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Unmet Needs: Superstorm Sandy and Immigrant Communities in the Metro New York Area

Make the Road New York

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Unmet Needs: Superstorm Sandy and Immigrant Communities in the Metro New York Area

Abstract

[Excerpt] More than a month after Superstorm Sandy, many New Yorkers continue to struggle with the devastation of their homes, neighborhoods and livelihoods. One group that has faced particular challenges, but has received little attention are the region's thousands of immigrants. Some of the areas hardest hit by Sandy--such as Staten Island and Long Island--are home to large populations of recent immigrants. Long Island's immigrant population has more than doubled in the past three decades, with nearly one in five residents now born outside of the US. Overall, Latinos represent a third of all immigrants on Long Island. Tens of thousands of immigrants from El Salvador have established vibrant communities in the area, and are now the largest immigrant group on Long Island. On Staten Island, foreign born residents now make up 20% of the population, with Mexicans representing the largest group. The Latino population has grown 51 percent since 2000, now numbering more than 81,000. In particular, the Mexican population on Staten Island has greatly increased, more than doubling since 2000.

Keywords

unions, labor movement, organizing, immigrants, case studies, Superstorm Sandy, New York, representation, AFL-CIO

Comments

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Unmet Needs:

Superstorm Sandy and Immigrant
Communities in the Metro New York Area

A Report by Make the Road New York
December 2012

About Make the Road New York

Make the Road New York (MRNY) is New York City's largest community-based, membership organization that promotes economic justice, equity and opportunity for all New Yorkers through community and electoral organizing, strategic policy advocacy, leadership development, youth and adult education, and high quality legal and support services.

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Executive Summary

More than a month after Superstorm Sandy, many New Yorkers continue to struggle with the devastation of their homes, neighborhoods and livelihoods. One group that has faced particular challenges, but has received little attention are the region's thousands of immigrants. Some of the areas hardest hit by Sandy--such as Staten Island and Long Island--are home to large populations of recent immigrants. Long Island's immigrant population has more than doubled in the past three decades, with nearly one in five residents now born outside of the US. Overall, Latinos represent a third of all immigrants on Long Island. Tens of thousands of immigrants from El Salvador have established vibrant communities in the area, and are now the largest immigrant group on Long Island. On Staten Island, foreign born residents now make up 20% of the population, with Mexicans representing the largest group. The Latino population has grown 51 percent since 2000, now numbering more than 81,000. In particular, the Mexican population on Staten Island has greatly increased, more than doubling since 2000.

The September 11th attack in New York City and other past disasters around the country have demonstrated that recent immigrants are particularly vulnerable to the economic and other devastation in the aftermath of such events. Despite tremendous need, many fall through the cracks of disaster relief efforts, with language and eligibility barriers preventing them from fully accessing FEMA and other disaster relief services.

In New York City, thirty percent of immigrants are poor and 53% are low-income even if they are working. Missed paychecks as a result of the storm can greatly impact the ability of many immigrant families to meet basic needs. Immigrants and low-income Latinos are more likely to work in jobs without any paid leave. Many have returned to homes that are damaged and moldy because they have no other place to stay. Low-income immigrant tenants are already more likely to live in housing with poor conditions or over-crowding. The extremely low rates of housing vacancy after Sandy compound the difficulty that new immigrants--often carrying higher-than-average rent burdens--already face in finding suitable housing.

Undocumented immigrants and other immigrants who are "non-qualified aliens" under federal law, and their U.S. citizen children face the greatest hurdles. "Non-qualified" immigrants are barred from receiving cash assistance from FEMA or unemployment benefits. Some who may be eligible for disaster benefits from FEMA because their children are US citizens, are afraid to come forward and apply for fear of deportation or reprisal.

In addition to undocumented immigrants, many immigrants who are here legally are also ineligible for services. (See below section on “Government-Administered Disaster Relief Programs, p. 14). There are over 500,000 children with noncitizen parents in New York State. These children’s ability to access relief they are eligible for depends on their parents ability to navigate tricky eligibility guidelines and application requirements.

As immigrant enclaves on both Long Island and Staten Island have grown in recent years, recent immigrants have faced an increase in hostility. On both Long Island and Staten Island, immigrants have been the target of recent hate crimes some resulting in severe injury and death . Many such incidents have occurred in recent years in the areas in which we conducted surveys. Such hostile environments may make it harder for immigrants to come forward and access services they need.

At the same time, immigrants are responsible for significant economic activity in these areas and in New York State as a whole. In 2007, immigrants contributed a total of \$229 billion to the New York’s economy, representing 22.4 percent of the gross domestic product in the state. Helping immigrant communities access the help they need to rebuild their homes and businesses will be critical to the economic recovery of the entire region.

Finally, Superstorm Sandy should serve as a wake-up call with regard to New York’s emergency preparedness systems.

As New York prepares for future disasters, we must revamp emergency procedures to ensure that they reach all New Yorkers, regardless of immigration status.



Methodology

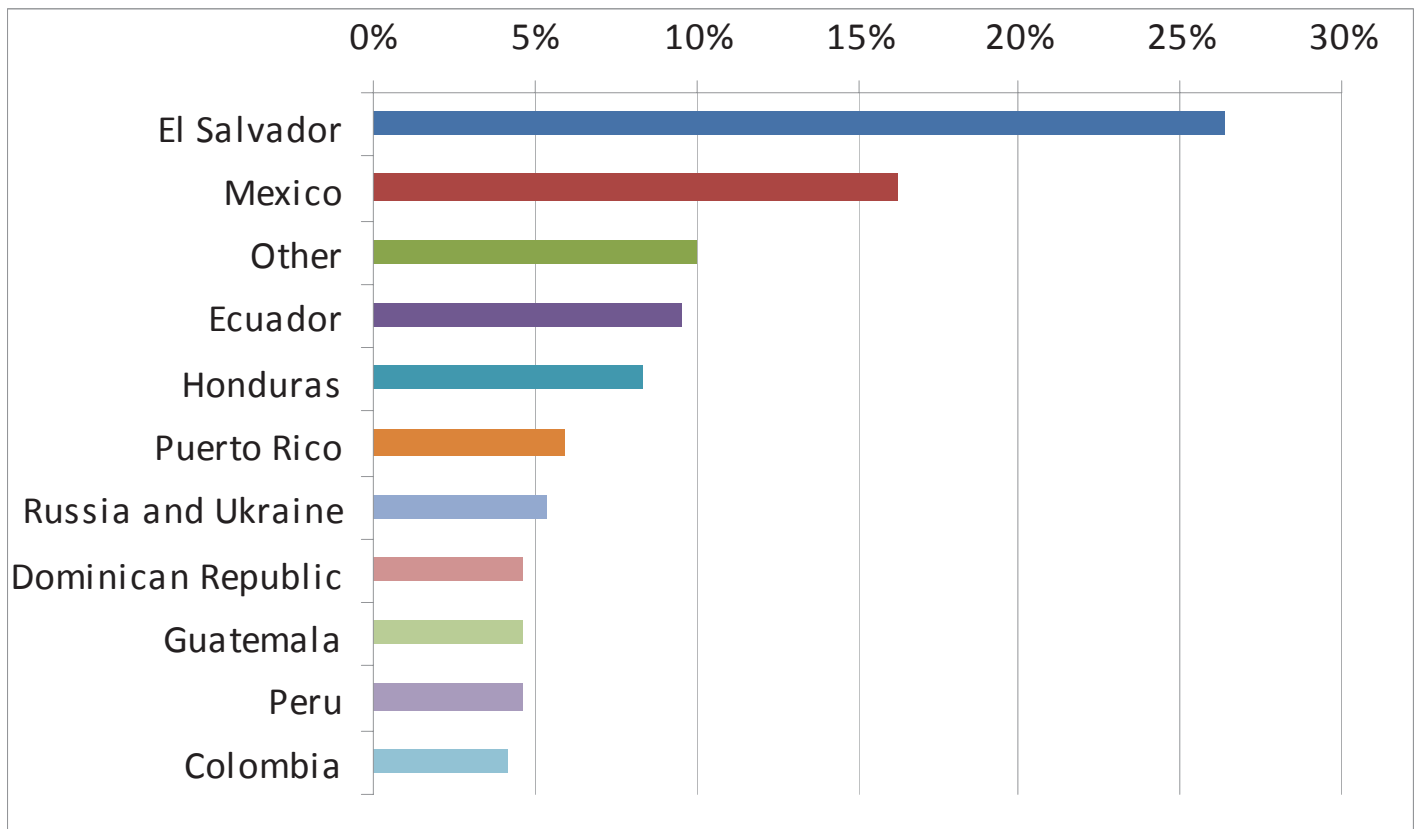
For this report, we conducted surveys of 416 residents of selected localities in Long Island and Staten Island. We also conducted in-depth interviews to gather more detailed testimonies from certain survey respondents. We selected geographical areas in Staten Island and Long Island that were greatly affected by Sandy and had large numbers of immigrants. We conducted door-to-door outreach, as well as outreach at Make the Road New York disaster aid clinics, relief sites (both governmental and charity), food pantries, laundromats and local businesses. In order to reach impacted individuals, we conducted outreach at a variety of sites because many who had been displaced from their homes could not be reached through a door-to-door canvas.

Surveys were conducted at different times of the day and on different days of the week. We interviewed people who self identified as immigrants.

The survey was confidential and voluntary. The survey instrument is included in Appendix A of this report.

70% of respondents are Long Island residents. 30% are Staten Island residents. 61% of respondents rent their homes. 36% of respondents identify as having limited proficiency in English. The following tables provide country of origin information about our sample.

Country Of Origin of Respondents:



Background on surveyed areas

On Staten Island, we surveyed residents of South Beach, Midland Beach, New Dorp Beach and Oakwood. These neighborhoods were located in New York City's Zone A evacuation zones during Sandy, and experienced significant damage during the storm. According to the 2010 Census, 18% of residents of Midland Beach and 15% of residents of South Beach were born in another country.

On Long Island, we surveyed residents of Brentwood, Central Islip, Bayshore, Babylon, Patchogue and Long Beach. Long Island's immigrant population has more than doubled in the past few decades to just over 465,000 residents, accounting for more than 16 percent of the general population. According to the 2010 Census, more than 68% of Brentwood residents, 52% of neighboring Central Islip residents, and more than 29% of Patchogue residents were Latino or Hispanic.

Key Findings

1. SUPERSTORM SANDY HAS HAD A SIGNIFICANT NEGATIVE ECONOMIC IMPACT ON NEW YORK'S IMMIGRANT COMMUNITIES.
 - Forty percent of immigrants overall report economic damage because of the storm.
 - In Staten Island, 60% of immigrants reported economic damage
2. IMMIGRANTS SUFFERED DEVASTATING DAMAGE TO THEIR HOMES AND PERSONAL PROPERTY AND, AS A RESULT, HAVE BEEN DISPLACED OR ARE LIVING IN HAZARDOUS CONDITIONS.
 - One in three immigrants suffered damage to their home and/or personal property.
 - Forty percent of immigrants surveyed in Staten Island were displaced from their home because of damage.
 - Of those who reported damaged, property, one in three report that there is significant mold contamination in their home.
 - In the wake of the storm, immigrant tenants are vulnerable to landlord abuses, including withholding return of security deposits for immigrants fleeing damaged dwellings and charge exorbitant rent for new apartments.

3. THE BARRIERS TO ACCESSING RELIEF ARE INSURMOUNTABLE FOR MOST IMMIGRANTS LIVING IN THE DISASTER ZONE.

Startingly few immigrants living in the declared disaster area have applied for disaster-related public and private relief. The number that have applied for relief is even lower for immigrants who are limited English proficient.

- 78% of immigrants surveyed in the disaster zones had NOT applied for relief.
- 82% of limited English proficient immigrants surveyed in the devastated areas had not yet applied for relief, private or public.

4. THE TOP REASON STATED FOR NOT APPLYING FOR RELIEF IS NOT KNOWING HOW TO APPLY, SUGGESTING THAT NEW YORK AND FEMA HAVE FAILED TO CONDUCT ADEQUATE OUTREACH TO IMMIGRANT COMMUNITIES.

5. Eligibility and institutional barriers meant that of immigrants that applied for relief, only one in four surveyed was actually able to receive help.

6. INELIGIBILITY AND INACCESSIBILITY OF GOVERNMENT AND PRIVATE RELIEF SERVICES HAS CAUSED GREAT HARDSHIP FOR NEW YORK IMMIGRANTS AFFECTED BY THE STORM, INCLUDING EMOTIONAL AND PHYSICAL TRAUMA AND DISPLACEMENT.

- 31% of immigrants surveyed reported feeling anxiety or depression since the storm.
- 27% have fallen behind on their rent.



Recommendations - Summary

New York State, FEMA, New York City and the counties must work to:

1. RECALIBRATE FEMA AND DISASTER ASSISTANCE RELIEF SERVICES IMMEDIATELY TO MEET THE EMERGENCY NEEDS OF IMMIGRANT NEW YORKERS

- a. Immediately expand and improve outreach to immigrant New Yorkers about current availability of disaster related services.
- b. Streamline FEMA application process and clarify immigrant application requirements.
- c. Amend documentation and eligibility requirements to account for alternative living arrangements.
- d. Provide additional comprehensive mental health services for immigrants and those who do not have health insurance.
- e. New York City, Nassau County and Suffolk County should provide mold remediation services to disaster victims to stem impending public health crisis

2. Expand Disaster Supplemental Nutrition Assistance Program

3. Employment and Department of Labor Reforms for Disaster Victims and Safe Jobs

- a. Create a new, fully staffed unit at the New York State Department of Labor Devoted to Protecting Worker Safety and Rights during the Sandy Recovery and Rebuilding Efforts.
- b. Governor Cuomo should Issue and Executive Order to Waive the 'Waiting-week' provision for Unemployment Insurance (UI) and Disaster Unemployment Assistance Benefits.

4. Housing, Displacement and Rebuilding

- a. Provide rent assistance for those ineligible for FEMA temporary assistance.
- b. Create a New York State taskforce to address immigrant needs during the rebuilding process.
- c. Address scarcity of affordable rental housing in New York State in rebuilding process.
- d. Need participatory, Inclusive Decision Making in the Recovery and Rebuilding Process.

5. Disaster Preparedness

- a. The State, County and City Governments must improve outreach to immigrants and limited English proficient communities before disasters about unrestricted services and evacuation centers.
- b. Immigrant Communities Must Be Represented and their Concerns Included as New York State Commissions Prepare for Future Disasters.



Table of Contents

Government Administered Disaster Relief Eligibility for Immigrants.....pg.	14
Findings and Case Studies.....pg.	15
Recommendations.....pg.	21
Appendix A: Sample Survey Instrument	

Government Administered Disaster Relief: Eligibility for Immigrants

Services available to all

All hurricane victims, regardless of their immigration status can receive short-term, non-cash disaster relief and services from federal, state and city government. This may include transportation, emergency medical care, crisis counseling, emergency shelter, emergency food, water, medicine, and other supplies that meet immediate basic needs.

The federal government provides one-time payment of cash assistance for food through D-SNAP (Disaster Supplemental Nutrition Assistance Program) to residents of localities that have opted into the program. Individuals and families can receive a one-time payment if they lived in the identified disaster area, and meet certain other eligibility requirements. Immigration status is not considered. Currently, New York City residents living in designated zip codes can receive D-SNAP. Nassau and Suffolk County have not opted into the federal program.

Restricted services

There are several kinds of longer term assistance that only U.S. citizens or so-called “qualified aliens” can receive. “Qualified aliens” include lawful permanent residents, refugees, asylees, certain victims of domestic violence and a few other categories of documented immigrants.

Many immigrants who have legal status are nonetheless excluded from the category of “qualified aliens.”

For example, individuals who have been granted “Temporary Protected Status” are ineligible for restricted disaster relief services. “Temporary Protected Status” is extended to individuals when the US government deems that conditions in that individual’s country of origin temporarily prevent him or her from returning there safely. In addition, young people who have been granted legal status through the “Deferred Action for Childhood Arrivals” program are ineligible for restricted disaster relief services.

In order to apply for restricted disaster relief services, it is necessary to provide a Social Security number and sign a declaration stating that one is a “U.S. citizen,” a “noncitizen national,” or a “qualified alien.” The primary source of disaster relief that is not available to undocumented or “non-qualified” immigrants is FEMA’s “Individuals and Households Program,” which provides cash assistance to pay for temporary housing, repair housing, replace possessions, and pay medical and funeral costs. The U.S. Small Business Administration also offers loans to US citizens or “qualified aliens” to repair damaged homes, property, or businesses.

Immigrants who are not “qualified aliens”, but who are parents to U.S. citizen children under age 18 may apply on behalf of those children for restricted benefits, such as cash assistance through the Individuals and Households Program and Temporary Housing Assistance Program. These parents must provide their children’s Social Security numbers when applying for benefits.



Undocumented and Displaced after Sandy

Testimony of Maria Raquel S.

I used to live in a small one-story house in Midland Beach with my son and my daughter in law who is pregnant. We didn't evacuate because we didn't realize how bad it was going to get. When the water came, it water filled the entire house. We were so scared. With the help of a neighbor, we climbed onto the roof of a shed near our house and that's how we were able to stay above water. It was awful...horrible. It's still hard for me to talk about. We lost everything in the storm, all of our belongings.

I haven't been able to work since the storm. I used to work as a nanny for a few families near where I lived in Midland Beach, but where I am staying now with a friend is too far for me to travel back to work. My daughter-in-law used to work as a housekeeper, but she also hasn't been able to work because we are staying so far away. Fortunately my son is still working. I've been going out looking for work every day, but still haven't found anything. None of us have documents, so we haven't been able to apply for help from FEMA.

We can't stay much longer with our friend. I have been looking for an apartment, but the rents have gone up so much. We used to pay \$925 before Sandy, now landlords are asking for \$1500, with two months rent to start and a deposit. People are really taking advantage of the situation to make more money in rent. Where am I going to get \$4500? Plus, our old landlord has refused to return our deposit. I don't know what we're going to do

Only the family or household members who are U.S. citizens or "qualified aliens" may receive benefits.

In addition, New York State and New York City are providing a host of services to disaster victims such as Disaster Unemployment Assistance, Rapid Repair Program, and loans administered through Neighborhood Housing Services of New York.

For many of these programs, individuals are required to have a specific immigration status and Social Security Number, or are required to have registered for FEMA assistance before accessing the state or city program.

Findings and Case Studies

The following are the main findings of our research:

1. Sandy has had a significant negative economic impact on immigrant communities.

The storm has resulted in major loss of employment and income for many immigrants. One group which has been particularly hard hit is domestic workers. Many immigrant women working as nannies or housekeepers have not been able to return to work since the storm because their place of employment was damaged. Housing displacement has also resulted in widespread loss of employment as workers living in temporary housing are unable to travel to their old jobs. Fourteen immigrants who were currently employed reported their employers currently owed them wages for hours they had worked after Sandy. In our survey, we found that:

- Overall, forty-two percent of immigrant respondents report economic suffering as a result of Superstorm Sandy. The number was higher in Staten Island with **almost 60% of respondents reporting economic suffering.**

- Many lost income from missed days of work. All respondents who had a job at the time of the storm reported missing some days of work. Thirty-three percent surveyed missed four or more days of work.

- Eleven percent have permanently lost their jobs as a result of Sandy.

- Fourteen immigrant workers were owed back wages from the employers for hours they worked around the time of the storm.

- As a result of the storm's economic devastation, almost 30% of respondents report they have fallen behind on rent since the storm.

2. Immigrants suffered devastating damage to their homes and personal property as a result of Sandy.

Our findings include the following:

- One out of three respondents overall, and more than forty percent of Staten Island respondents, report significant damage to their homes.

- Thirty-eight percent of all respondents lost heat and/or power for more than eleven days.

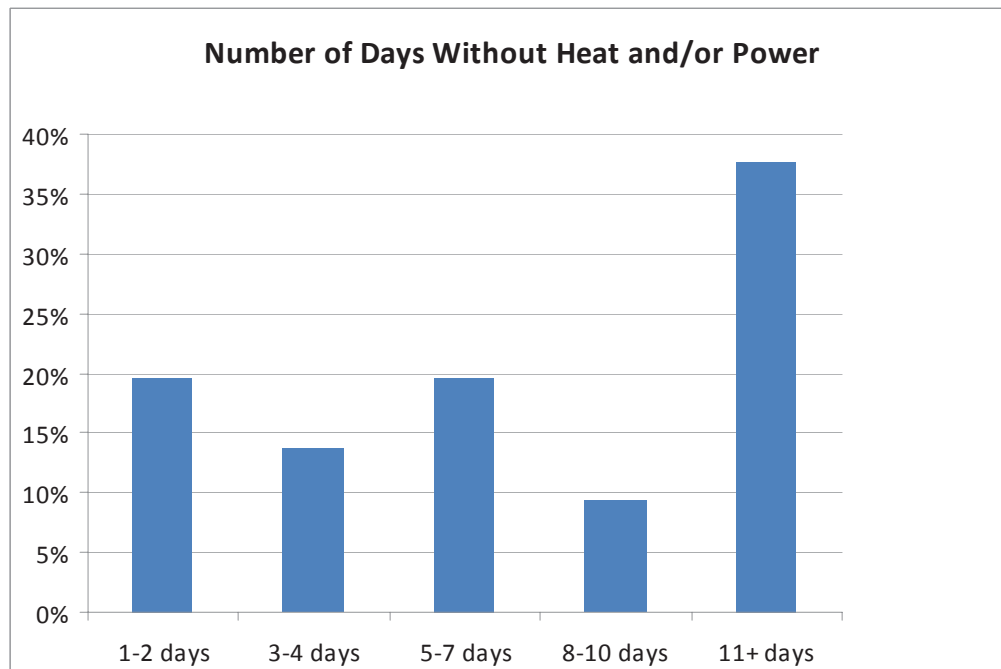
- Of those reporting damage to their homes, almost forty percent report significant structural damage. A third report significant mold.

- More than one in three report significant damage to personal property.

- In Staten Island, 39% of respondents had to leave their homes because of the storm.

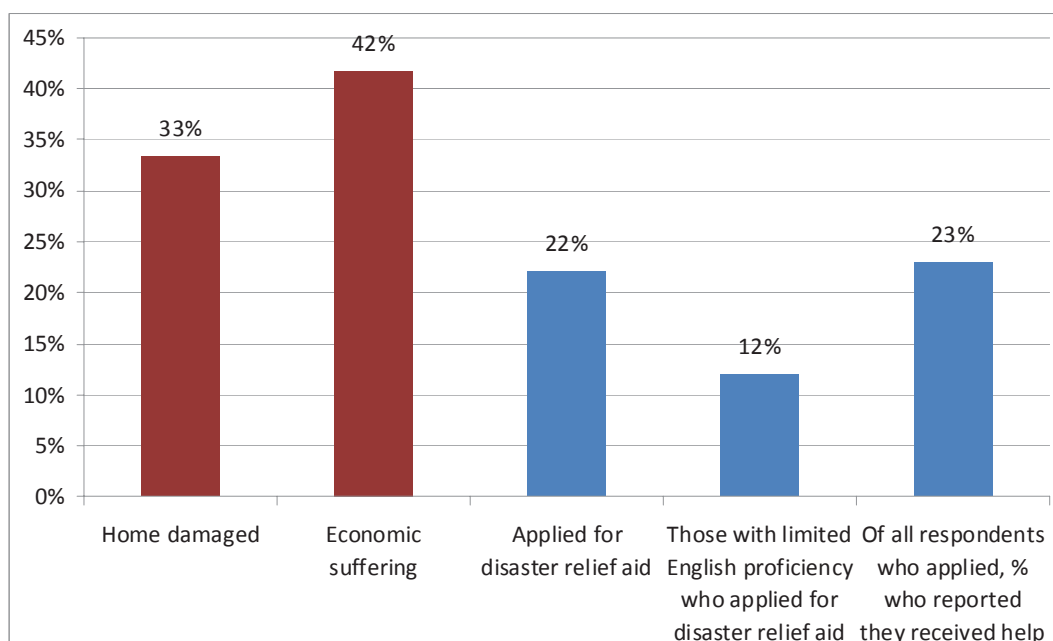
During the storm, we lost power and heat for two weeks. My elderly parents were staying with me, my husband and children. We tried to apply for FEMA but we didn't qualify, even though my son has applied for Deferred Action under the new Obama program. A few days after Sandy, a blizzard hit Long Island. The temperatures were well below freezing for a few days. We were so cold. I was not sure we would make it through the night. We drove to a nearby food pantry to try to stay warm, and when they closed, we went to a church. We couldn't make it to the Red Cross shelter because it was three towns over and the roads were not safe. Plus, I didn't know if they would take us there because we are undocumented, so we ended up at home without heat for the whole storm.

- Claudia M. Brentwood, NY



3. Although need is great, few immigrants have been able to access disaster relief services and many are unaware of the options available to them. Few immigrant respondents have applied for assistance and even fewer have received it. Our survey found that:

- Less than a quarter have applied for any kind of public or private disaster relief assistance. The main reason cited was not knowing how to apply.
- Immigrant respondents with limited English proficiency applied at about half the rate of respondents overall, with only 12% having applied for relief.
- Of those that had applied, less than one in four had received assistance. Others had either been denied, or were still waiting for a response.



4. Ineligibility for government services has caused great hardship for New York immigrants affected by the storm, including emotional and physical trauma. Nearly one in three respondents report feeling anxiety or depression as a result of the storm's devastation. One third of the respondents were living in dwellings with mold. Only about half had health insurance.

5. Post-Sandy increases in rental costs preclude relocation for many immigrant families. Rents have skyrocketed in neighborhoods affected by the storm, increasing more than 50%. In addition, many landlords are requiring that tenants pay as much as two months of rent and a security deposit upfront. As a result, many immigrant families are unable to relocate and continue to live in hazardous conditions.

Priscilla J. is from Mexico, and lived in Midland Beach before the storm.

My husband and I have three children, ages 9, 11 and 17. We lost everything in the storm. When we went back to the house a few days after the storm, there was still water up to our knees. It's been really difficult. We are staying with my sister now on Castleton and Broadway and it's really far from where we were before.

My husband missed a week of work after the storm. I haven't been able to work since the storm. I spend a lot of time now bringing my kids to school because we're staying so far away from where they go to school. We have to take two buses, and it takes an hour and a half each way. It's been really hard for the kids.

Our landlord told us he would fix up the house, but he hasn't told us when. And he hasn't given us back our deposit yet. It's been hard to get in touch with him. We've been looking for an apartment, but it's been really difficult. We used to pay \$950 for a two bedroom rental. Now landlords are asking for \$1500.

6. Immigrants face barriers to accessing existing services and benefits even when eligible. Misinformation, institutional barriers and fear of using government aid, even when there are no restrictions, prevent many from applying for services. In addition, some private charities create unnecessary barriers for immigrants attempting to receiving aid. For example, some relief sites and food pantries in Midland Beach require people to show identification in order to receive food. In addition, many have found that FEMA's language access provisions are inadequate.

I lost my two part-time jobs during the storm because the store where I worked was destroyed. I came to a charity distribution site in Midland Beach for food because I couldn't afford to buy any. I don't speak English and I don't qualify for FEMA or food stamps. When I came up to the line, the person at the site asked for my ID. He didn't ask anyone else in the line. They all spoke English. His attitude to me was rude. I ended up leaving without the food because I did not feel welcome there.

- Soledad, Midland Beach, NY

7. FEMA's application process creates unnecessary obstacles for eligible immigrant applicants.

Applying for FEMA is currently a complex multi-step process that can confuse and deter applicants. Mixed status families, in which some members are U.S. citizens, others undocumented or have a different lawful status, have reported a particularly difficult time accessing aid. Undocumented, "non-qualified" immigrants may be eligible for FEMA assistance if they reside with a U.S. citizen or "qualified alien" child or housemate. But successfully accessing FEMA assistance has proven to be much more difficult. Less than a quarter of immigrants surveyed had applied for aid, and for those who had applied, only a quarter actually received aid. Make the Road New York attorneys attempting to assist individuals in registering for FEMA benefits were told at least three different procedures for how to file for FEMA assistance for individuals. Juan B. from Long Beach applied for FEMA temporary housing assistance after he, his wife and infant daughter had to flee their apartment in Long Beach. He was rejected by FEMA on erroneous grounds:

My daughter was born here in the U.S. and I thought we could apply for FEMA using her social security number. But when I went to the FEMA site in Long Beach and tried to fill out the paperwork, they told me I would not qualify because I hadn't filed my taxes.

There is no requirement that an individual file taxes to file for FEMA. However, because there are no clear instructions about exactly what immigrants from mixed status household must provide or how they should approach registering for FEMA, confusion abounds. Some immigrant respondents to the survey reported that they were rejected because they applied under their own name using the social security number of their child. Others were accepted under the same protocol.

If an immigrant is successful in registering for aid, they face additional difficulties navigating the complex FEMA process. Currently, most individuals must first apply for a Small Business Administration loan and be deemed ineligible before being approved for FEMA cash assistance. Many immigrants are uncomfortable with the idea of applying for a loan, or assume they have been denied assistance when mailed the loan application or rejection. Priscilla J., a resident of Midland Beach and an immigrant from Mexico explained:

At first, we didn't know we were eligible for FEMA. The process has been really confusing. At first I thought it was a loan, and we didn't want to apply for a loan. But then we found out that it wasn't a loan, it was help that we wouldn't have to pay back.

In addition, FEMA currently automatically rejects multiple applications from the same address. This policy does not account for alternative living arrangements common to many immigrant families such as sharing a single housing unit with another family, or inhabiting an illegal basement unit. Bill and Diana W. lived in Long Beach, Long Island, and ran into problems with their FEMA application, even though they were living in the first floor unit of a legal two family property.

We were living in the first floor unit of a two family house. The water came up sixteen inches in our apartment. We lost everything, all our furniture, everything. We lost probably \$10,000 worth of personal property. We didn't have renter's flood insurance.

At first, FEMA denied us rental assistance because there were multiple applications from the same address. Even though we were living in a legal two family house, they automatically denied our application because there were multiple applications from the same address. With the help of Make the Road New York, we were able to get FEMA to reconsider our application.

Right now, we are staying in Queens with family. Diana hasn't been able to work since the storm. She used to work the graveyard shift from 6PM to 3AM as a waitress at a bar/restaurant in Long Beach, but it's really difficult for her to get to her job with public transportation from where we are living.

8. Immigrant tenants are vulnerable to landlord abuses in wake of the storm. Immigrant tenants surveyed report difficulty in getting their landlords to return security deposits on homes the tenants have vacated as a result of the storm. Still others have been forced to make repairs to their apartments although their landlords are legally required to handle all repairs. Whether because unscrupulous landlords wish to prey upon immigrant disaster victims or because funds to make the necessary repairs are tied up in the dizzyingly complex interplay between flood insurance, home owners' insurance coverage and FEMA assistance, immigrants surveyed got the short end of the stick:

Felix, his three daughters, and two year-old grandchild have lived without heat in their apartment in Midland Beach, Staten Island since the storm because flooding destroyed their building's boiler. The landlord has insisted that Felix pay several thousand dollars to replace the boiler, or face eviction. Felix is ineligible for aid due to his immigration status and fears that if he calls the city or reports his landlord, he will be kicked out of his apartment or deported.

Midland Beach, Staten Island



Recommendations

We call for Congress, the Federal Emergency Management Agency, New York State, Suffolk County, Nassau County, New York City and private organizations involved in providing aid in the wake of Superstorm Sandy to take the following steps:

1. RECALIBRATE FEMA AND DISASTER ASSISTANCE RELIEF SERVICES IMMEDIATELY TO MEET THE EMERGENCY NEEDS OF IMMIGRANT NEW YORKERS

a. Immediately expand and improve outreach to immigrant New Yorkers about current availability of disaster related services.

Less than a quarter of surveyed immigrants living in disaster zones had approached FEMA or the Red Cross for relief. New York City should establish a multi-lingual hotline accessible via 311 where non-English-proficient New Yorkers can get Sandy relief and referrals, along with information about FEMA deadlines, DSNAP. This hotline, as well as the 2-1-1 hotline in Long Island, should be announced on PSAs in all subways and buses, posted in all elected officials' district offices, CBOs, and broadcast on ethnic media. FEMA and city-relief sites should post multi-lingual signage and should ensure that multi-lingual, culturally competent local advocates and navigators are on-site to assist limited English proficient New Yorkers in accessing FEMA benefits. FEMA and other relief programs should formalize relationships with CBOs and faith organizations to increase engagement with government programs in safe community spaces. New York City, Suffolk and Nassau Counties and New York State should provide emergency funding to CBOs based in immigrant communities to conduct outreach and provide legal services to immigrants affected by Sandy.

b. Streamline FEMA application process and clarify immigrant application requirements. Of those who applied for relief from FEMA, only 23% of immigrants surveyed report receiving assistance. Applying for FEMA is currently a complex multi-step process that can confuse and deter eligible applicants, particularly undocumented immigrants with U.S. citizen children. FEMA must clarify its policy on how mixed status families can apply for assistance immediately, so that such families cease to be rejected because they are given improper filing advice. Furthermore, individuals should not have to apply for a Small Business Administration loan and be deemed ineligible before being approved for cash assistance. Many are uncomfortable with the idea of applying for a loan, or assume they have been denied assistance when mailed the loan application or rejection.

c. Amend documentation and eligibility requirements to account for alternative living arrangements. As a result of the high cost of housing in New York, multiple immigrant families may live in one housing unit. Some immigrant families may live in illegal dwelling units such as basements. Many immigrants are required by their landlords to pay rent in cash. FEMA should expand its capacity to process to applications from multiple households at the same address. FEMA should not automatically reject or unnecessarily delay delivering aid to households where there are multiple applications at the same address. Instructions for immigrants in multiple languages on how to apply should be made available at FEMA sites and in CBOs and ethnic media.

Immigrants should not have to be rejected first just because of their living situation before they can access relief. An affidavit or alternative documentation of proof of address should be prima facie proof of residence.

d. Provide additional comprehensive mental health services for immigrants and those who do not have health insurance. While some programs, such as Project Hope and Lifenet provide important outreach and emergency, there is a need for long-term, consistent mental health care for those suffering trauma from experiences during the storm. These services should be staffed with bilingual and culturally competent community mental health workers.

e. New York City, Nassau County and Suffolk County should provide mold remediation services to disaster victims to stem impending public health crisis. Immigrants are more likely to be uninsured and live in substandard apartments than native-born New Yorkers. Mold-contaminated dwellings are a rising casualty in the wake of Sandy. Low-income Latinos have the highest reported rate of asthma in New York. Further exposure to mold can lead to increased respiratory problems and serious health complications. County and City government must act to stem this serious impending public health crisis by providing mold remediation services to residents of the affected areas.

2. EXPAND DISASTER SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

Immigrant New Yorkers are experiencing high levels of food insecurity because of income, food and property loss due to the storm. While residents in targeted zip codes in New York City can access this one time cash payment for food assistance, it is unavailable to residents of Nassau and Suffolk counties. Nassau and Suffolk Counties should immediately opt-in to DSNAP, the federal program that provides vital assistance to affected individuals without regard to immigration status. New York City should also act to increase accessibility to D-SNAP benefit centers in hard hit areas of the city; extend periods for applying for the benefits; and expand the zone of eligibility to include all those New Yorkers whose neighborhoods were badly damaged by flooding.

3. DEPARTMENT OF LABOR REFORMS TO ENSURE SAFE, GOOD JOBS IN THE RECOVERY

a. Create a new, fully staffed unit at the New York State Department of Labor Devoted to Protecting Worker Safety and Rights during the Sandy Recovery and Rebuilding Efforts. Reports of wage theft and are already on the rise post-Sandy. The NYSDOL must ensure safe working conditions and wage-and-hour protections for workers involved in rebuilding damaged properties. The New York State Department of Labor should establish a special unit that proactively outreaches to these workers, aids them in filing claims and expedites investigation of their claims. There is an extraordinarily high backlog of pending wage and hour cases at the NYSDOL. For the NYSDOL to address the already growing Sandy-related wage and hour cases, it requires new resources and not just reallocation of existing resources. The unit should also respond rapidly to shut down ongoing construction jobs where contractors are not complying with wage and hour, health and safety, and workers compensation laws.

b. Governor Cuomo should Issue and Executive Order to Waive the 'Waiting-week' provision for Unemployment Insurance (UI) and Disaster Unemployment Assistance Benefits. Under Section 590(7) of the New York State Unemployment Insurance law, the NYSDOL currently does not grant UI benefits for the one week immediately after a worker loses employment, until the worker has accumulated sufficient eligible days.

For many low-income immigrants, loss of that income has greatly impacted their ability to meet basic needs. Many low-income immigrants live paycheck-to-paycheck on minimum and sub-minimum wages. Missing extended periods of work can be devastating to a family's basic livelihood. Moreover, immigrants and low-income Latinos are more likely to work in jobs without any paid leave. Governor Cuomo should issue an executive order, like Governor George Pataki did after the terrorist attacks on September 11, 2001 to enable those who lost days of work due to the storm to become immediately eligible for benefits.

4. HOUSING, DISPLACEMENT AND REBUILDING

a. Provide rent assistance for those ineligible for FEMA temporary assistance. New York City and State should coordinate a fund to assist displaced individuals and families who do not qualify for FEMA rental assistance to pay deposits on new apartments.

b. Create a New York State taskforce to address immigrant needs during rebuilding. The taskforce could coordinate the use of private and public funds to establish safe, long term housing options for displaced immigrants who do not qualify for FEMA assistance. This taskforce must have substantial representation from community based organizations and immigrant advocates. Part of the work of this body could be to support private charities, CBOs and immigrant advocates providing disaster-related aid.

c. Address scarcity of affordable rental housing in New York State in rebuilding. There must be a significant federal commitment to expansion of the housing supply for low- and moderate-income New Yorkers through a significant commitment of Low Income Housing Tax Credits – the most proven federal tool for creating new apartments - that will allow annual production of three to four times the normal allocation for each of the next three years. Additionally, the Federal Government must ensure that Community Development Block Grant funds actually serve lower-income people, including immigrants who are less likely to live in public housing. In order to ensure that housing types not easily addressed by LIHTC or other programs (e.g. basement apartments, small rental properties, etc.) are included in the relief package, Congress should include similar provisions to those included in the 2008 disaster relief bill (P.L. 110-329) which require that a minimum percentage of the total CDBG allocation to each jurisdiction be used for affordable rental housing.

d. Ensure Participatory, Inclusive Decision Making in the Recovery and Rebuilding Process. Those affected and at risk, including immigrants and immigrant advocates must have a permanent place in planning and budgeting of all such funds and projects, including climate response planning. Currently, there are no seats for community organizations or leaders from communities directly affected by Sandy in the state commissions created to direct relief and rebuilding funds. The state should strengthen the role of community organizations that were first on the ground in Hurricane Sandy's hardest-hit neighborhoods, give them a central role in deciding how funds for rebuilding their neighborhoods should be spent and how to prepare for future crises. Best practices of participatory planning and participatory budgeting, in which community members determine priorities are needed rather than traditional hearings that provide only consultative opportunities without decision-making power.

5. DISASTER PREPAREDNESS

a. The State, County and City Governments must improve outreach to immigrants and limited English proficient communities before disasters about unrestricted services and evacuation centers. Government agencies should partner with community-based organizations to provide disaster preparedness workshops and assist communities in making their own safety plans. Agencies should expand their outreach to ethnic media in order to promote safety planning amongst immigrants living in potential disaster zones.

b. Solicit and address concerns from immigrant communities as New York State prepares for future disasters. Planning bodies, such as the New York State Respond Commission and the New York State Ready Commission, must take into account concerns from affected immigrant communities in planning for future disasters and must issue specific recommendations about how to improve safety and emergency preparedness for immigrant communities.

Appendix A: Sample Survey Instrument

Date: _____ Name: _____ Phone Number: _____

Phone number of friend / mobile: _____

Address: _____ Apt. # _____

Age: _____ Country of origin: _____ Race: _____ Gender: _____
Rent Own # People in Home: _____ Elderly Disabled Small Children
Single Female Head of Household
Primary language spoken at home: _____ Do you speak English? Yes No

How many days did you lose power?: 0 1-2 2-4 5-7 8-10 10+
How many days did you lose heat?: 0 1-2 2-4 5-7 8-10 10+
Was your home or apartment damaged? Yes No

Description of Damage:

Structural damage Mold Flooding Need new Boiler
Other : _____ Walls, floor or other still wet or were wet for substantial time

Did you leave your home due to the storm? Yes No
Do you need to relocate now? Yes No

[IF still living in damaged home] Does your home currently have mold or is it in a hazardous condition because of the storm? Yes No

Have these conditions impacted your health? Yes No How so? _____

Reasons why living in damaged home/apt: I can't afford to move Landlord won't fix it I can't afford to fix it

[IF relocated]: Are you in a temporary housing arrangement right now? Yes No
Are you worried about where you and your family will live in the future? Yes No

Did you evacuate during the storm? If not, why not? no place to go afraid of deportation
I couldn't afford it I didn't hear about the evacuation order Other _____

Personal property damaged? [car, clothing, household items, computers, school books, supplies]?
Yes No

[IF YES] How much? most of my property a significant amount some not much

Do you have clean-up expenses or storm related expenses (generator, clean up supplies, etc)? Yes No

ACCESS TO RELIEF

Did you try to apply for FEMA or other relief? Yes No

For what? FEMA Food stamps Unemployment Red Cross
Other help: _____

Did you get the help you applied for? Yes No

If you did not get the help you applied for, why not or what problems did you have?

Check ALL that apply:

I don't know how to apply I applied but have not gotten any response yet
They don't speak my language No forms in my language I am afraid to apply I don't have
the right documentation to apply
I don't think I qualify because of my immigration status
I can't get to the disaster relief center Other: _____

FOOD STAMPS

Do you receive food stamps? Yes No

HEALTH CARE

Do you have health insurance? Yes No Do you need to renew your health insurance? Yes No

Have you had trouble accessing medical care or filling prescriptions because of the storm? Yes No

Have you suffered health problems due to the storm/clean up? Yes No Describe: _____

EMPLOYMENT: What is your occupation? _____

Due to the storm, were you out of work [doesn't include personal/vacation days]: 0 days 1-4 days More than 4? I Lost my job because of storm.

Have you or anyone in your family been hired to work in demolition, clean up or rebuilding damaged property after the storm? YES NO

Does your employer owe you wages for days you worked but were not paid?
YES NO

BUSINESS

Have You Lost Your Business/Business property/inventory/machinery due to the Hurricane? YES NO

ADDITIONAL ISSUES:

Have you fallen behind on paying your Mortgage or Rent due to the storm?

YES NO

Have you suffered economically due to the storm? YES NO

Describe:

Have children in the household missed school due to the storm? YES NO

How many days? _____

Have you or your children suffered anxiety, sleeplessness or depression due to the storm? YES

NO

Endnotes

- I. Fiscal Policy Institute, *New Americans on Long Island*, January 2012.
- II. Center for An Urban Future, *Staten Island: Then and Now*, May 2011.
- III. See New York City Voluntary Organizations Active in Disaste Immigrant Affairs Working Group. “Disaster Preparedness Working Paper”, June 17, 2003, and Urban Justice Center, *Ripple Effect: The Crisis in NYC’s Low-Income Communities after September 11th*, September 2002.
- IV. Wasern, Ruth Ellen, CRS Report for Congress: *Hurricane Katrina-Related Immigration Issues and Legislation*, September 19, 2005.
- V. Berry, Deborah Barfield “Seeking Return of a Safety Net,” *Newsday*, May 19, 2002.
- VI. Schill, Michael. *The Housing Conditions of Immigrants in New York City: A Report by the Furman Center for Real Estate*, June 1998
- VII. Chhaya CDC, *Illegal Dwelling Units: A Potential Source of Affordable Housing in New York City*, November 2008.
- VIII. The Urban Institute. Data from the Integrated Public Use Microdata Series datasets drawn from the 2008 and 2009 American Community Survey.
- IX. Annese, John, “NYPD probing a possible bias crime that could have marred Ramadan celebration on Staten Island”, *Staten Island Advance*. August 19, 2012.
- X. Rosario, Mariela. “NY Teen Rearrested for Hate Crime”, *Latina*, May, 8, 2009.
- XI. Fiscal Policy Institute, *Working for a Better Life*, November 2007.
- XII. Interview with Lorelei Salas, Legal Director, *Make the Road New York*, November 25, 2012.
- XIII. See, e.g., “Access to Disaster Help and Resources,” available at: http://www.disasterassistance.gov/static/content/en/Fact%20Sheets_Checklist_EN.pdf (FEMA instructions on how to apply do not require providing taxes and do not give instructions on how undocumented parents of a qualified alien or citizen child could apply).
- XIV. “Health Crisis In Sandy Disaster Zones: Cold, Mold Loom As Hazards In Rockaways, Staten Island, Elsewhere,” *Associated Press*. December 1, 2012.
- XV. Department of Health and Mental Hygiene, *Community Health Survey 2007*.
- XVI. Nassau County Health Department *Mold Fact Sheet and Clean up Guidance*, December 2012.
- XVII. Community Service Society. “Sick in the City: What the Lack of Paid Leave Means for Working New Yorkers,” October 2009.

