



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 Committee on Immigration:

Intro. 1636, Intro. 1835, Intro. 1836, and Intro. 1844

Thank you to Chair Menchaca and the members of the Committee on Immigration. My name is Bitta Mostofi and I am the Commissioner of the Mayor's Office of Immigrant Affairs (MOIA).

My testimony today will provide some context about the work that MOIA engages in day-to-day to ensure the well-being of immigrant New Yorkers. I will then turn to the four bills on the agenda today.

I want to thank the Chair and the Committee members for their partnership in serving immigrant New Yorkers, especially over the past few years of this federal administration. This partnership, as well as our partnership with City agencies and with community-based organizations, has been crucial in the fight to address the needs of all New Yorkers, regardless of status. We look forward to continuing to work with you in 2020.

MOIA's Work

Before addressing the bills, I want to start by discussing our work during a very difficult time for immigrants. MOIA's role and approach to interagency collaborations has been integral to the City's successes in the area of serving immigrants, even at a time when the federal government is launching attack after attack on our immigrant communities.

Situated within the mayor's office, MOIA has been able to work with our partner agencies to respond quickly and effectively to a host of federal changes, including through multi-agency response. As one example, during the family separation crisis, MOIA coordinated with myriad agency partners to quickly deliver important services to separated children and their families. This has been a theme of our work over the past few years: we have used our bully pulpit and existing infrastructure to efficiently meet the needs of the moment, coordinating the response across multiple agencies to swiftly respond to sudden federal policy changes. This includes convening our agency partners around the public charge rule, the travel ban, threatened raids, and attacks on DACA and TPS.

Similarly, we have been able to use our role as a mayoral office to help organize a national coalition of like-minded Mayors in cities and counties in our advocacy and education on behalf of immigrant New Yorkers at the federal level. Through this advocacy, we have coordinated mayoral sign-on letters and comments, including a condemnation of the Trump Administration's efforts to make it harder to naturalize. We collaborated in the development of multi-City amicus briefs, including for the DACA case currently before the Supreme Court.

Turning to our work internally and in conjunction with our partner agencies, MOIA is best suited to coordinate among and influence the various city agencies, offices, and other entities that regularly interact with immigrants from within the Mayor's Office. In conjunction with the Mayor's Office of Operations, MOIA monitors and reports on the progress of agencies covered by the City's language access law, Local Law 30, something that requires engagement across 35 agencies. We additionally provide language services support for over 15 Mayoral offices. Similarly, MOIA is the office tasked with supporting and reporting on the actions of all City agencies in relation to immigration enforcement requests pursuant to Local Law 228. MOIA is

best suited to coordinate among and influence the various city agencies, offices, and other entities that regularly interact with immigrants from within the Mayor's Office, with the support of City Hall.

The interagency immigrant task force has served an important role in cultivating the expertise and best practices of our sister agencies in serving immigrant New Yorkers, providing notice of key federal policy updates and changes, and identifying key ways to build on work to better serve immigrant New Yorkers. Eleven members of the task force are mandated to be present, but MOIA also invites nine additional agencies. The task force has served as a way for MOIA and agencies to share programmatic updates, like the launch of NYC Care and IDNYC renewals and the City Commission on Human Rights' recently published enforcement guidance about discrimination based on immigration status and national origin. At task force meetings, agencies learn from each other's practices: during a task force meeting last year, agencies discussed what they were doing in response to impending raids; at another task force meeting, the Department of Consumer and Worker Protection (DCWP) shared best practices around engaging immigrant communities.

The task force is one of several ways that MOIA works with agencies to ensure that the City is serving the needs of immigrant New Yorkers. The task force, however, is not the only way, nor should it be, that MOIA engages with agencies. Because the agencies involved in the task force range from smaller offices to large social service departments, a one-size approach to immigrant inclusion in every situation would be inappropriate and ineffective. Instead, MOIA works with agencies outside of the task force to improve access to services and address immigrants' needs in ways most conducive to advancing those goals. For example, through its language access work, MOIA convenes agency language access coordinators on Local Law 30, develops and distributes guidance materials to agencies and meets with agencies one-on-one with agencies to discuss implementation and offer technical assistance. Much of this work requires working closely with the individual agency and adapting to the best way of accomplishing the shared goals with them. As another example, in our partnership with NYC Emergency Management, which is one of the agencies we have invited to the task force, it is more efficient for us to engage with them 1-on-1 in situations when we assist with providing language access support, instead of using the task force meeting for that purpose.

MOIA's approach to interagency work recognizes the subject-matter expertise of agency partners and builds on that expertise to expand access to immigrant New Yorkers. One example of that approach and its effectiveness can be seen in the work we are doing on NYC Care. Instead of MOIA creating and running a health program for immigrants, we are working with NYC Health + Hospitals, which has both the infrastructure and expertise to implement such a program, while providing specific areas of support on understanding the essential issues in serving the health needs of immigrant communities and coordinating outreach for that program to ensure we are most effectively reaching immigrant communities. We have taken a similar tack when working with DCWP. DCWP has the expertise in worker's issues, so MOIA partnered with them to develop multilingual immigrant workers' rights information, sharing our expertise of the unique challenges faced by immigrant New Yorkers. And as we have discussed previously

and as this Committee knows, the City's public charge work is fundamentally a collaborative effort across many agencies.

Nearly 40% of our city's population is foreign born. The inclusion of their families takes you to 60% of New Yorkers. The work of our entire city must and should consider their unique needs and situations, instead of being siloed in one department. This work should be centered in a mayoral office that can work across city government, leverage city resources, and identify opportunities for partnership. IDNYC, for example, uses DSS/HRA human resources support, IT support, legal department, and space, which allowed the City to build out a program the size of IDNYC. Additionally, programs that are meant to be cross-cutting and serve myriad populations are operationally best situated within other agencies. This helps remove any stigma around seeking City services while ensuring that an immigrant-focused lens can be applied through partnership with MOIA. As one example, we are working to incorporate ActionNYC into the existing civil legal services infrastructure that lives in DSS/HRA's Office of Civil Justice while maintaining our role in helping to set the administration's policy and programmatic goals for better serving immigrant New Yorkers. This will consolidate all legal services into DSS/HRA and as a result increase transparency and efficiencies.

Intro. 1636, Intro. 1835, Intro. 1836, and Intro. 1844

I will now turn to the four bills on the agenda today.

Intro. 1836

MOIA strongly supports the proposal to remove the offensive and dehumanizing term "alien" from the City Administrative Code wherever possible. MOIA has been working on a similar proposal alongside the City Commission on Human Rights and the Law Department, and we are thrilled to see this introduced by the Council. In terms of Intro. 1836, we have some technical edits that we can share, as well as additional provisions where we believe language can be changed in the Human Rights Law.

In our work with CCHR and the Law Department, we have identified some State law issues. We are nevertheless certain that we share the same goal here and look forward to continuing discussions about this bill with the Council.

Intro. 1844

MOIA is grateful to be able to work with the Council, and the Chair in particular, on continuing to build on the just 2-year-old annual report. As I testified last summer, the annual report has been used both by advocates and by other community members who were eager to see the data we provided about immigrant New Yorkers and our programs. We are particularly proud of the role MOIA plays, in partnership with the NYC Office for Economic Opportunity and national researchers such as the Center for Migration Studies, in using American Community Survey data to estimate the City's various immigrant groups, including the undocumented population. This data has been a crucial source for stakeholders in New York City, including the media, in understanding our immigrant communities.

We are happy to continue the discussions started last summer about what information MOIA should include in our annual report. As you are no doubt aware, we are currently drafting the annual report for 2019 and incorporating feedback provided by Council in the summer. Many of the provisions outlined in the bill coincide with that feedback. We are interested in working with the Council to assess what additional metrics and data we can report on, and we look forward to further discussion.

Intro. 1835

MOIA appreciates Council's interest in the interagency immigrant task force. However, the City has concerns about the proposal outlined in Intro. 1835. The task force as created by the City Council in 2017 is a City task force led by MOIA, an office of the Mayor, and as mentioned earlier, has been working effectively. We are concerned how a "co-chaired" task force would operate and how that would impact the task force's important work. We would like to work with Council to find ways to keep Council better informed and better involved in the task force's work, while maintaining its effective structure and role within the Administration.

MOIA looks forward to further discussions with Council on the intent and proposals for Intro. 1835.

Intro. 1636

Finally, in regard to Intro. 1636, we deeply appreciate the goals of this bill to ensure not just the recognition of the importance of the work of MOIA for our city but also the ability to showcase it properly. This is why we were happy to work with the Council on the changes to MOIA's mandate made in 2017. However, we have serious concerns about Intro. 1636 as written.

MOIA was created as a mayoral office by referendum in 2001. Since then it has served the nearly 40% of New Yorkers who are immigrants, and the 60% of New Yorkers who are immigrants or children of immigrants. I strongly believe that immigrant inclusion and integration is the responsibility of the whole City, not just one agency. The model that we have found to be most effective is having MOIA consult with myriad City agencies to make sure that serving immigrants is a major aspect of their work. This way we can influence, improve, and leverage existing structures, without inefficiently recreating programs or structures that exist elsewhere in the administration. While we concur with the need for continued resources and services to best serve immigrant New Yorkers, we do not believe that it makes sense to spend resources to build out the necessary infrastructure for a department when we can utilize existing resources elsewhere.

Our agency partners take very seriously the role of ensuring that all New Yorkers can access their services, and many agencies do have an immigrant-specific bureau: DSS/HRA, for example, has an Office of Immigrant and Refugee Affairs, and similarly ACS has an office of Immigrant Services and Language Affairs. Both of these offices are crucial partners in ensuring access to services for immigrant New Yorkers, with the specific mission of ensuring that the programs overseen by these agencies are incorporating the needs of immigrant New Yorkers.

We do believe that additional institutionalization and formalization of MOIA's role could be helpful. For example, the Charter includes language about MOIA's role in enhancing access to benefits, but does not include language about empowering immigrants with information about their rights. This is work that MOIA does, and which fits into our shared goals of empowerment and civic engagement. Similarly, MOIA conducts qualitative and quantitative research, alongside The Mayor's Office for Economic Opportunity and Department of City Planning, and has published several factsheets about the impact of certain policy and legal changes on New York City immigrants. Working alongside our partner agencies to improve our understanding of immigrant New Yorkers, the trends we see, their needs, and the impacts of their immigration status or English proficiency on reaching their full potential has been critical to our work.

Finally, given the nature of immigration and the degree to which it has relevance and import at the federal level, being within the Mayor's office has further enlightened us to the advantage of speaking from City Hall. It is without a doubt a critical means by which we have been able to wield the power of the administration, both internally and externally, in a time when it is necessary to engage in nimble and swift action to fight for our values alongside immigrant New Yorkers.

I look forward to continuing our discussion of this proposal with the Council.

Conclusion

Thank you for the opportunity to testify about these four bills. I look forward to additional conversation around these bills, and am happy to take any questions you might have.