

THE COUNCIL OF THE CITY OF NEW YORK

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Report to the Committee on Finance and the Committee on Immigration on the Fiscal 2018 Executive Budget for Mayor's Office of Immigrant Affairs May 11, 2017

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Executive Budget Summary

- **Expense Budget Overview.** The Mayor's Office of Immigrant Affairs' (MOIA) Fiscal 2018 Executive Budget totals \$762,025; roughly \$1,167 less than MOIA's Fiscal 2017 Adopted Budget of \$763,192. The personal services (PS) budget totals \$759,025 and the other than personal services (OTPS) budget totals \$3,000.
 - MOIA's total headcount for Fiscal 2018 is 23 positions, consisting of seven positions at the Human Resource Administration (HRA), seven positions at MOIA, and nine positions at the Department of Youth and Community Development (DYCD).
- **Executive Budget Changes**
 - New needs total \$176,000 in Fiscal 2017 and \$18.1 million and a headcount increase of seven positions in Fiscal 2018 and in the outyears for legal defense for immigrants and expansion of Action NYC.
- **Major Agency Issues**
 - **Increased Funding for Immigrant Services.** In the Preliminary Budget Response, the Council called for a comprehensive package of services for the immigrant population. The Fiscal 2018 Executive Budget includes baselined funding of \$18.1 million for legal defense for immigrants. (see page 3 for more details)
 - **Items not included in the Executive Budget.** In the Preliminary Budget Response, the Council called for the Administration to include funding for a number of vital immigrant services in the Fiscal 2018 Executive Budget. The following items are not included:
 - \$1.9 million to Establish Family Resource Centers for Immigrants;
 - \$1.4 million to Launch a Citywide Know Your Rights (KYR) Campaign;
 - \$12 million to baseline Adult Literacy; and
 - \$2 million to baseline CUNY Citizenship Now.

Immigrant Services Overview

This report presents a review of the Mayor's Office of Immigrant Affairs' (MOIA) Fiscal 2018 Executive Budget. The section below also presents an overview of the Human Resources Administration (HRA) and the Department of Youth and Community Development's (DYCD) budget for immigrant services. This report will also present how the budget for immigrant services has changed during the course of Fiscal 2017, followed by a review of the significant budget actions introduced in the Fiscal 2018 Executive Budget. Major issues related to the Agency's budget are then discussed, followed by an overview of Council initiatives. For additional information on immigrant services budget and its various programs, please refer to the Fiscal 2018 Preliminary Budget Report at: <http://council.nyc.gov/budget/wp-content/uploads/sites/54/2017/03/002-MOIA.pdf>

| Funding for Immigrant Services by Agency | | | | | | |
|---|-----------------|-----------------|-----------------|-----------------|-----------------|----------------|
| <i>Dollars in Thousands</i> | | | | | | |
| Agency | 2015 | 2016 | 2017 | Executive Plan | | *Difference |
| | Actual | Actual | Adopted | 2017 | 2018 | 2017 - 2018 |
| MOIA | \$861 | \$1,170 | \$763 | \$763 | \$762 | (\$1) |
| HRA | 19,639 | 24,530 | 21,582 | 21,482 | 38,931 | 17,349 |
| DYCD | 5,849 | 6,023 | 15,531 | 9,531 | 7,844 | (7,687) |
| TOTAL | \$26,349 | \$31,723 | \$37,977 | \$31,777 | \$47,537 | \$9,661 |

**The difference of Fiscal 2017 Adopted Budget compared to Fiscal 2018 Executive Budget.*

The City’s Fiscal 2018 Executive Budget totals \$84.9 billion, \$2.8 billion more than the Fiscal 2017 Adopted Budget of \$82.1 billion. City funds (City tax-levy and non-tax revenues) total \$61.1 billion when compared to the Fiscal 2017 Adopted Budget amount of \$59.3 billion.

The Fiscal 2018 Executive Budget totals \$47.5 million (including City and non-City funds) for key immigrant services provided by several initiatives and agencies; this represents approximately less than one percent of the City’s total Budget. Funding for immigrant services shows an increase of \$9.7 million when compared to the Fiscal 2017 Adopted Budget of \$38 million. This overview does not include all services tailored to immigrant New Yorkers, but focuses on major initiatives of this Administration.

- **Mayor’s Office of Immigrant Affairs (MOIA).** The Fiscal 2018 Executive Budget includes \$762,000 for MOIA, a decrease of \$1,167, or less than one percent, when compared to the Fiscal 2017 Adopted Budget of \$763,000.
- **Human Resources Administration (HRA).** The Fiscal 2018 Executive Budget includes \$39 million for immigrant services within HRA, an increase of \$17.3 million, or 80 percent, when compared to the Fiscal 2017 Adopted Budget of \$21.6 million. This increase is largely due to including funding for legal defense for immigrants. (see below for more details)
- **Department of Youth and Community Development (DYCD).** The Fiscal 2018 Executive Budget includes \$7.8 million for immigrant services within DYCD, a decrease of \$7.7 million, or 50 percent, when compared to the Fiscal 2017 Adopted Budget of \$15.5 million. This decrease is largely due to recognizing that the \$6 million investment in Adult Literacy in the Fiscal 2017 Adopted Budget was not included in the Fiscal 2018 Executive Budget.

New in the Executive Budget

The following are major financial plan actions in the Fiscal 2018 Executive Plan for immigrant services:

- **Legal Defense for Immigrants and Expansion of Action NYC.** A total of \$18.1 million in 2018 and in the outyears will support legal defense for immigrants and expansion of Action NYC. Funding of \$16 million will support a new initiative to provide legal counsel for eligible immigrants facing deportation, including unaccompanied children and those seeking asylum; \$1.5 million will support the expansion of Action NYC; and \$616,100 will bring on seven new staff members for the Mayor’s Office of Immigrant Affairs (MOIA). The chart below shows the funding breakdown from year to year.

| Legal Defense Funding for by Agency | | | | | |
|--|--------------------|--------------------|--------------------|--------------------|--------------------|
| <i>Dollars in Thousands</i> | | | | | |
| Agency | Fiscal 2017 | Fiscal 2018 | Fiscal 2019 | Fiscal 2020 | Fiscal 2021 |
| HRA | \$0 | \$215 | \$215 | \$215 | \$215 |
| HRA | 176 | 17,318 | 17,318 | 17,318 | 17,318 |
| MOIA | 0 | 616 | 616 | 616 | 616 |
| Total | \$176 | \$18,149 | \$18,149 | \$18,149 | \$18,149 |

Immigrant Services Budget Issues

The following section provides issues and concerns as it pertains to immigrant services for New Yorkers.

Executive Budget Concerns

While the Administration included funding for legal services for immigrants in the Fiscal 2018 Executive Budget in response to the Council’s Preliminary Budget Response, there are some issues and concerns regarding the \$18.1 million that was added for legal defense for immigrants. With little details regarding the implementation or procurement in relation to this announcement, it is not clear how much of the investment in legal defense will support legal counsel for immigrants facing deportation, unaccompanied children, and those seeking asylum.

Preliminary Budget Response

The Council’s response to the Mayor’s Fiscal 2018 Preliminary Budget Response included numerous recommendations for immigrant services, which included institutionalizing the New York Immigrant Family Unity Project, bolstering vital services for vulnerable immigrants, establishing family resource centers for immigrants, launching a citywide Know Your Rights (KYR) campaign, and baselining numerous City priorities.

- **Institutionalize New York Immigrant Family Unity Project (NYIFUP).** The Council launched NYIFUP as a pilot in Fiscal 2014. It is the nation’s first program that guarantees legal representation to low-income immigrants facing deportation. In Fiscal 2017, the Council supported NYIFUP with \$6.5 million and to date, NYIFUP has provided complex, high-quality legal services for more than 1,450 immigrants. With heavy recent intake, and considering the Trump Administration’s goals of increased detention and deportation that could possibly result in even higher docket numbers at Varick Street, the Council identified this program as a critical need. In the Fiscal 2018 Preliminary Budget Response, the Council called for the Administration to baselined \$6.5 million, and add an additional \$5.5 million for a total of \$12 million in funding for NYIFUP to continue defending the City’s immigrant families in deportation proceedings.

The Fiscal 2018 Executive Budget partially answered this call by adding \$18.1 million in the Fiscal 2018 Executive Budget for legal defense for immigrants and expansion of Action NYC. However, there are concerns from the advocates and the Council due to lack of information and details regarding how much of the \$18.1 million will be allocated towards NYIFUP. (see page 3 for more details)

- **Bolster Vital Services for Vulnerable Immigrants.** In its Preliminary Budget Response, the Council called for the Administration to bolster vital services for vulnerable immigrants by \$10 million. The three components to this request were as follows: (a) increase legal services for immigrants, including investment in complex-case representation; (b) extend services to

unpresented immigrant populations; and (c) support access to healthcare for immigrants. The Council recommended that the funding for increasing legal services should go towards increasing legal services by \$6 million; \$1 million to support underserved immigrant populations; \$2 million to address health disparities in the immigrant community; and \$1 million for a rapid response team, to address the federal government's threats of ICE enforcement. In the Fiscal 2018 Executive Budget, the Administration partially answered this call by adding \$18.1 million in HRA's budget for legal defense for immigrants and expansion of Action NYC.

- **Establish Family Resource Centers for Immigrants.** The Fiscal 2018 Preliminary Budget Response urged the Administration to include \$1.9 million for 25 positions at MOIA to establish and oversee immigrant resource centers in all five boroughs. Types of services the Council called for were as follows: case management services for families of individuals who have been detained or deported; referrals to social, health, and legal services; and outreach work. The Fiscal 2018 Executive Budget does not include funding in MOIA's budget for family resource centers.
- **Launch a Citywide Know Your Rights (KYR) Campaign.** The Council called upon the Administration to add \$1.4 million to launch a citywide KYR campaign, and coordinate services for KYR in each borough. The trainings and workshop topics suggested include the following: rights to healthcare; what to do if you're stopped by the police or immigration agents; and how to navigate the school system. The Fiscal 2018 Executive Budget does not include funding for this campaign.
- **Baseline City Priorities.** The Council also urged the City to baseline a number of immigrant services in the Fiscal 2018 Budget and beyond. This includes the following:
 - Adult Literacy at \$12 million;
 - Complex Legal Cases at \$2.7 million;
 - CUNY Citizenship Now at \$2 million;
 - NYIFUP at \$6.5 million; and
 - Unaccompanied Minors and Families at \$1.5 million.

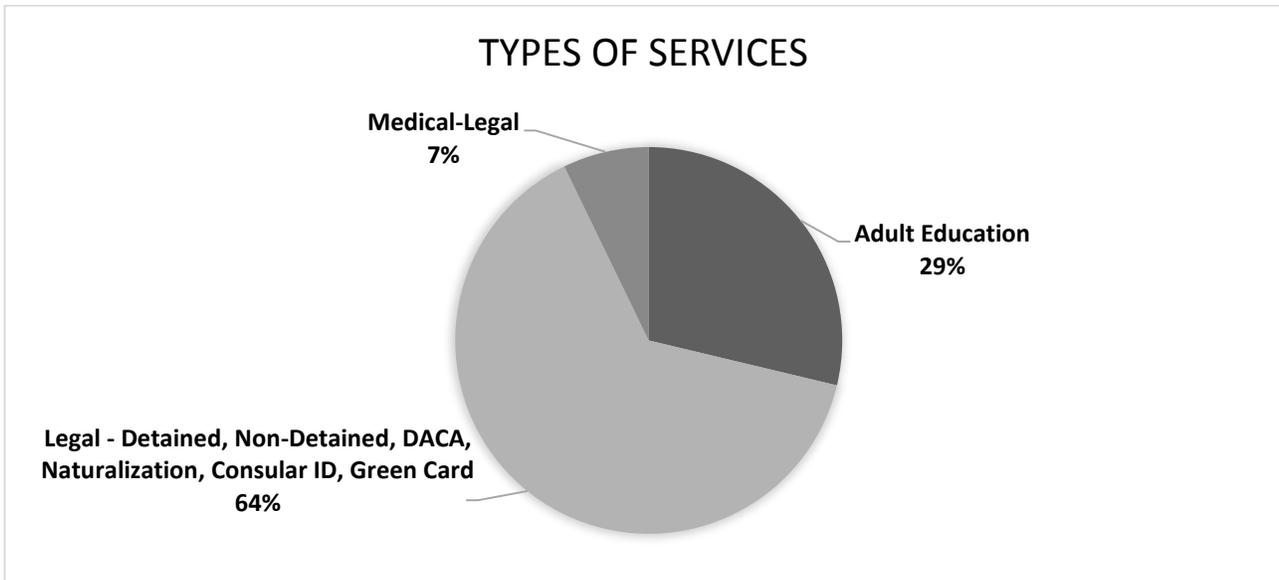
Preliminary Budget Highlights

The Fiscal 2018 Executive Budget also entails changes made in the Preliminary Budget. Below are some of the key highlights related to immigrant services in the Fiscal 2018 Preliminary Budget:

- **ActionNYC.** The Fiscal 2018 Preliminary Plan included baseline funding of \$1.1 million starting in Fiscal 2018 for Action NYC. The increase in funding is to serve more people at NYC Health + Hospital sites for medical legal services. According to the Administration, this expansion is planned to cover three Health + Hospital facilities in Queens, South Bronx, and Manhattan.
- **Immigration and Human Rights Hotline Call Takers.** The Fiscal 2018 Preliminary Plan included \$350,000 in Fiscal 2017 and \$400,000 and eight positions in Fiscal 2018 and in the outyears for the Immigration and Human Rights hotline at the New York City Commission on Human Rights (CCHR).

Council Initiatives

For Fiscal 2017, the City Council included \$20.9 million for immigrant services that reflect the Council’s continued commitment to ensuring that immigrant New Yorkers have access to legal assistance, educational services, and other vital services. Funding for Fiscal 2017 increased by \$6.8 million, or 48 percent, when compared to Fiscal 2016. Funding for the Adult Literacy Initiative more than tripled and increased by \$4.6 million, or 335 percent, when compared to Fiscal 2016 funding of \$1.4 million. The chart below shows Council’s immigrant services funding breakdown: seven percent for medical-legal service; 29 percent for adult education; and 64 percent for legal representation and related services.



Significant changes since the Fiscal 2018 Preliminary Budget Hearing include designation of an additional \$105,000 towards NYIFUP to support the growing number of cases and intakes. Since Election Day, many of the legal service providers through Council’s initiatives expressed critical funding needs to address an increase in need for legal representation and Know Your Rights (KYR) training workshops for immigrant communities throughout the City. The critical needs that were identified are the following initiatives: NYIFUP, CUNY Citizenship Now, Immigrant Opportunities Initiative, Key to the City, and Unaccompanied Minors and Families. Additionally, there is also a growing need to address the gap in medical access in the immigrant community.

| FY 2017 Council Initiatives | | | | |
|-----------------------------|---|-----------------|-----------------|----------------|
| <i>Dollars in Thousands</i> | | | | |
| Agency | Initiative | FY16 | FY17 | Difference |
| DYCD | Adult Literacy Initiative | \$1,380 | \$6,000 | \$4,620 |
| CUNY | CUNY Citizenship NOW! Expansion | 1,000 | 2,000 | 1,000 |
| DOHMH | Immigrant Health Initiative | 1,500 | 1,500 | 0 |
| DYCD | Immigrant Opportunities Initiative | 3,300 | 2,600 | (700) |
| HRA | New York Immigrant Family Unity Project | 5,230 | 6,582 | 1,352 |
| DYCD | Key to the City | 200 | 700 | 500 |
| HRA | Unaccompanied Minors and Families | 1,500 | 1,500 | 0 |
| TOTAL | | \$14,110 | \$20,882 | \$6,772 |

- **Adult Literacy Initiative.** In partnership with the Administration, the Council allocated \$12 million in total funding in Fiscal 2017 to expand adult literacy services for adults who cannot read, write or speak English. Programs include Basic Education in the Native Language (BENL), English for Speakers of Other Language (ESOL), Adult Basic Education (ABE), and High School Equivalency (HSE) preparation. Funds also support services such as counseling and case management. The Council designated \$6 million to expand adult literacy class seats, have community schools provide adult literacy programs, and support the development and production of video materials to help immigrants improve their English while learning about key city services.
- **CUNY Citizenship Now!** The \$2 million allocation supports the expansion of the CUNY Citizenship Now! program, which provides free immigration law services to assist immigrants on their path to U.S. citizenship. CUNY Citizenship Now! attorneys and paralegals assist more than 10,000 individuals each year at CUNY sites and more than 2,100 at community-based events. The services are also provided in more than 30 New York City Council Member district offices.
- **Immigrant Health Initiative.** The Immigrant Health Initiative focuses on decreasing health disparities among foreign born New Yorkers by focusing on the following three goals: improving access to health care; addressing cultural and language barriers; and targeting resources and interventions. Launched in Fiscal 2016, this initiative has helped undocumented New Yorkers across the City with access to health care and legal access.
- **Immigrant Opportunities Initiative (IOI).** The Council allocated \$2.6 million in Fiscal 2017 for the Immigrant Opportunities Initiative. First funded in Fiscal 2002, this initiative assists immigrant adults in gaining access to critical information and resources, in addition to strengthening their participation in the democratic process. Specifically, this initiative provides funding for legal services for recent immigrants to assist with applications for citizenship or permanent residency, and various other immigrant related legal services.
- **New York Immigrant Family Unity Project (NYIFUP).** First funded in Fiscal 2014 as a pilot program, the \$6.6 million allocation supports the New York Immigrant Family Unity Project (NYIFUP). The nation's first government-funded 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.
- **Key to the City.** The Council designated \$700,000 in Fiscal 2017, up from \$200,00 in Fiscal 2016, to expand New York Immigration Coalition's consulate identification services to help immigrants overcome barriers to school enrollments, financial institutions, higher education, and public safety; financial empowerment and access to sound financial services and college readiness workshops, immigration legal screenings, and other programs as determined by demand. The increased investment in Fiscal 2017 helped fund more Key to the City Initiative events with full immigration legal clinics at every event in partnership with New York Legal Assistance Group, and a new financial literacy component in partnership with Qualitas of Life Foundation. Since 2011, this initiative has served over 28,000 New Yorkers from nearly 64 countries, providing more than 17,000 with identify documents, and provided thousands with immigration legal assistance.

- **Unaccompanied Minors and Families.** The \$1.5 million in funding supports the Immigrant Children Advocates Relief Effort (ICARE) initiative, which focuses primarily on increasing access to counsel for children in removal proceedings. The organizations provide direct representation, leverage high quality pro bono representation, and offer social services to children appearing on the Juvenile and Surge Dockets in New York Immigration Court to ensure due process for minors who are struggling to maneuver the immigration system alone. To date, of the 1,029 cases ICARE partners have accepted for representation, 110 cases have been concluded successfully: 61 children have been granted asylum and 29 children have obtained lawful permanent residency through Special Immigrant Juvenile Status (SIJS).

Of the \$1.5 million, \$500,000 went towards providing services to “Adults with Children” (AWCs), allowing service providers to expand capacity and ensuring that the adults and their children have access to critical educational, health and mental health services, and, ultimately, the opportunity to become fully integrated members of the community.