



## #NYUnited *(Updated April 24, 2020)*

Now, more than ever, New Yorkers must stand united against fear and xenophobia, and our elected officials must stand ready to ensure every New Yorker across the state can access the essential services they need to keep their families safe and secure, regardless of legal status.

The New York Immigration Coalition, and our members, partners, and allies, call on all levels of government to immediately enact these common-sense measures to ensure immigrants across the state can remain safe and healthy.

### We call on the Federal government to immediately:

- **Provide free COVID-19 testing, treatment, and services for all people**, regardless of immigration status. Ensure that during this public health emergency testing and treatment of health conditions is provided by federal Medicaid for all who need it, regardless of their immigration status.
- **Automatically extend expiring statuses, work authorizations, grants of deferred action, and exercises of prosecutorial discretion** for immigrants during the coronavirus emergency for the same time period as was previously authorized.
- **Ensure all persons who file taxes with an individual taxpayer number (ITIN) will qualify for any direct cash assistance**, covering all families who have contributed to the economy and are also devastated by this economic downturn.
- **Suspend the recent DHS and DOS public charge rules indefinitely.**
- **Suspend all immigration enforcement activities and operations.**
  - Suspending all deportations, all immigration arrests, including at-large arrests and planned raids, and instructing all local law enforcement, particularly in 287(g) jurisdictions, to cease immigration enforcement.
  - Guaranteeing no enforcement activities at medical facilities, shelters, clinics, schools, campuses, courthouses, places of worship, or other sensitive locations.
  - Releasing as many detained people as possible on recognizance/parole and/or into community-based alternatives, and barring the use of solitary confinement or lockdowns. Release all detainees from civil ICE detention.
  - Providing resources for virtual or telephonic ICE check-ins and/or automatically postpone ICE check-ins for the next six months, and extending for a minimum of six months any filing deadlines including for requests for evidence, Notices of Intent to Deny, appeals, and reconsiderations. Extend all grants of deferred action and VAWA prima facie determinations by at least three months beyond the end of the health emergency.
  - Ensuring legal service providers are able to remotely access and represent individuals in all detention centers where people continue to be held in ICE custody.
- **Protect immigrants and due process in immigration court and at USCIS by:**

- Cancelling all non-detained master calendar hearings, allowing representatives to appear telephonically on detained cases and canceling all detained juvenile hearings.
- Creating an automatic extension of all filing deadlines for a minimum of six (6) months after the immigration courts resume normal operations and automatically extending the validity of all documents submitted on or after February 15th, 2020 for a minimum of six (6) months after the immigration courts and USCIS resume normal operations.
- Creating a presumption that anyone subject to the one-year filing deadline for asylum who was unable to comply between March 1, 2020, and six months after the reopening of the Immigration Court for all proceedings has met the criteria for exceptional circumstances exceptions under INA § 208(a)(2)(D).
- **Provide \$262 Million in emergency supplemental Title III funding to deliver** social-emotional and robust additional academic supports to English Learners, along with supplemental Adult Literacy funding specifically focused on addressing the gap in digital literacy, English language proficiency, and systems navigation skills between immigrant parents and others.
- **Pass the “Resilient Elections During Quarantines and Natural Disasters Act of 2020”** to ensure all eligible New Yorkers can exercise their right to vote even in a state of emergency without risking their or others’ health.
- **Provide relief to all workers**, including independent contractors, food and service industry workers, domestic workers such as housekeepers, farmworkers, and others who may not qualify for unemployment or paid leave as currently defined.
- **Include \$3.2 billion for federally qualified health centers** as the first-line providers of care to immigrant and low-income communities. Providing \$100 million for the Centers for Disease Control and Prevention (CDC) to provide language access and public outreach on coronavirus preparedness, response, and recovery to hard-to-reach populations.

We call on New York State to immediately:

- **Ensure immigrant New Yorkers are able to effectively access care for COVID-19.**
  - Ensuring testing and treatment is free to the public (including undocumented immigrants). Guidance should specifically prohibit eligibility questions and/or other requirements to access relief or emergency social services and support.
  - Immediately end all proposals to cut the State’s Medicaid program and instead pass Coverage4All to ensure every New Yorker has access to ongoing, adequate health care, including prevention, testing, and behavioral health services, regardless of immigration status.
- **Ensure constant and effective communication aimed at immigrant communities include welcoming messages for all New Yorkers to seek the care they need**, regardless of immigration status, insurance coverage, or income:
  - Opening multilingual novel coronavirus hotline through ONA to manage questions and concerns.
  - Supporting New York’s diverse Limited English Proficiency population by improving language access services state-wide by both expanding and codifying the existing Statewide Language Access Policy, Executive Order No. 26.

- Conducting statewide outreach to combat xenophobia and racism resulting from the fear-mongering of the federal administration and others, and ensuring that victims of hate crimes can access the New York State Hate Crimes Task Force.
- **Ensure all eligible New Yorkers can exercise their right to vote even in a state of emergency** by ensuring all New Yorkers have access to an absentee ballot.
- **Invest \$25 million dollars in immigration legal services funding.**
  - Ensure immigration attorneys are able to represent immigrants who continue to be subject to cruel federal immigration enforcement.
- **Support immigrant businesses, institutions & employees by:**
  - Passing paid sick leave legislation that covers immigrant workers, such as domestic workers, and irregular or gig workers.
  - Providing a moratorium on state tax collection, providing grants and no-interest loans to small businesses (less than 25 employees), and relaxing documentation requirements and ensuring language assistance is provided.
  - Paying out state contracts to ensure employment rates do not drop nor that businesses or nonprofits shutter.
- **Support New York parents and at-home students' success by:**
  - Honoring all current contracts with Adult Literacy Education providers and increasing funding moving forward.
  - Expanding funding for our schools so school districts can equitably and effectively respond to the crisis and avoid devastating cuts to their budgets.
- **Protect the health and safety of immigrants in the criminal legal system by:**
  - Passing the Protect Our Courts Act to ensure no ICE enforcement at sensitive locations.
  - Declaring a moratorium on arrests of individuals for low level offenses.
  - Releasing pre-trial detained individuals, low-level inmates and those over the age of 55 years old.
  - Educating incarcerated people, staff, and visitors on the COVID-19 so they can understand the risks, protect themselves, and measures they should be taking to minimize risk of contracting and spreading the virus.
  - Creating plans for housing incarcerated people exposed to or infected with the virus, and ensure that any plans for lockdowns or isolation should be limited in scope and duration, and based on the best science available.
- **Support individuals who will be negatively financially impacted** (specifically because they do not qualify for paid sick leave, work in negatively impacted areas, are not able to work from home, do not have childcare, etc), by:
  - Halting non essential court proceedings (in family, housing, criminal, courts, etc.). For essential court proceedings, in particular for people who are in jail or for whom some other immediate liberty is at stake, respondent/defendant appearances should be waived at the attorney's request and motions for phone or video appearances and electronic filings should be granted in order for the case to progress.
  - Suspending mortgage, rent, and utility payments.
  - Suspending evictions and utility revocations.
  - Instituting an immediate moratorium on debt collection in the state.

- Creating an emergency financial relief fund for individuals who do not qualify for unemployment benefits, paid family leave, and other benefits because of immigration or employment status.
- **Support New York's diverse non-profit business sector** by coordinating a centralized response to all contracted nonprofits, committing to paying budgeted contract levels through FY21, and streamlining the process and templates to change scopes of work.

We call on New York City to immediately:

- **Create an emergency cash assistance fund for those New Yorkers cruelly left out of the federal relief packages**, including direct cash payments and help for small businesses.
- **Restore and baseline \$12 million for Adult Literacy Funding** to address the immense, inequitable gap in digital literacy, systems navigation skills and access to information in English between immigrant parents and many other New Yorkers, which is preventing immigrant children from accessing remote learning.
- **Renew \$58.2 million in funding for immigration legal services** to ensure continuity of services and to help defend immigrants against the aggressive, anti-immigrant policies from Washington that continue even during this pandemic.
- **Restore \$2.5 million in funding for Access Health NYC** so that CBOs and community health centers on the front lines of pandemic response can educate the communities suffering the highest death rates from COVID-19 about health access, coverage, and rights.
- **Allocate \$2.25 million to support a Community Legal Interpreter Bank (CLIB)**, to expand language access and increase the supply of trained, vetted immigration legal interpreters to be provided to community-based nonprofit organizations.
- **Expand New York City paid sick leave law** from the current mandatory five days to fourteen, and ensure that paid sick leave coverage extends to non profit employers whose contracts do not allow wage adjustment (i.e. paying one staff for PTO and paying another staff to cover their shift, and allowing preventative isolation to be considered as paid sick leave).
- **Health Care Equity and Access**
  - **Conduct rigorous oversight of hospitals' patient protection policies** related to immigration enforcement, with a focus on private hospitals. The City Council should use its oversight authority to ensure providers, including private hospitals, create protective and welcoming environments for immigrant patients.
  - **Allocate \$13 million to make the Connections to Care pilot a permanent program** and expand it to more immigrant-serving and immigrant-led CBOs so they can offer mental health services through co-location, staff training and technical assistance. The health and economic toll of the COVID-19 pandemic has compounded federal anti-immigrant policies, causing a sustained increase in anxiety and stress linked to fear and uncertainty.
  - **Create an Office of the Patient Advocate** (Intro 1674). The COVID-19 pandemic has revealed the fragmentation of our city's health care system and the importance of a central entity to collect patient concerns and monitor emerging themes. The Office of the Patient Advocate would provide important

centralized perspective and data on language access that disproportionately affect the immigrant communities hit hardest by COVID-19.

- **Expand voting rights in local NYC elections** to green card holders and those authorized to work in the United States, as long as they have been a resident of New York City for at least 30 days and are otherwise qualified to register and vote under New York State election law. One in five essential workers on the frontlines of the COVID-19 pandemic are noncitizens, and are therefore ineligible to vote. Everyday these frontline workers are risking their lives to keep our city functioning, but are denied basic voting rights.
- **Support critical immigrant-serving nonprofit agencies on the front lines** by ensuring all city agencies commit to paying budgeted contract levels through FY21, declare new guidance supersedes previous inflexible guidance, streamline the process and templates to change scopes of work, and creating an emergency fund to cover increased costs of keeping programs open or serving communities
- **Expand access to food vendor licenses** in order to create economic opportunity and help for small business development (Intro 1116).
- **Increase the funding for the NYC Council's Worker Cooperative Business Development Initiative by \$750,000** to enable immigrant community-based organizations to develop and launch three language services worker-owned cooperatives for those who speak Languages of Limited Diffusion (LLD) to ensure that in times of crisis our immigrant communities have access to services and information in a language they understand and prefer.