culturally sensitive community outreach to the City's low-wage and immigrant communities. In doing so, we, the advocates, and the City together, can ensure that low-wage and immigrant communities are not deprived of vital services that help support their livelihoods and advocate for their rights under the law.

Thank you.



Community Immigration
Legal Services & Education

Testimony submitted to the Committee on Immigration, New York City Council

Monday, March 8, 2021, 11:00am

Good afternoon. My name is Terry Lawson and I am the Executive Director of [UnLocal](#), a community-centered non-profit organization that provides direct community education, outreach, and legal representation to New York City's undocumented immigrant communities. I am also the co-founder and steering committee member of the Bronx Immigration Partnership, a coordinated safety net of legal and social services providers assisting Bronx residents with their immigration-related needs. I am here today to ask the City Council to expand funding for immigration legal services, community education, outreach, and organizing.

UnLocal provides free high-quality legal services for New York's most vulnerable immigrants, many of whom are essential workers or ineligible for benefits, who are seeking employment authorization, asylum, DACA, SIJS, lawful permanent residency, relief from removal, and much more. Last year, our Legal team handled 1000 cases for people across New York City and in parts of Long Island and upstate. Our [Queer Immigrant Justice Project](#) works with LGBTQ+ immigrants who are seeking asylum and the director of that project, Michael

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Community Immigration
Legal Services & Education

Yunker, was just named one of the best LGBTQ+ Lawyers under 40 by the National LGBT Bar Association.

UnLocal is also part of the Rapid Response Legal Collaborative, along with Make the Road New York and NYLAG, and the lawyers, paralegal, and social worker who serve on our [Rapid Response team](#) have been fighting tirelessly during this pandemic to stop deportations and get people out of detention, where their physical and mental health are threatened every day. Our Rapid Response work shows us just how entangled ICE and law enforcement are and continue to be, despite the efforts of advocates and community members to explain to this city's lawmakers how local policing feeds the deportation pipeline. We have been raising the alarm about the dangers and continued harms of city officials collaborating with ICE by telling the story of one of our clients, [Javier Castillo Maradiaga](#), a 27 year old Bronx man who came here when he was 7 years old and was turned over to ICE by this City.

Over the past year, our Education and Outreach team has been busier than ever partnering with 140 community-based organizations and schools throughout the city, hosting monthly partner calls on rapidly changing law and policy, conducting 68 community events, 47 of which were virtual, that reached 8000 attendees, and posting [online resources](#) in wide-ranging topics

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such as DACA, stimulus relief, unemployment, taxes, the census, and more. UnLocal recognizes that only by providing accurate up-to-date information are we able to counteract the predatory practices of those taking advantage of the confusion and anti-immigrant rhetoric pervading our culture. Under the new administration, laws and policies continue to change at a dizzying pace and our Education and Outreach team keeps the public informed about these changes and their impacts on immigrant New Yorkers.

In an era where the Biden administration continues to deport people, with [70 removal flights](#) in February alone, detaining asylum-seekers in so-called migrant facilities, and simultaneously increasing avenues for affirmative immigration relief, UnLocal calls on the City Council to expand funding for immigration legal services and community education. Specifically, UnLocal asks the City Council to enhance funding for the Immigration Opportunities Initiative to allow additional legal services providers to partner with the City Council to provide vital services for our clients and community members. Thank you.

Terry Lawson
Executive Director, UnLocal
terry@unlocal.org

March 9, 2021

The Honorable Carlos Menchaca
Chair, Committee on Immigration
250 Broadway Suite 1728
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menchaca@council.nyc.gov

**Testimony of the Vera Institute of Justice in
Support of the New York Immigrant Family Unity Project (NYIFUP)**

**Submitted to the Committee on Immigration of the New York City Council, Budget Hearing on
the Mayor's FY 2022 Preliminary Budget**

Dear Chairperson Menchaca:

On behalf of the Vera Institute of Justice (Vera), I write to urge you to renew New York City's investment in the New York Immigrant Family Unity Project (NYIFUP) by funding The Bronx Defenders, Brooklyn Defender Services, and The Legal Aid Society for this lifesaving work at \$16.6 million again in FY22. This sustained investment will promote health for those most vulnerable to the worst effects of COVID-19 and center dignity and due process for immigrant communities that continue to face dangerous detention and the harmful destabilization caused by federal immigration enforcement.

Background

As you may know, the mission of Vera is to drive change and to build and improve justice systems that ensure fairness, promote safety, and strengthen communities. Over the past fifteen years, Vera's Center on Immigration and Justice has led nationwide efforts to advance universal representation, the concept that every person facing deportation is entitled to zealous legal representation. In spite of extremely high stakes – the prospect of permanent family separation and forced return to dangerous conditions in another country – immigrants in detention are not guaranteed a lawyer if they cannot afford to hire one.

NYIFUP is the country's first and only statewide public defender system for detained immigrants facing deportation. Funded partly by the New York City Council and partly by New York State, it is an overwhelmingly popular program that ensures that people in New York in these exceptionally challenging circumstances have an attorney standing with them to fight for safety and freedom. A 2020 poll by the Vera Institute found that 99 percent of New York City residents support government funded lawyers for people in immigration court.¹

¹ "Public Support in New York State for Government-Funded Attorneys in Immigration Court," Vera Institute of Justice, (March 2020) <https://www.vera.org/downloads/publications/taking-the-pulse-new-york.pdf>

The program began in 2013 with the support of New York City Council as a response to a study organized by Judge Robert Katzmann of the U.S. Court of Appeals for the Second Circuit. Judge Katzmann’s Study Group on Immigrant Representation discovered that two-thirds of detained immigrants in New York State were unrepresented, and that unrepresented, detained immigrants had only a three percent chance of succeeding in their removal proceedings.² New York City Council’s NYIFUP pilot program pioneered universal representation for detained immigrants to address this injustice, and it has grown to become a resounding success.

Based on the success of New York City’s initial investment in NYIFUP and increased need, NYIFUP expanded to full scale across New York State in 2017 with funding from New York State. By funding NYIFUP, New York has made representation accessible for anyone who is detained, facing deportation, and unable to afford an attorney in the New York. Over the past year, NYIFUP legal teams have been essential to this City’s efforts to stem the worst impacts of COVID-19, freeing medically vulnerable people and leading local and national efforts to ensure safety and due process for people continuously targeted for federal immigration enforcement.

Immigrants have been attacked, criminalized, and seen their families torn apart by federal policies. While these policies did not begin with the prior federal administration, they took on a deliberate brutality over the last few years. **During this moment of change and opportunity, leaders across all levels of government must renew and double-down on their commitment to protect immigrants and move forward the solutions our communities need, such as continuing strong support for NYIFUP.** That investment is made even more critical as immigrants are among those shouldering the harshest impacts of the COVID 19 pandemic.

NYIFUP’s Impact

New York’s investment in NYIFUP has brought critical benefits to New York City since its inception, and especially during the COVID-19 pandemic. Immigrants comprise more than one third of the City’s population and nearly half its workforce.³ An early evaluation of the NYIFUP pilot in New York City revealed that clients served through the program had lived an average of 16 years in the United States and were projected to contribute \$2.7 million in state, local, and federal tax revenue each year.⁴ They are responsible for life-saving work during the global pandemic that sustains our economy and safeguards health and safety in our communities, and are disproportionately on the front lines as essential workers during the pandemic. With immigrants 3.5 times more likely to obtain release from detention with a lawyer at their side and ten times more likely to prove their right to remain permanently in the United States, NYIFUP has reunited families, returned employees and business owners to the economy, and maintained confidence among New York immigrants that their government stands with them in this difficult time.⁵

² New York Immigrant Representation Study Steering Committee, “Accessing Justice: The Availability and Adequacy of Counsel in Removal Proceedings – New York Immigrant Representation Study Report: Part 1,” *Cardozo Law Review* 33, no. 2 (2011), available at <https://justicecorps.org/app/uploads/2020/06/New-York-Immigrant-Representation-Study-I-NYIRS-Steering-Committee-1.pdf>.

³ Mayor’s Office of Immigrant Affairs, “State of our Immigrant City: Mayor’s Office of Immigrant Affairs (MOIA) Annual Report for Calendar Year 2019,” <https://www1.nyc.gov/assets/immigrants/downloads/pdf/MOIA-Annual-Report-for-2019.pdf>.

⁴ Jennifer Stave, Peter Markowitz, Karen Berberich, Tammy Cho, Danny Dubbaneh, Laura Simich, Nina Siulc, and Noelle Smart, *Assessing the Impact of Legal Representation on Family and Community Unity* (New York: Vera Institute of Justice, 2017), <https://perma.cc/3BWE-KSFD>.

⁵ Ingrid V. Eagly and Steven Shafer, “A National Study of Access to Counsel in Immigration Court,” *University of Pennsylvania Law Review* 164, no. 1 (2015), <https://perma.cc/7J65-CZCM>.

Because of the City’s investment, NYIFUP attorneys have filed dozens of lawsuits in the past year, resulting in freedom and safety for hundreds of medically vulnerable people during the COVID-19 pandemic. Their successes include the first two COVID-related federal court victories in the nation secured against ICE on behalf of detained noncitizens.⁶ Their advocacy has had far reaching influence, as advocates nationwide look to the NYIFUP attorneys’ expertise and successes in fighting for safety and freedom for people in their communities. The broad scope of New York’s program, ensuring access to representation for every immigrant facing deportation in detention who is unable to afford an attorney, has enabled the NYIFUP teams to quickly identify and respond to the unprecedented challenges that have arisen over the past year with powerful successes on behalf of their clients and for the New York City community.

The importance of this work cannot be overstated. During the pandemic, the stakes for people facing deportation in immigration detention could not be higher, and legal representation can mean the difference between life and death. Detained immigrants face increased public health risks as detention facilities are a vector of the spread of COVID-19.⁷ Conditions inside detention facilities, where access to healthcare has long been substandard and where people are crowded in close quarters with limited access to soap and sanitizing agents, create high risk for the rapid spread of this dangerous virus.⁸ As of March 4, 2021, ICE has reported that nearly 10,000 people in detention have tested positive for COVID-19 across 131 facilities, an increase of over 2,700 positive cases since November, despite decreasing numbers of people in detention during this time.⁹ At any point between March 14, 2020 and January 30, 2021, a total of 126,592 people have been detained by ICE.¹⁰ Estimates published by Vera suggest ICE is severely underreporting the prevalence of COVID-19 in detention. At the time our epidemiological model was published, we estimated the true number of people in ICE detention with COVID-19 to be as much as 15 times higher than official numbers.¹¹ **The threat to the health of detained immigrants, detention staff, and surrounding communities continues to compound, deepening the crisis and thwarting communities’ efforts to stem the spread of the virus.**¹²

In this environment, winning freedom from detention has never been more critical. NYIFUP lawyers have been fighting tirelessly and successfully on behalf of those detained, even as ICE continues to irresponsibly detain and deport community members. While the Biden administration has said it will take steps to ameliorate some of the harms inflicted on immigrant communities, **the former**

⁶ *Basank v. Decker*, 1:20-CV-2518 (SDNY), brought by Brooklyn Defender Services, and *Coronel v. Decker*, 1:20-CV-2472 (SDNY), brought jointly by The Bronx Defenders and The Legal Aid Society.

⁷ Vera Institute of Justice, *COVID-19: Criminal Justice Responses to the Coronavirus Pandemic*, (New York: Vera Institute of Justice, 2020), <https://www.vera.org/projects/covid-19-criminal-justice-responses/covid-19-data>.

⁸ Erica Bryant, *Detention May Become Death Sentence for Vulnerable Detainees*, Vera Institute of Justice, March 25, 2020, <https://www.vera.org/blog/covid-19-1/detention-may-become-death-sentence-for-vulnerable-detainees>; New York Lawyers for the Public Interest, “Still Detained and Denied,” 2020, available at <https://nylpi.org/wp-content/uploads/2020/04/NYLPI-report-Detained-Denied.pdf>.

⁹ Noelle Smart and Adam Garcia, “Tracking COVID-19 in Immigration Detention: A Dashboard of ICE Data,” (New York: Vera Institute of Justice), <https://www.vera.org/tracking-covid-19-in-immigration-detention>.

¹⁰ *Ibid.*

¹¹ Dennis Kuo, Noelle Smart, Zachary Lawrence, and Adam Garcia, *The Hidden Curve: Estimating the Spread of COVID-19 among People in ICE Detention* (New York: Vera Institute of Justice, 2020), <https://perma.cc/2TT2-32GA>.

¹² For additional information see Gregory Hooks, *The Early Arrival of COVID-19 in Counties and Regions with Large Prison and Jail Populations*, (Northampton, MA: Prison Policy Institute, 2020), https://www.prisonpolicy.org/reports/covidsread_timing.html.

administration instituted more than 400 anti-immigrant policies and appointed hundreds of immigration judges.¹³ Reversing that harm will only be possible with dedicated legal advocacy. Ensuring that immigrants can benefit from new opportunities to obtain release from detention and immigration relief will also require legal representation to understand and exercise any new legal options. Finally, immigrant New Yorkers were separated from their families and threatened with deportation long before the former administration came to power and these practices and systemic injustices will continue under the new administration without bold action at every level of government.

By ensuring equal access to due process for all, NYIFUP is also a critical component of City's efforts to address systemic racial injustice. The racial biases and inequities that plague our criminal legal system pervade the immigration system. Black immigrants, who are more likely to be stopped, arrested, and incarcerated, are disproportionately funneled into the immigration enforcement system as a result of that contact with the criminal legal system.¹⁴ NYIFUP reunites families and serves communities who are criminalized and targeted by over-policing and increased immigration enforcement. It helps secure the release of people from detention, seeking to disrupt the pipeline between the criminal and immigration systems, restore due process, and build community trust.

For as long as New York City faces the destabilizing impact of federal immigration enforcement, its guarantee of counsel will provide a beacon of hope for those torn from their homes by immigration officials.

New York City's National Leadership

Public officials across the country have recognized the strength of investing in immigrant communities. **More than 40 jurisdictions across the country have followed New York's lead by funding deportation defense in their own communities.**¹⁵ During the pandemic, its accompanying fiscal challenges, and since the November election, these jurisdictions have recognized that investing in representation for immigrants in detention is a critical component of efforts to safeguard health and stability, and a powerful investment in support of communities of color. After New York City sustained its \$16.6 million investment in NYIFUP in the FY21 budget, several other jurisdictions have followed New York's lead. The New York State FY22 Executive Budget proposes a continuation of its investment in NYIFUP.¹⁶ New Jersey doubled its state deportation defense fund to \$6.2 million in September, in November, Harris County, TX invested \$2.5 million to establish a new program, and Denver, CO more than doubled its fund because of the increased need amid the pandemic.¹⁷ These

¹³ Sarah Pierce and Jessica Bolter, *Dismantling and Reconstructing the U.S. Immigration System: A Catalog of Changes under the Trump Presidency*, (Washington DC: Migration Policy Institute, July 2020),

https://www.migrationpolicy.org/sites/default/files/publications/MPI_US-Immigration-Trump-Presidency-Final.pdf.

¹⁴ Jeremy Raff, "The 'Double Punishment' for Black Undocumented Immigrants," *Atlantic*, December 30, 2017, <https://perma.cc/R7UZMKF7>.

¹⁵ "The SAFE Initiative: Driving the Momentum for Universal Representation," accessed February 4, 2021, <https://www.vera.org/initiatives/safe-initiative>.

¹⁶ State of NY Aid to Localities Appropriations Bill, S.2503, A.3033 (2021), available at <https://www.budget.ny.gov/pubs/archive/fy22/ex/approps/local.pdf>.

¹⁷ The City Council of the City of New York, Fiscal Year 2021 Adopted Expense Budget, Adjustment Summary/Schedule C," June 30, 2020, <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2020/06/Fiscal-2021-Schedule-C-Cover-REPORT-Final.pdf>; American Friends Services Committee, "NJ Coalition for Immigrant Representation Applauds Increased Funding to Detention and Deportation Defense," Sept. 29, 2020, <https://www.afsc.org/resource/nj-coalition->

national efforts are a powerful affirmation of the success of New York City’s pioneering leadership. As a result, the movement for universal representation for immigrants continues to grow across the country.

New York City’s sustained investment in this life saving work will continue to serve immigrants in New York while also presenting a powerful example to the new administration in Washington of a promising way to transform our immigration system into one that promotes public health, family unity, and economic stability, rather than division and destruction in our communities. **We urge New York City to continue to fund NYIFUP with a \$16.6 million investment in FY22.**

For additional information or resources, please contact Shayna Kessler at skessler@vera.org or (917) 828-1753. Thank you for your consideration.

Sincerely,



Shayna Kessler
Senior Planner
Center on Immigration and Justice
Vera Institute of Justice

cc: The Honorable Margaret S. Chin
The Honorable Mathieu Eugene
The Honorable Francisco P. Moya
The Honorable Daniel Dromm
The Honorable Bitta Mostofi

[immigrant-representation-applauds-increased-funding-to-detention-and](#); Houston Public Media, “Harris County Commissioners Approve \$2 Million Deportation Defense Fund,” Nov. 10, 2020, <https://www.houstonpublicmedia.org/articles/news/politics/immigration/2020/11/10/385883/harris-county-commissioners-to-vote-on-2-million-deportation-defense-fund/>; Westworld, “Aurora Council Considering Immigrant Legal Defense Fund, Protections,” Nov. 20, 2020, <https://www.westword.com/news/aurora-immigration-ice-detention-legal-defense-colorado-11847163>



Testimony for the Committee on Immigration

March 8, 2021

Women for Afghan Women's [New York Community Center](#) is the **only social service organization serving the Afghan immigrant community in New York City**. In addition, we serve South Asian, Arab, and other Muslim immigrants thanks to our team's language proficiencies in **Dari, Farsi, Pashto, Hindi, Urdu, Bangla and English**.

Women for Afghan Women provides comprehensive programming and services to meet every need in the community including but not limited to: social and legal services including domestic violence case management, youth and adult education programs, seniors support program, monthly women's circle support group, civic engagement initiatives, know your rights workshops, and much more.

Last year, WAW supported the highest number of immigrant New Yorkers to date, taking on over **4,100 client intakes** and transitioning our **15 programs virtually**.

85-90% of women that come to WAW for services are **survivors of domestic violence and often illiterate in any language**. Years of conflict and displacement made it nearly impossible for most to access formal education. WAW serves as a lifeline for the individuals we work with.

This is the place where many women learn how to hold a pen for the first time in their English class. Many of them are facing compounding difficulties such as a lack of digital literacy, unemployment, food insecurity, mental health challenges, unsafe living conditions, and isolation that make them at risk of not surviving this COVID-19 crisis.

Women for Afghan Women has been with our community of survivors from the beginning, including checking in on survivors of domestic violence every single week to make sure they were safe and to update their safety plans.

In 2020, 143 women participated in our English as a Second Language classes, US citizenship exam preparation, driving exam preparation, and vocational sewing classes. Through our classes, **12 Muslim immigrant women** applied for US citizenship with a **success rate of 100%**.

In addition, Women for Afghan Women assisted **100 immigrants** who were enrolled in our classes to apply for US citizenship, despite the pandemic. This group had a **90% success rate**.

It is estimated that more than one third of Afghan families in NYC live below the poverty line with a **median household income of \$15,000 a year**. This pandemic has further exacerbated economic inequalities within our community.



Our community members have been at the frontline of this pandemic and have also seen **extremely high rates of unemployment**. Many of our low-income community members are taxi/Uber drivers as well as vendors and restaurant workers, who have experienced difficulty in accessing public benefits and other much needed support during this time.

Women for Afghan Women has responded to these needs through providing **187 individuals with emergency cash assistance through private grants, and assisting 90 individuals with their cash assistance applications with partner agencies**.

As the only organization that is able to provide culturally competent and linguistically appropriate services to the Afghan immigrant community in New York City, Women for Afghan Women is the first resource immigrant Afghan New Yorkers rely on. With WAW, they are confident that their social and legal cases will be handled appropriately and accurately without any issues arising from language barriers and misunderstanding of cultural nuances.

One case Women for Afghan Women handled last year was that of Zahra. She is an **Afghan senior citizen** who shares an apartment with another woman in the community because she can not afford rent by herself. Zahra reached out to us because she needed to apply for citizenship. She mentioned that she was ready to apply, but **could not afford the fee** for the application and the attorney.

Zahra was provided with information about filing with a fee waiver. She realized that she was eligible but did not know about it. She was also informed that all of Women for Afghan Women's services including the **immigration attorney's services were free of charge**.

Because Zahra was working full-time as a home care aide provider, she could not attend our citizenship classes. Women for Afghan Women connected her to one of our **volunteer tutors to work with her one-on-one on the citizenship exam**. Zahra worked with the tutor in person before the pandemic, and after that they met remotely.

With the help of our Immigration Support Program, **Zahra's application was successfully submitted in October of 2020**. Women for Afghan Women provided her with support and directions to her biometrics appointment, and later for her citizenship interview and test.

Thanks to Women for Afghan Women's Immigration Support Program, Zahra is a United States citizen now. Zahra is very happy and **said she would not have been able to obtain her citizenship without Women for Afghan Women's support**.



Women for Afghan Women has **partnered with various New York City agencies**, organizations, libraries, hospitals, and institutions to ensure language accessibility for our community such as our collaborations with the Mayor's Office of Immigrant Affairs and Queens Immigration Task Force.

Oftentime materials in NYC may not always be translated in Dari and Pashto, the two Afghan languages. Women for Afghan Women is a critical resource in bridging the gap between our community and the resources and services provided by our local agencies.

A prime example of how Women for Afghan Women has mobilized and advocated for immigrant communities was through our **robust 2020 Census initiative**. For several months Women for Afghan Women facilitated education sessions within our classrooms, local small ethnic businesses and mosques, and translated Census materials in **Farsi, Pashto, Urdu, and Arabic** to reach immigrant communities.

Ultimately, our outreach efforts reach **22,608 individuals** through distributing flyers, education sessions, social media campaigns, phone banking, and text banking efforts. We ensured that almost **10,000 individuals** across NYC completed the 2020 Census.

Women for Afghan Women is eager to continue building on our ability to disseminate critical information and resources such as supporting community members with **education and awareness activities on the COVID-19 vaccine** to provide factual information and answer any questions community members may have. Our team will **assist community members with setting up an appointment**—especially for those who cannot read or speak English.

Women for Afghan Women is also gearing up for our **voter education and registration** initiatives to inform community members about **rank choice voting** as well as host candidate forums to ensure the **political inclusion and participation** of marginalized and underserved immigrant communities.

2021 will be an integral year for all New Yorkers. Women for Afghan Women will do everything we can to provide and stand with our community **to recover from the devastating impacts of the pandemic**.

Your support will be imperative in supporting underserved immigrant New Yorkers, as we navigate recovering from this crisis together. Women for Afghan Women hopes to be a partner in the City's recovery efforts.

Thank you for your partnership and for your time and consideration today.



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**New York City Council
Committee on Immigration, Honorable Carlos Menchaca, Chair**

**Testimony of YMCA of Greater New York
Presented by Rachael Rinaldo, Senior Director of New Americans Initiative**

**FY 2022 Preliminary Budget Hearing: Committee on Immigration
March 8, 2021**

My name is Rachael Rinaldo, I'm the Senior Director of the New Americans Initiative for the YMCA of Greater New York, and I will be testifying on behalf of the YMCA. Thank you, Chair Menchaca for the opportunity to testify on the state of adult literacy and digital literacy in immigrant communities in this moment of the COVID-19 pandemic.

As an educator, program director, friend, ally and ardent supporter of immigrant communities here in New York City, nationally and on a global scale, I have had the privilege of witnessing families and communities transform and thrive as a result of human and capital investment.

As the Senior Director of the YMCA of Greater New York's New Americans Initiative, I provide content area expertise and oversight to seven New Americans Welcome Centers and nine off-site locations throughout New York City. The YMCA of Greater New York has been serving newcomers in NYC since 1908 when we had a YMCA on Ellis Island. Based on the success of our English Language and Employment Services for Adult Immigrant and Refugees program, which was established in 1978, we launched the New Americans Initiative in 2008.

A year ago, the entire human service sector had to make a monumental shift in delivery of services from in-person experiences to remote experiences. We pivoted, adapted and reimaged how we delivered our New Americans Initiative's holistic, wrap-around services to thousands of newcomers to New York City. Services such as a wide array of instructional, vocational, recreational, family support, multilingual resources and social services, as well as a comprehensive case management program that supports individuals and families in removing barriers to their success, all went remote and will remain remote for the foreseeable future.

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Although we faced significant challenges, we instituted a Crisis Response Team whose goals are to reduce the feelings of helplessness, confusion and heightened anxiety our communities are faced with, as well as to address community needs and provide critical resources throughout the pandemic and beyond. Participants and community members have the opportunity to access supportive services, ensuring they have access to the food, medical, education, immigration and other support services they may need. We had to triangulate our approach and balance the capacity and ability of our team, the capacity and ability of our participants to access our services, and the capacity and ability of our finances to support the work. We focused on:

- Removing all barriers to receiving immediate services during and after the current pandemic
- Connecting individuals and families to services and resources, such as accessing culturally relevant COVID-19 resources and access to testing, vaccinations, unemployment benefits, food, navigating through school closures and the like.
- Increasing stabilization for individuals and families in need
- Continuing English language learning and development of work readiness and civic engagement skills in a virtual environment

Unfortunately, the inequities that pre-existed and have been exacerbated by the pandemic, persist. The pandemic shed light on the growing digital divide and the negative impact of that on our adult language learners. Prior to March 16, 2020, we saw an average of 800 individuals walk through our doors daily. By April 13, 2020, although we contacted nearly 2,000 former participants, only 265 individuals were able to access technology and/or reliable broadband/internet services that enabled them to participate in virtual English Language classes: a shocking 87% of those contacted shared that the lack of technology or reliable broadband prohibited them from continuing in their classes. Those who could not fully participate in classes are offered supportive services via phone calls, text messaging and/or email. Subsequently, since July 2020 we contacted over 5,000 individuals but only 18.6% have had enough capacity to access technology and/or reliable broadband/internet services. While our classes traditionally focus on English language attainment, workforce readiness, and citizenship preparation, our instructors spent the first four to six weeks of each class cycle teaching our participants basic digital literacy skills; just enough to make sure everyone had the basic skills and capacity to participate and stay connected to their peers and community.

As the pandemic draws on, we continue to hear from students of their challenges with: isolation, financial insecurity, food insecurity, housing insecurity, language access to important COVID-19 information, the digital divide, digital literacy, and balancing being essential workers while supporting their children with in-person/hybrid/remote learning. To support in these areas, we counted on our partnerships and shifted our communications from a virtual Zoom room to messaging, emails and phone calls for many. We had to bridge the gaps in accessibility for those who have limited access to technology or minimal levels of digital literacy. In order to bridge the digital literacy gap we provided individuals with one-to-one digital coaching, multilingual instructions on accessing Zoom, "walked" individuals through the process of

downloading an app or accessing a website, and supported those who do not have the technology in accessing classes by calling in. In essence, we had to get creative and diversify our approaches. By doing so, we, a team reduced from over 60 staff to six due to loss of revenue and funding, were able to support hundreds of additional families in accessing critical resources such as free or reduced internet services, information to obtain devices to support their child(ren)'s learning, free online tutorials to help support their digital learning, as well as online directories (e.g., food pantries/distribution sites, mental health resources, etc.).

Faced with significant revenue loss, uncertainty of whether the State would fully reimburse contracts and fiscal uncertainties, we were forced to reduce our services. Prior to the pandemic we offered over 35 classes citywide, daily. From April through June, our capacity was such that we could only offer 8 classes, weekly. However, from July 1 through today, realizing the need and demand, despite the threat of state budget cuts we increased our staff from 6 to 12 and our virtual programming from 8 to 15 classes a week, all of which are offered from 6 to 12 hours per week.

A citywide [survey](#) of programs conducted by the Literacy Assistance Center this past Spring found that job and income loss, support for children's schooling, food and housing insecurity, and mental health concerns are all significant, pressing issues for students in adult literacy programs - and that these issues have all been exacerbated by limited reading, writing, English language, and/or digital literacy skills. The survey results offer a startling, yet accurate, finding of what our students told us they were facing. In addition, I want to name that many of our students are considered essential workers. We cannot forget what they have done for us in this pandemic. It is critical to invest and work towards eliminating the digital divide - as the Department of Education is striving to do for our school-aged youth - to support and stabilize our English language learning households throughout the pandemic. The timeline of the pandemic is uncertain; however, what is certain is that we have to take steps now so that all New York City families are able to join us on the path to recovery.

We need to meet our students where they are, which means they need access to the new digital realities, digital literacy, and a commitment to a proven pedagogy of engaging instructional classes - remote or in person - ***as well as access to supportive services to mitigate the challenges they are now faced with.*** This work is not easy. Our services are free, with the support of public and private funds. However, current public funding levels are not nearly enough to serve those in need with ***quality*** services. It was always a struggle prior to the pandemic to balance quality services and meeting the needs of our communities with limited funding. It has become that much more challenging now due to the uncertainty of funding and the necessary digital access our students need to succeed in class.

2.2 million individuals in NYC are low English proficient and/or lacking a high school diploma, and adult literacy classes have proven effective in helping immigrants learn English. However, access is a significant issue, and, unfortunately, the recent trend to focus on workforce development outcomes is useless to immigrants unless they have some preexisting English language skills. According to the Migration Policy Institute's 2016 report, ["Immigrants and](#)

[WIOA Services,”](#) immigrants’ median earnings are significantly lower than native-born residents', resulting in a much higher rate of immigrants living in poverty than native-born residents. The report finds that a contributing factor to this disparity is that immigrants cannot access relevant and useful programs that support their acquisition of the English language **and** remove the barriers they face daily.

As we move into recovery phase, it is important we reflect and learn lessons from this past year. We need to recognize and capitalize on the role that adult literacy programs can play in furthering racial, social, and economic justice by linking adult literacy students to movements and campaigns relevant to their lives and emanating from their communities. Although many programs pivoted their services and provided continuity for the immigrant community, many had to close their doors. This is a direct result of uncertain and insufficient funding, highlighting how low the government prioritizes these services. Therefore, we stand by the following recommendations of our partner, the New York City Coalition for Adult Literacy (NYCAL):

- 1) **The City must restore and baseline the \$12 million in annual funds that the Council secured in the budget every year from FY17 to FY20, and which were reduced to \$9.8 million in FY21.**
- 2) **We must ensure that every adult literacy student who needs it is provided with the necessary hardware and with free internet to be able to access and engage in online education platforms.** No adult – no parent – who would otherwise be able to participate in a basic education, ESOL, or high school equivalency class should be denied the opportunity simply due to lack of basic infrastructure.
- 3) **We call on the City to invest \$10.5 million in the adult literacy pilot project** that NYCCAL had proposed prior to the pandemic. This project would **quadruple city funding for approximately 25 community-based adult literacy programs** to enable them to fully invest in the 14 “Building Blocks” of a comprehensive adult literacy program identified in the Literacy Assistance Center’s [Investing in Quality](#) report, to support greater investments in student support services, digital literacy development, professional development, and contextualized curriculum and instruction, all of which have proven vital over this past year.
- 4) Finally, **we need to increase the total funding for adult literacy education in New York City by sixfold** over the next five years. Currently, the total state and city funding for adult literacy education in NYC amounts to approximately \$85 million a year – less than \$40 a year for each of the 2.2 million adults in need and just over \$1,000 for every student who is able to access classes. **We need to work together to increase this funding to \$500 million per year**, both to serve far more than the 3%-4% of the 2.2 million adults in need that we’re currently serving and to provide those students, their teachers, and their programs with the full range of resources, supports, and benefits they need and deserve.

Adult literacy education is a matter of racial, social, and economic justice. Adult literacy education can provide the space for community members to read, write, and speak the truth of

their lived experience. Literacy skills give individuals the power to understand and command information, to communicate in the language of access, to make informed choices, to access critical resources and opportunities, to stand up for themselves in the workplace, to fully participate in civic life and institutions and, ultimately, to transform their lives and the world around them.

It is with great pleasure that I am able to lift and share the voice of one of our students - Abdoulaye Doumbouya. Please find his testimony attached below.

The Mayor keeps calling his recovery plan a “Recovery for All.” A recovery for all means reversing the systemic defunding of communities by assuring substantive investments into those communities, such as our immigrant communities. A substantial investment in adult literacy education will mean that more people will have the skills to access better jobs and higher wages; more parents will be able to support their children’s education; more families will be healthier; more people of all backgrounds will know and speak up for their rights; and more New Yorkers will participate in the democratic process. Now is the moment for the City to act in an equitable and just manner.

If you have any questions, please contact Michael Rivadeneyra, Senior Director of Government Relations, at mrivadeneyra@ymcanyc.org or 646-648-1921.

Thank you.

Rachael Rinaldo
Senior Director, New Americans Initiative
YMCA of Greater New York

Hello everyone.

My name is Abdoulaye Doumbouya, and I am from Guinea (West Africa). I am a Harlem YMCA student since June 2019 (just 5 months after I arrived in the U.S). I joined the YMCA for two main reasons.

Firstly, as we all probably know, learning a new language is an incredibly challenging aspect in immigrants' life. And as an "amateur researcher", I wanted to learn English in an organized way. Since I could not afford taking paid English classes at that time, I started looking for a free adult English school. So, a friend of mine told me about a "good, free English school". I did not believe him at first when he said that they accept students regardless of their immigration status. Then I went to check it out, and it was beyond my expectations. Secondly, I needed a sort of pre-academic setting to sharpen my English because I was planning to continue to college, and the YMCA fit exactly that description.

By joining the YMCA, my English skills and my whole personality improved a lot. As a multicultural environment, the YMCA helped me not only improving my English, but also the way I interact with people from different cultural background. The YMCA also reinforced my self-confidence and taught me that I can achieve whatever I want to.

Personally, I appreciate the remote learning system; it's more relaxing than in-person learning, and it allowed me to virtually meet students from other boroughs. I also realized that it allows teachers to share materials with students more easily than in-person learning. I even suggest that, when things get back to normal, the Y's New American Welcome Center should consider giving students the choice whether to opt for remote learning or in-person learning system.

In collaboration with some colleagues from my country, we conducted an online survey to assess the psychological impact of COVID-19 pandemic in the Guinean population. The study basically intended to find out how people in my country responded to this health crisis. We wrote a manuscript in French that I translated in English. And then we needed a native speaker to proofread our article, and it turned out that Mr. Matthew was my teacher. I sent him the document, and he took great care of it. That has been really fantastic of him.

In sum, the YMCA has been a salvation for me, and I'm sure that I won't be the only one to make that statement. I can't even imagine what would I do if I hadn't found out about the YMCA. Thank you, guys, and God bless you.

Abdoulaye Doumbouya.