



Mayor's Office of
Immigrant Affairs
Bitta Mostofi
Commissioner

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**Testimony of Commissioner Bitta Mostofi
NYC Mayor's Office of Immigrant Affairs**

Before a hearing of the New York City Council Committees on Immigration and Finance:

“Executive Budget Hearing - Immigration”

Thank you to Speaker Johnson, Chair Menchaca, Chair Dromm, and the members of the Committees on Immigration and Finance. My name is Bitta Mostofi, and I am the Commissioner of the Mayor's Office of Immigrant Affairs ("MOIA").

We are in unprecedented and uncertain times, in the middle of a crisis that has devastated our city and laid bare gross inequities in our society. This year, we have worked tirelessly alongside our many partners in the Council, across City government, and in the community to carry out our mission to promote the well-being of immigrant New Yorkers. And now, in the midst of the COVID-19 pandemic, MOIA and the City continue to push forward our shared mission of advancing fairness and equity for all New Yorkers, with MOIA playing a critical role in realizing this vision for our immigrant neighbors.

My testimony today provides an overview of the challenges immigrant communities face at this moment of crisis, how MOIA has responded to meet the moment, and our priorities as we recover as a city together. I will also discuss some highlights from our work and achievements this past year.

Challenges Brought by the COVID-19 Pandemic

We cannot talk about the ongoing crisis without acknowledging how xenophobia and racism have shaped its effects. By all measures, the COVID-19 pandemic has disproportionately impacted immigrants and people of color.

The reality of structural racism has resulted in disproportionately Black and Latinx lives lost to this pandemic. Department of Health and Mental Hygiene ("DOHMH") data has shown that Black and Latinx people are dying of COVID-19 at almost twice the rate of white people.¹ Immigrants and people of color have higher poverty rates, a higher likelihood of living in overcrowded housing, and a lack of access to healthcare, all of which make them more vulnerable to this virus.

Immigrant workers across our city have been left jobless due to the shuttering of non-essential businesses. The national unemployment rate has climbed to the highest level since the Great Depression, with the highest jobless rates for Latinos and Black people at 18.9% and 16.7%, respectively.² Massive job and income loss has left many, especially undocumented immigrants who do not qualify for unemployment, desperately struggling to pay rent and other basic necessities.

At the same time, our essential workers placing themselves at risk every day on the frontlines of

¹ *Rates of Cases, Hospitalizations and Deaths by Race/Ethnicity Group*, NYC Department of Health and Mental Hygiene (May 14, 2020), available at: <https://www1.nyc.gov/assets/doh/downloads/pdf/imm/covid-19-deaths-race-ethnicity-05142020-1.pdf>

² Gogoi, Pallavi, *Why a Historic Wave of Latino Prosperity is Under Threat Now*, NPR (May 10, 2020), available at: <https://www.npr.org/2020/05/10/853049239/historic-wave-of-latino-prosperity-is-threatened-by-devastating-job-losses>

this crisis are disproportionately immigrants and people of color. Immigrants comprise 37% of the NYC population, 44% of our workforce, and yet make up 58% of the essential workers that help all New Yorkers meet our basic needs like food and health care.³ Many of them are undocumented.⁴ In New York City, immigrants make up 81.5% of home health aides (over 113,000 in number); 65.5% of cooks (approx. 39,000); 53.4% of janitors and building cleaners (approx. 71,000); 87.0% of laundry and dry-cleaning workers (approx. 4,504), and 53% of nurses (over 40,000).⁵

Furthermore, this virus has inspired an ugly wave of anti-Asian racism and violence. As some people falsely and recklessly associate COVID-19 as a “Chinese” virus, discrimination, harassment, and physical violence against Asian Americans in our city has dramatically increased. Between February and April this year, the NYC Commission on Human Rights (“CCHR”) received 248 reports of various incidents of harassment and discrimination related to the Coronavirus; 105 of them, or 42%, targeted Asians.⁶

And even though our immigrant communities have been disproportionately impacted by this crisis, our undocumented neighbors have been largely excluded from federal relief. For example, direct stimulus payments authorized by the CARES Act are unavailable to undocumented immigrants and their families, even those with U.S. citizen spouses or children. Furthermore, those without valid work authorization are ineligible for unemployment benefits, including those authorized by the CARES Act. And federal immigration eligibility restrictions prevent many immigrants, including those who are undocumented, from accessing SNAP or Medicaid.

Coronavirus affects all of us. We cannot pick and choose who among our community should receive public relief based on immigration status when this crisis affects all of us. We have long understood as a city that our personal health and wellbeing are connected to our collective strength.

MOIA’s Response to the COVID-19 Crisis

We are determined to make sure we are not leaving any New Yorker behind during this crisis. Given this new, ever-evolving landscape, equipping our communities with clear, accessible, and

³ *State of Our Immigrant City: MOIA Annual Report for Calendar Year 2019*, NYC Mayor’s Office of Immigrant Affairs (2020), available at: <https://www1.nyc.gov/assets/immigrants/downloads/pdf/MOIA-Annual-Report-for-2019.pdf>; Declaration of Sabrina Fong, Deputy Director of Research and Policy Advisor, New York City Mayor’s Office of Immigrant Affairs, *Department of Homeland Security, et al., v. New York, et al.*, No. 19A785 (U.S. April 13, 2020), available at: https://www.supremecourt.gov/DocketPDF/19/19A785/141515/20200413153014307_19A785%20Motion%20to%20Temporarily%20Lift%20or%20Modify%20Stay.pdf.

⁴ Id.

⁵ Id.

⁶ *NYC Commission On Human Rights Announces Formation Of COVID-19 Response Team to Address Increased Harassment and Discrimination Related to the Virus*, NYC Commission on Human Rights (April 19, 2020), available at: https://www1.nyc.gov/assets/cchr/downloads/pdf/CCHR_COVID19_Response_Team_Release_final.pdf

accurate information and ensuring relief is inclusive for all remain key priorities. At this time, MOIA's role as the City's experts on our immigrant population and immigration policy has been to empower New Yorkers with knowledge of their rights through a linguistic and culturally competent means, connect people to services and resources, including legal services, and recommend and advocate for policies and programs that advance greater equity and justice for immigrant families. Despite these dark times facing our city, we are inspired every day by the resilience of our communities.

Access

Even before the current crisis, a key priority for MOIA was in addressing the host of barriers faced by immigrants in accessing services and opportunities. MOIA works closely with our agency and community partners to help identify and dismantle these barriers and help immigrants connect more deeply into the fabric of the city.

COVID-19 Resources for Immigrant New Yorkers

In response to the pandemic, we created an online resource guide for immigrant New Yorkers. The guide was designed to provide an immigrant-friendly overview of the city resources and guidance. It includes information on the City's COVID-19 guidance, immigration policy updates, information on how to access healthcare, benefits, food resources, and more. Our resource guide has been translated by human professional translators into the top 10 languages and more languages are available via google translate and will continue to be as it gets updated. The pdf version of the guide will be translated into 25 languages. The day we launched the resource guide, the traffic to the MOIA website increased by 30 times. In April 2020, our website had over 70,000 page views, an increase by more than three times from the same in April 2019 (21,000 page views) and by almost five times from the same in April 2018 (15,000 page views). Since the launch, our resource guide has had about 5,883 page views each week. About 19% of those page views were in languages other than English, with Spanish being most heavily utilized (approx. 705 page views per week), followed by Chinese (approx. 133 page views per week). Upon receiving feedback from community members MOIA has also drafted a document answering approximately 60 frequently asked questions about benefit eligibility, application process, and immigration-related concerns, which will be available next week.

Language Access

Language access is fundamental to our work. We cannot promote equity without ensuring that city services are accessible to people with limited English proficiency ("LEP"). During a crisis, language access is literally a matter of life and death.

In the City's COVID-19 response, MOIA has played a critical role in promoting linguistic accessibility. Since the beginning of this crisis, MOIA has led the Emergency Management Language Access Taskforce that included DOHMH, NYC Emergency Management ("NYCEM"), the Department of Social Services ("DSS"), the Mayor's Office for People with Disabilities ("MOPD"), and the City Hall Communications team in order to assess language access needs, address challenges, coordinate resources. We have been working with city

agencies to disseminate crucial information about the crisis and City response in multiple languages to community partners as well as community and ethnic media, assist in rapid translation requests, and improve website accessibility for LEP New Yorkers. Since March 2020, we have received 180 requests to translate 250 documents from 21 agencies. Requests for translation services have almost doubled compared with the same time last year. We delivered 332 translated documents, which covered 35 languages in total. We worked closely with DOHMH to ensure key COVID-19 materials (such as guidelines and fact sheets) were available in 25 languages. Our language services and interagency initiatives team had a total budget of \$884,781 in FY2020. Due to the increased translation needs during the COVID-19 pandemic, we expect to go over the budget by \$40,000 even after adjusting the budget allocations to prioritize translation over other line items (such as interpretation), with the team's total budget for FY2020 now expected to be \$924,781.

In 2019, our Language Access team translated 559 documents into 46 different languages, and we provided interpreters at 135 different events in 21 different languages. Compared with 2018, interpretations increased by 12% and translations increased by 35%. In 2019, MOIA expanded its linguistic reach to New Yorkers who speak languages of lesser diffusion, such as Quechua, Kichwa, Nahuatl, Mixteco, Wolof, Kyrgyz, Tajik, Soninke, and Gujarati.

MOIA also provides support for other City agencies engaged in language access work and oversees several projects to support New Yorkers with LEP.

Empowerment

One of the major challenges of the past year, is the rampant misinformation created by a confusing, rapidly changing federal landscape. As a way of helping to empower immigrant New Yorkers, MOIA conducts training, outreach, collaboration with community partners, and responds to the needs of our constituents. By meeting people where they are at and in their language, we can ensure that people receive the information that matters most to them. Right now, our work getting out real-time accurate information to immigrant New Yorkers is more important than ever.

Outreach and Organizing

Our Outreach and Organizing team combats misinformation and fear by delivering accurate and clear information to our communities directly. While our team is unable to engage people face to face, they continue to reach communities digitally providing immigrants with critical information to help them through this crisis.

Our team participated in 47 virtual events between April 14 and May 14. The team sends out weekly email blasts, shares multimedia content over messaging apps used by immigrant communities, and regularly makes phone calls to businesses and organizations. Our team has delivered information on a variety of COVID-19 related issues, with particular effort on issues like the Paycheck Protection Program, Department of Education ("DOE") Meal Hubs, seeking care without fear, and the Taxi and Limousine Commission ("TLC") Food Delivery Program.

In 2019, our outreach staff implemented over 1,100 unique engagements across the City. These engagements included more than 130 community canvasses and 180 presentations and workshops held on site at organizations, libraries, houses of worship, and in schools citywide. For example, MOIA organized the City's first-ever Peruvian Town Hall, which brought more than 1,000 Spanish and Quechua speaking Peruvian New Yorkers together.

Community Services

The Community Services team continues to be an essential resource for immigrant New Yorkers across the city. After already seeing an increase in requests and inquiries to our team in 2019, the pandemic crisis has sparked a further engagement by phone and email to our team. In the month of April alone, our Community Services team received hundreds of calls from community members, the majority concerning food insecurity, financial assistance, and burial assistance. This team also conducts Know Your Rights events, working alongside sister agencies and sharing information about City services and important immigration policy updates, which have transitioned into virtual presentations since March 16.

Inclusion

We are best positioned to make a strong recovery when all of us are included in that recovery. Everyone in this city who has lost a loved one or has lost income or is struggling right now needs support, regardless of immigration status. While federal relief has fallen short for our communities, we continue to advocate for their inclusion in new relief packages and have worked to try and address those gaps.

Food Assistance

Before the COVID-19 crisis, 1.2 million New Yorkers and one in five children were already food insecure. With many businesses closing and workers losing their jobs, food insecurity has become even more urgent in our city. Moreover, language barriers, public benefit eligibility restrictions based on immigration status and fear of public charge or immigration enforcement consequences create additional challenges for immigrants in accessing existing food resources.

The City has made strenuous efforts to provide food assistance. The City has provided \$25 million to food pantries and community pantries through a partnership between City Council and the Administration. Right now, the City is providing three meals a day to all New Yorkers regardless of immigration status at more than 400 meal hubs citywide and delivering premade meals to those who cannot pick up the food themselves.

MOIA has supported these initiatives through targeted outreach to immigrant communities, including a community ethnic media roundtable on the topic, to ensure immigrants were aware of these valuable food resources. We also provided language assistance to facilitate immigrants' access to the services, including translation of relevant materials, and relayed community feedback to the emergency food assistance team to address immigrants' questions and concerns.

Burial Assistance

For the families and loved ones of those who have died from COVID-19, being able to grieve in accordance with their religion, culture, and traditions, including by holding a funeral and burial, can provide some solace during this deeply tragic time. However, for many people, the costs of a burial can be prohibitively expensive, as families lose jobs, income, and financial stability. HRA, with support from New York State, offers financial assistance for those who cannot afford funeral costs, but up until recently that assistance was not available to undocumented immigrants.

At this time, we are reminded of the importance in treating everyone with the dignity and respect that each life deserves. As such, on May 2, the Human Resources Administration (“HRA”) released an emergency rule to increase its burial assistance grant from \$900 to \$1,700 and to increase the cap on burial costs from \$1,700 to \$3,400. MOIA has worked with HRA and the Mayor’s Fund to ensure this grant is now available to all New Yorkers regardless of immigration status. We also have been working with HRA to assist in implementation of the expanded program, lending our expertise in designing an immigrant-friendly program and addressing sensitivity around protecting immigrants’ privacy.

Temporary Hotel Accommodation

Overcrowded housing is one of the most salient public health issues among immigrants in New York City. As many as 22% of NYC immigrants reside in overcrowded households, defined as having more than one person per room. The prevalence of overcrowded housing is particularly high among undocumented immigrants, 33% of whom report living in overcrowded housing in New York City.

Immigrants are already more likely to continue to work in public or congregated setting during this pandemic and live in high COVID-19 prevalence neighborhoods that make them vulnerable to the coronavirus exposure. Many of them struggle with the lack of space that makes it nearly impossible for them to isolate themselves from their household members.

In order to address these concerns, the City launched a temporary hotel accommodation program that provides free hotel stays as well as transportation, food, and wellness checks to eligible New Yorkers who cannot isolate where they live and frontline workers who wish to reduce transmission at home. The program is available to all New Yorkers regardless of their immigration status.

MOIA has supported the need for these initiatives and additionally collaborated with NYC Health and Hospitals (“H+H”), DOHMH, NYCEM and other city partners to ensure that NYC immigrants in high-risk neighborhoods are aware of these resources and feel welcome in seeking this much needed relief.

Emergency Relief

In partnership with the Mayor's Fund to Advance New York City and Open Society Foundations ("OSF"), MOIA has worked to support the establishment of the New York City COVID-19 Immigrant Emergency Relief program. The \$20 million fund from OSF will be used to provide emergency monetary relief to up to 20,000 immigrant workers and their families who do not qualify for unemployment benefits or federal stimulus checks due to immigration status. The funding will be distributed by community-based organizations with deep ties to immigrant communities. The Mayor's Fund has partnered with over 30 community-based organizations, along with about 20 additional partners, that serve immigrant communities in over 20 languages and dialects across all five boroughs. These organizations focus on workers, including day laborers, domestic workers, restaurant workers, delivery workers, home health aides, nail and hair salon workers, laundry workers, LGBTQ immigrants, street vendors and others.

We are extremely grateful for this partnership but recognize this is a limited fund that will not address the full scope of need, as we estimate that there are well over 100,000 undocumented workers and even more mixed status households who are below 200 percent of the Federal Poverty Level, otherwise qualifying them for safety net assistance but for their immigration status. However, it's our hope to learn from and build from this effort, connect individuals to other City resources and programs, and continue advocacy for inclusive relief at the federal level.

Program Pivots Due to COVID-19

Now, I will turn to some highlights from our work this past year. Our work this past year has focused on advancing equity and justice for immigrants, working alongside the community to empower immigrants in civic participation and with their rights, and advocating at all levels of government to promote immigrant-inclusive policies and laws.

IDNYC

Whether it's the ability to self-select a gender marker, gaining easy access to our City's libraries and great cultural institutions, or the simple security of having an ID to show in interactions with police or city government, IDNYC at its core embodies our dedication to equity in this City.

In 2019, IDNYC processed a total of over 133,000 applications. IDNYC enrolled a total of 9,103 New Yorkers at over 50 pop-up sites. IDNYC On the Go! enrolled a total of 1,452 individuals in 2019. The program conducted these activities with a budget of \$21 million.

This year, IDNYC celebrated its fifth anniversary and launched its first-ever renewal campaign. The renewal campaign kicked off in November 2019 with ads running on the full spectrum of platforms both digital and print. In addition to the ads, MOIA produced multilingual outreach fliers in 28 different languages. The marketing budget for this campaign is approximately \$2.4 million in FY2020. However, the ad campaign had to be paused in light of the COVID-19 pandemic.

We also introduced several new innovations to further broaden the card's accessibility. This past year, we rolled out a third gender "X" option, allowing trans, gender non-conforming, and non-binary New Yorkers to affirmatively select a gender outside of the binary "male" and "female" categories. We announced that IDNYC would become the first local government-issued ID card ever to feature Braille, to help IDNYC cardholders who are blind or have low vision and read Braille to identify and utilize the card. And we created a new IDNYC card for certain middle schoolers to use as their school ID.

On March 19, all permanent enrollment center operations ceased. New applicants cannot apply for IDNYC at this time. However, current cardholders can still renew their IDNYC or at least begin part of the renewal process online.

NYC Care

In furtherance of our goal of advancing greater health equity for immigrant New Yorkers, MOIA has worked in collaboration with H+H to conduct outreach on one of the City's latest initiatives promoting equity, NYC Care. There are approximately 600,000 uninsured individuals in New York City, we estimate approximately 300,000 of them are ineligible for insurance because of their immigration status or ability to pay.

To begin to address this gap, the City launched NYC Care in August 2019 in the Bronx to ensure that uninsured New Yorkers have access to quality and affordable health care regardless of immigration status or ability to pay. NYC Care guarantees low- and no-cost services to New Yorkers who do not qualify for or cannot afford health insurance through NYC Health + Hospitals. The program provides New Yorkers with affordable access to a primary care provider, specialty care, prescriptions, and a 24-hour customer service helpline.

MOIA has partnered with H+H to lead a group of trusted community organizations in community outreach. NYC Care's budget includes \$1.5 million for outreach in the Bronx, Brooklyn, and Staten Island. As of December 31, 2019, NYC Care outreach partners reached more than 22,000 unique community members and enrolled approximately 10,000 New Yorkers in the Bronx.

NYC Care outreach is currently on pause while H+H operationalizes tele-health in place of in-person appointments. Our outreach partners have shifted to COVID-19 response, including calling existing clients to conduct need assessments, operating food pantries and enrolling families in benefits, and hosting live digital events.

Know Your Rights Forums

Know Your Rights ("KYR") Forums are a crucial part of MOIA's work to ensure that all immigrant New Yorkers understand their rights and protections under the law, and are empowered to fully participate in civic life, despite the ever-changing federal landscape.

Over the past year, MOIA conducted 1,060 forums and engaged 23,764 New Yorkers in 15 different languages. These forums emphasized City resources, new state policies, local workers' rights, proposed federal government changes to various immigration laws, and immigration legal services.

Since March 16, our Know Your Rights forums have been held telephonically and digitally. We have adjusted our programming to engage hard to reach communities by conducting presentations over broadcast radio, one on one presentations over the phone or WhatsApp, and by holding late night zoom presentations for parents, after children have gone to sleep.

The KYR Program is specifically funded to work with CBO partners in delivering these KYR forums. In 2019, the KYR program held 385 events and served 8,613 people. Our KYR program spent an additional \$12,000 to purchase devices and technological upgrades to adjust programming due to the pandemic.

We Speak NYC

English language proficiency opens doors to accessing better education and employment opportunities. Thus, ensuring that LEP New Yorkers have access to free, quality English learning programs is an issue of equity. This year, we have continued to support LEP New Yorkers through our free English language learning program, We Speak NYC.

In Fiscal Year 2020, the City invested \$584,606 in We Speak NYC. We Speak NYC organized 277 classes, engaged 5,540 English language learners, and trained 240 new volunteer facilitators in 2019, expanding our reach for another year in a row.

We are proud to say that this past year We Speak NYC also won its third Emmy Award in the Instructional Informational Programming category with Rolando's Rights, an episode featuring the importance of worker's rights. This year We Speak NYC also launched a new pilot program, We Speak, We LEAD with new Women New Yorkers. The program, which is now offered remotely with weekly online classes, is meant to provide career and professional development to a cohort of immigrant women.

Since March, We Speak programming has transitioned to a remote model, offering online conversation classes. We Speak is also partnering with the DOE on a workshop for parent coordinators sharing We Speak resources and educational content to support immigrant families. The program also released and has been promoting two unique videos, in partnerships with Census2020 and CUNY, which are designed to inform immigrant New Yorkers who speak limited English of the importance of the census and to address critical questions around privacy and immigration status, so as to encourage participation.

Due Process/Legal Services

Access to justice has become increasingly important as immigration enforcement has become progressively ruthless and ever-changing policies and rules continue to add complexity to an

already complicated area of law. The cumulative effect of these policies serves to drive up the cost and complexity of legal representation for immigrants. Unlike in the criminal context, those in removal proceedings or applying for immigration status are not guaranteed a lawyer. Inadequate access to legal services can put our community members at risk of falling victim to immigration fraud, losing their status, or unjust deportation and family separation. I am tremendously proud of the unprecedented \$50 million investment the Administration and Council have made in legal services in recent years and the innovative approaches we have developed with legal service providers and community partners to connect community members to the legal help they need.

MOIA works in partnership with HRA's Office of Civil Justice to identify legal service needs of New York City immigrants and to advise on programs and services that meet these needs. MOIA also manages a number of the City's key immigration legal services programs, namely ActionNYC and the Rapid Response Legal Collaborative. In 2019, these legal services programs provided immigration eligibility screenings to 13,175 individuals, screening 25% more individuals than the year prior.

ActionNYC

Since 2017, ActionNYC has seen a steady rise in demand for immigration legal services, ranging from brief assistance to full representation. In particular, the ActionNYC hotline, operated by Catholic Charities, has been a crucial resource for immigrant New Yorkers concerned about different developments, from public charge to raids. In 2019, the ActionNYC hotline received over 22,000 calls from individuals seeking immigration legal help. The hotline received approximately 1,800 calls per month and upwards of 2,300 calls during peak months. ActionNYC provided services at 21 CBOs, 3 NYC H+H sites, and rotation of 49 DOE schools and for long term, post-acute care H+H patients. Additionally, in an effort to reach vulnerable student populations, ActionNYC in Schools brought immigration legal services to two Women in Need shelters in Brooklyn.

In total, ActionNYC providers conducted over 11,721 comprehensive immigration legal screenings, an increase of about 20% compared to 2018, and opened over 7,607 new cases, an increase of about 11% compared to 2018. Of cases in which immigration authorities rendered decisions in 2019, 97% were approved.

ActionNYC received \$8,450,390 in funding in FY2020. This includes the program's legal fellowship and the hotline expansion.

In light of the ongoing pandemic, ActionNYC has transitioned to phone screenings instead of in-person screenings. This transition cost our program an additional \$82,823. Since March 16, ActionNYC has had 1,325 initial telephonic screenings. Our ActionNYC hotline is equipped to provide callers with the latest COVID-19 information and updates. The hotline has received 2,355 calls since March 16.

Rapid Response Legal Collaborative

In September of 2019, MOIA together with New York State's Office of New Americans announced a \$1 million investment in Rapid Response legal services for immigrants facing imminent deportation. The investment supports the work of the new Rapid Response Legal Collaborative ("RRLC"), a coalition of immigration legal service providers who provide legal assistance to those detained or at imminent risk of detention and deportation, who may not have the right to see an immigrant judge or are otherwise facing a fast-track to removal. The investment complements and fills an existing gap in available immigration legal services related to such rapid response needs.

As a result of this funding, the Collaborative also developed a raid intake tool as well as a community resource for loved ones to use in the aftermath of Immigration Customs Enforcement ("ICE") raids. The resource has been translated into 10 languages and is available digitally.

MOIA's Advocacy Work

At every level of government, MOIA advocates for immigrant rights. Our plans to rebuild after this disaster must include immigrants. During this crisis, MOIA has advocated for just and humane immigration policies in accordance with public health best practices.

Predictably, but also tragically, the public charge rule continues to sow confusion in our immigrant communities and has deterred people from seeking the care and help they need and are eligible for during a pandemic. In March, MOIA, DOHMH, H+H, and DSS sent a letter to the Secretary of the Department of Homeland Security ("DHS") urging a halt on implementing the public charge rule during this crisis. We also worked with the City Law Department in the City's lawsuit challenging the DHS public charge rule to provide factual support for a pending motion to suspend implementation of the rule for the duration of this public health crisis. This motion is pending before the district court and was argued on May 18.

In addition, as COVID-19 spreads in immigration detention centers, we have raised concerns to the federal government about the extreme risk of infection and even death borne by detained adult and children as well as the staff who work in these centers. In March, MOIA and DOHMH sent a letter to the U.S. Department of Justice ("DOJ") and DHS calling for immediate changes to allow for compliance with public health guidelines, including closing immigration courts and decreasing the number of people in ICE custody.⁷ We sent an additional letter to ICE in April, elevating the issue that DHS closed the only ICE bond office in NYC, but continues to require individuals to post bond for their detained loved ones in person, creating an almost impossible barrier that unnecessarily and dangerously prolongs detention.⁸

⁷ See Hamed Aleaziz, *Immigration Judges Have Started Postponing Asylum Cases in Response to Coronavirus Fears*, BuzzFeed (March 20, 2020), available at: <https://www.buzzfeednews.com/article/hamedaleaziz/immigration-judges-coronavirus-postpone-asylum-cases>

⁸ See Katz, Matt, *ICE's "Mind-Blowing" Barriers to Posting Bond Keep Immigrants Locked Inside Coronavirus Hot Spots*, Gothamist (April 24, 2020), available at: <https://gothamist.com/news/ices-mind-blowing-barriers-to-posting-bond-keep-immigrants-locked-inside-coronavirus-hot-spots>

Finally, a decision from the U.S. Supreme Court on the future of DACA is expected sometime in June. The City along with other cities and counties across the country submitted an amicus brief to the Supreme Court advocating for the continuation of the DACA program. And I joined Dreamers and advocates inside the Supreme Court on November 12, 2019 during oral arguments on the case. We continue to elevate the importance and value of Dreamers to our City, recognizing how many Dreamers are essential workers during the pandemic. In April, Los Angeles Mayor Garcetti sent a letter signed by Mayor de Blasio and over fifty other mayors highlighting the role of DACA recipients during the pandemic, urging against the program's end and for automatic extension of work authorization during this time.

Vision for Recovery

The COVID-19 crisis has served to remind us that immigrants are the backbone of New York City and must be intentionally integrated into our recovery plan. Immigrant workers are at the forefront of the fight against COVID-19. Immigrants are also business owners. In fact, immigrants own over half of New York City's businesses and contributes to about quarter of the City's total GDP.⁹ Without addressing systematic exclusion of immigrants from social safety net, worker protection, and public benefits, equitable recovery from this crisis is not possible. We must use this opportunity to help all New Yorkers grow stronger together.

We continue to exist in a toxic anti-immigrant political climate. The U.S. Supreme Court's pending decision on DACA still looms over Dreamers. We continue our fight against the public charge rule, we support the effort to ensure our communities are counted in the 2020 Census, and we still push back against ICE's overbroad enforcement and retaliation against "sanctuary cities."

As COVID-19 cases slow down and the possibility of reopening increasingly becomes a reality, we believe our re-opening and recovery must recognize and address the economic injustices at the root of these racialized disparities. We must ensure access to healthcare and worker protections for all. We must support our immigrant-owned small businesses, who were disproportionately shut out from federal relief loans. We must continue to improve language access across this city. And we must protect immigrant families from eviction and homelessness.

We believe that we can recover as a city that is better and more just for all.

Conclusion

As I conclude, I want to thank the many community partners and the Council for its work to support immigrant New Yorkers. Without this shared commitment across the city, we would be unable to reach the millions of immigrants who call New York City their home.

⁹ *State of Our Immigrant City: MOIA Annual Report for Calendar Year 2019*, NYC Mayor's Office of Immigrant Affairs (2020), available at: <https://www1.nyc.gov/assets/immigrants/downloads/pdf/MOIA-Annual-Report-for-2019.pdf>



Mayor's Office of
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Thank you to the Chairs and to the Committees for this chance to testify. I look forward to answering any questions you have.