



# State and Local Aid for Immigrants during the COVID-19 Pandemic: Innovating Inclusion

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State and local governments have exercised unusual powers since the early days of the Coronavirus lockdowns, ordering businesses to open and close, the wearing of masks and much else. Amidst it all, renewed activism on immigration issues in some parts of the country has produced measures that offer emergency economic relief and access to health care for immigrants left out of federal programs, especially the undocumented. In other cases, governments have facilitated employment by immigrants considered “essential” from surgeons to farmworkers.

The initiatives are numerous and widespread, particularly among jurisdictions with sizable foreign-born populations. However, as of this update July 8, 2020 the sums of money allotted have been limited and so too have the number of beneficiaries. Nonetheless, these efforts are

potentially significant as experiments that could pave the way for broader policy change in the long run. For example, California and Illinois each broke new ground with measures adopted as part of budgets adopted for fiscal years beginning July 1. California extended its Earned Income Tax Credit (EITC) to income tax filers without a Social Security number. Illinois expanded Medicaid coverage to all low-income seniors regardless of immigration status. Meanwhile, a number of municipalities are developing innovative partnerships with local philanthropies to finance and/or administer benefits programs.

Although the federal government has authority over who is admitted into the country, state and local governments have often enacted policies of their own intended to materially affect the lives of immigrants. Several efforts to adopt enforcement measures harsher than the federal government's policies have failed in the federal courts. Meanwhile, many initiatives to improve the lives of the foreign-born are still on the books. **Fifteen states and the District of Columbia** <https://www.ncsl.org/research/immigration/states-offering-driver-s-licenses-to-immigrants.aspx> issue driver's licenses to unauthorized immigrants in defiance of standards set by Congress in the Real ID Act of 2005. The **National Conference of State Legislatures reports** <https://www.ncsl.org/research/immigration/report-on-state-immigration-laws->

[2019.aspx](#)> that in 2019 alone nine states expanded employment licensing and credentialing opportunities to non-citizens without consideration of immigration status, and not just blue states. And, it was opposition by state and local governments that forced the end of the **Secure Communities** <https://www.ice.gov/secure-communities>> program in 2014, which the Trump administration has been trying to resurrect since taking office in January 2017. In another era, it was state governments that **largely reversed** <https://eric.ed.gov/?id=ED462496>> the cuts in immigrants' access to safety net programs enacted by the federal government in 1996.

Given the gravity of the crisis, the individual measures described below will have an immediate impact on beneficiaries and their communities. Looking to the future, the historical record suggests that if such efforts multiply, the pandemic could produce a new era of immigration activism beyond the Beltway with lasting impact on the nation as a whole.

## Economic Safety Net

Undocumented immigrants were excluded from the federal **CARES Act** <https://www.congress.gov/bill/116th-congress/house-bill/748/text>> , enacted March 27, 2020, which aimed to provide emergency financial assistance and save the

country from a recession. Even immigrants who pay taxes using a federal Individual Taxpayer Identification Number (ITIN) were excluded, as were their US citizen family members if they filed their tax returns jointly. This left approximately **15.4 million people**

<https://www.migrationpolicy.org/article/covid19-immigrants-shut-out-federal-relief>

without support. State and local governments, primarily in jurisdictions with substantial foreign-born populations, have taken several different approaches to filling the gap at least partially.

On eligibility standards, some programs specifically direct benefits to undocumented immigrants. Others simply award benefits without regard to immigration status, and others define eligibility in terms of those not covered by federal relief measures. Similarly, innovative partnerships with the charitable sector are developing. Some governments are paying entirely with taxpayer dollars. In other cases, particularly those that expressly provide benefits to the undocumented, governments have drawn on philanthropic dollars for some or all of the funding and sometimes for help in distributing funds.

The massive revenue shortfalls predicted for sub-federal governments nationwide have undoubtedly limited the scope of these programs already. They also face deeply rooted and long-standing opposition from conservative

and pro-restrictionist advocates who contest any use of tax dollars for the benefit of the undocumented. **Lawsuits** <https://www.judicialwatch.org/press-releases/court-orders-newsom/> are working their way through the courts in California and Maryland. Two programs in large, traditionally immigrant-friendly states have broken important barriers in providing government assistance to unauthorized immigrants:

- **California**

All immigrants, regardless of status, will be eligible for a tax benefit designed for low-income earners with young children. Under an **amendment to the tax code enacted June 29, 2020**

[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB93)

[bill\\_id=201920200AB93](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB93), individuals who pay taxes with an ITIN, as opposed to a Social Security number, will be eligible for the state's EITC if they have a child under the age of 6 and that in turn will make them eligible for the state's Young Child Tax Credit.

Thirty states, the District of Columbia and Puerto Rico have enacted their own versions of the federal EITC, which provides credits or refunds based on income and the number of children in a household, **according to the National Conference of State Legislatures.** <https://www.ncsl.org/research/labor-and->

[employment/earned-income-tax-credits-for-working-families.aspx](#)> While eligibility and benefits vary, all states—except for California starting in the 2020 tax year—require a tax filing with a Social Security number, as does the federal EITC. Social Security numbers are available only to US citizens and to immigrants with visas that provide work authorization. **According to the US Internal Revenue Service (IRS),**

<https://www.eitc.irs.gov/partner-toolkit/basic-marketing-communication-materials/eitc-fast-facts/eitc-fast-facts>> 25 million eligible workers and their families received about \$63 billion in federal EITC in 2019 with an average amount of \$2,476.

The ITIN is a tax processing number issued by the IRS to individuals who do not qualify for a Social Security number but who may have a tax reporting obligation. ITINs are issued regardless of immigration status, including to foreign-born, non-citizens who are not resident in the United States but who might earn some form of non-employment taxable income here such as through investments. First made available in 1996, ITINs have become an important form of **financial inclusion and civic integration**

<https://www.americanimmigrationcouncil.org/research/facts-about-individual-tax-identification-number-itin>> for unauthorized migrants, facilitating the opening of bank accounts and serving

as proof of residency for driver's license applications, rental leases and many other formalities. As of 2012, the IRS had issued 21 million ITINs, but since then the federal government has introduced a series of restrictions that have made it more difficult to obtain an ITIN and the number of successful applicants has dropped steeply, **according to the National Immigration Law Center.**

<https://www.nilc.org/issues/taxes/itinfaq/>

California's extension of its EITC to ITIN taxpayers came after several years of advocacy in Sacramento, as has been the case **with several other prior initiatives that have afforded benefits to unauthorized immigrants** <https://policymatters.ucr.edu/vol6-3-immigration/>

and that have become models for other states. The new tax breaks will benefit an estimated 32,000 to 46,000 families and will cost the state about \$65 million, according to the state legislative analyst **as reported by the Sacramento Bee.**

[https://www.sacbee.com/news/politics-government/capitol-](https://www.sacbee.com/news/politics-government/capitol-alert/article243742367.html)

[alert/article243742367.html](https://www.sacbee.com/news/politics-government/capitol-alert/article243742367.html) Undocumented immigrants pay an estimated \$157.9 million to California in state income taxes, **according to the California Budget and Policy Center which supported the new**

**legislation.** <[https://calbudgetcenter.org/wp-content/uploads/2019/11/CA\\_Budget\\_Center\\_EITC-5-Facts-immigrant\\_11719.pdf](https://calbudgetcenter.org/wp-content/uploads/2019/11/CA_Budget_Center_EITC-5-Facts-immigrant_11719.pdf)>

- **Illinois**

The state budget for the 2021 fiscal year provides Medicaid coverage for low-income seniors regardless of immigration status, marking the first time that elderly undocumented migrants will be eligible for the nation's key health program for the poor.

In recent years, **Illinois, five other states and the District of Columbia** <<https://www.nilc.org/issues/health-care/healthcoveragemaps/>> have extended eligibility for

Medicaid or similar medical coverage to immigrant children regardless of status. In 2019, California **extended eligibility for Medi-Cal**

<<https://www.npr.org/2019/06/10/731311422/californias-budget-proposal-would-expand-health-care-to-some-undocumented-immigr>> , its version of Medicaid, to adults up to the age of 26 regardless of status. A measure to offer Medi-Cal to undocumented seniors **failed in Sacramento this year** <<https://www.politico.com/news/2020/05/28/coronavirus-health-insurance-expansion-287874>> amid concerns for the Coronavirus induced budget deficit.

The Illinois bill gives Medicaid access to non-citizens over 65 years old and whose income is \$12,670 or less, which is the federal poverty level **according to the (Springfield) State Journal-Register.** <https://www.sj-r.com/news/20200527/illinois-to-become-1st-state-to-provide-medicaid-regardless-of-immigration-status> **Advocates of the measure** <https://www.npr.org/local/309/2020/06/11/874985727/undocumented-low-income-illinois-seniors-can-soon-get-publicly-funded-health-coverage> estimate that it will provide benefits to up to 1,000 people and will cost the state between \$1.5 and \$2.6 million in this fiscal year. Supporters originally proposed extending access to all adults below the poverty level regardless of immigration status which would have covered 93,000 people.

Created in 1965, **Medicaid now provides health coverage** <https://www.cbpp.org/research/health/policy-basics-introduction-to-medicaid> for nearly 100 million low-income individuals, more than two-fifths of them children. The program is designed to expand in times of need, such as the current pandemic, and serves an essential role in the nation's safety net for the poor. Funded jointly by the federal government and the states, each state operates its own program, including eligibility requirements, within federal guidelines. Aside from the exceptions noted above, unauthorized migrants are not eligible for Medicaid. Large numbers

of other non-citizens are excluded, including legal permanent residents for the first five years after they have held their green cards.

Medicaid eligibility for non-citizens has been contested periodically since the mid-1990s and serves as a key marker of immigrant access to safety net programs. Moreover, Medicaid, because of its structure is a perennial battleground for federalism as the states and federal government jostle over their prerogatives. Although the actual expenditures might be quite modest, the Illinois legislation marks another small step in opening this critical program to immigrants.

### **State and local jurisdictions extending Coronavirus economic relief measures to unauthorized migrants:**

- **California**

Paving the way—as usual—for state involvement in assistance to the undocumented, California established a **\$125 million fund**

<<https://www.gov.ca.gov/2020/04/15/governor-newsom-announces-new-initiatives-to-support-california-workers-impacted-by-covid-19/>> to help undocumented workers who cannot access unemployment insurance. This Disaster Relief Assistance for Immigrants (DRAI) fund, announced April 15, is estimated to benefit 150,000

undocumented people. Fifty million dollars of the fund will come from philanthropic partners, while \$75 million is coming from the state itself. Recipients are receiving direct one-time payments, which twelve nonprofit organizations throughout the state distribute. The original deadline for the program has already passed, but the majority of the funds remains to be disbursed, mainly due to technical difficulties. The organizations charged with disbursing funds have struggled to keep up with demand. For example, one non-profit organization received **50,000 calls**

[https://www.latimes.com/california/story/2020-05-20/california-coronavirus-relief-program-issues-immigrants-unemployment?utm\\_source=Migratory+Notes+Pop-Up+Newsletter&utm\\_campaign=f39414888c-EMAIL\\_CAMPAIGN\\_2020\\_05\\_21\\_04\\_55&utm\\_medium=email&utm\\_term=0\\_084466b101-f39414888c-435739149](https://www.latimes.com/california/story/2020-05-20/california-coronavirus-relief-program-issues-immigrants-unemployment?utm_source=Migratory+Notes+Pop-Up+Newsletter&utm_campaign=f39414888c-EMAIL_CAMPAIGN_2020_05_21_04_55&utm_medium=email&utm_term=0_084466b101-f39414888c-435739149) on the first day, overwhelming its capabilities.

- **Oregon**

The state legislature contributed **\$20 million** <https://www.publicnewsservice.org/2020-06-10/livable-wages-working-families/excluded-from-federal-aid-or-fund-supports-undocumented-workers/a70496-1> to the Oregon Worker Relief Fund which was created by advocacy groups to provide temporary financial relief to undocumented workers.

One and a half million dollars were raised in donations from private and philanthropic donors, and \$250,000 came from the city of Portland. Over 100 community groups are involved in dispersing the aid. The first \$10 million was allocated by the legislature in April, and the second round of \$10 million was allocated on June 5th when lawmakers passed a **\$247 million coronavirus aid package** <https://www.oregonlive.com/coronavirus/2020/06/oregon-lawmakers-agree-to-devote-247-million-in-federal-coronavirus-aid-to-renter-relief-rural-hospitals-child-care-and-more.html>. Thirty million dollars of that package were allocated to protecting agricultural workers. However, state lawmakers voted against paying wage replacement to undocumented workers who had been laid off due to COVID-19.

- **Connecticut**

A total of **\$3.5 million** <https://ctmirror.org/2020/06/03/connecticut-provides-coronavirus-assistance-for-undocumented/> was collected to aid undocumented families with rent relief and direct financial aid. Two and a half million dollars came from the State Department of Housing (decided on June 3rd) and was given directly to landlords whose tenants are undocumented and behind on rent payments. This payment to landlords was designed to

enable the government to avoid the issue of taxpayer money being provided directly to undocumented immigrants. Another \$1 million came from a charity, and that money will be distributed as direct assistance to families.

- **Illinois**

The Illinois Department of Human Services (IDHS) partnered with local organizations to create the Immigrant Family Support Project on June 9 to provide emergency assistance to low-income immigrants. IDHS contributed **\$2 million**

<https://www2.illinois.gov/dceo/Media/PressReleases/Pages/PR20200609.aspx>

> and a private foundation raised another \$750,000.

More than 60 community-based organizations along with the Illinois Welcoming Centers distributed funding, which quickly ran out.

- **Austin, Texas**

City Council members approved a **\$15 million relief fund** [https://www.austintexas.gov/news/city-council-approves-relief-state-](https://www.austintexas.gov/news/city-council-approves-relief-state-emergency-fund-provide-immediate-and-direct-relief-vulnerable-austinites)

[emergency-fund-provide-immediate-and-direct-relief-vulnerable-austinites](https://www.austintexas.gov/news/city-council-approves-relief-state-emergency-fund-provide-immediate-and-direct-relief-vulnerable-austinites)

in early April, some of which is allocated for direct aid payments. Council members requested that the assistance go first to those who were excluded from the CARES Act, such as undocumented immigrants.

The city's **deputy chief financial officer has stated**

[https://www.kut.org/post/big-deal-austin-approves-15-million-relief-fund-](https://www.kut.org/post/big-deal-austin-approves-15-million-relief-fund-includes-cash-assistance-residents)

[includes-cash-assistance-residents](https://www.kut.org/post/big-deal-austin-approves-15-million-relief-fund-includes-cash-assistance-residents) , “Right now, as we understand the rules, 75% of eligible expenses will be reimbursable” by the federal government, as that is standard repayment procedure for disaster relief funds.

- **Montgomery County, Maryland**

The County Council appropriated **\$5 million**

[https://www2.montgomerycountymd.gov/mcgportalapps/Press\\_Detail.aspx?](https://www2.montgomerycountymd.gov/mcgportalapps/Press_Detail.aspx?Item_ID=25258&Dept=1)

[Item\\_ID=25258&Dept=1](https://www2.montgomerycountymd.gov/mcgportalapps/Press_Detail.aspx?Item_ID=25258&Dept=1) on April 30 to provide direct payments to low-income County residents, with a focus on those who are ineligible for other state and federal assistance programs. Council members have said that they will seek federal and state reimbursement for the money spent on relief from the crisis.

- **Washington DC**

The DC Council left undocumented immigrants out of their COVID-19 relief program, but Events DC, a semi-public company that receives millions of dollars in taxpayer funding, announced April 9 that it is using **\$15 million** <https://www.washingtonpost.com/local/events->

*dc-will-give-15-million-in-covid-19-relief-to-hospitality-workers-undocumented-immigrants/2020/04/09/26e3f6ec-7a97-11ea-a130-df573469f094\_story.html*> to aid those who were excluded from the Council's programs. Events DC specifically allocated \$5 million of the \$15 million to undocumented immigrants.

- **Tucson, Arizona**

The City Council unanimously approved a contribution of **\$5.5 million**

*<https://www.tucsonaz.gov/newsnet/tucson-city-council-approves-million-*

*small-business-and-community-assistance>* to Mayor Regina

Romero's We Are One/Somos Uno Resiliency Fund on May 5—\$3 million for individuals and families, \$2 million for small businesses, and \$500,000 for nonprofits. The funding comes from the city's federal COVID-19 aid money.

- **Seattle, Washington**

The Office of Sustainability and Environment (OSE) has expanded an emergency food voucher program, and the City of Seattle committed in mid-March to donating **\$5 million**

*<https://greenspace.seattle.gov/2020/03/emergency-food-vouchers-to-*

*support-those-in-need-during-covid-19/#sthash.TlvJg6TL.dpbs>* to

support this program. Other funding comes from a variety of private sources. While the program was originally for participants in city-supported childcare and food assistance programs, eligibility was expanded to include people who had recently lost their job due to COVID-19. The focus is now on those who are unable to access other forms of government aid due to structural or institutional barriers, such as language barriers or fear of deportation. The agency partnered with community-based organizations to distribute the vouchers.

- **Harris County, Texas**

The county created a **\$30 million**

[https://www.houstonpublicmedia.org/articles/news/health-](https://www.houstonpublicmedia.org/articles/news/health-science/coronavirus/2020/06/22/376538/harris-county-covid-19-relief-fund-opens-for-applications-tomorrow/)

[science/coronavirus/2020/06/22/376538/harris-county-covid-19-relief-fund-](https://www.houstonpublicmedia.org/articles/news/health-science/coronavirus/2020/06/22/376538/harris-county-covid-19-relief-fund-opens-for-applications-tomorrow/)

[opens-for-applications-tomorrow/](https://www.houstonpublicmedia.org/articles/news/health-science/coronavirus/2020/06/22/376538/harris-county-covid-19-relief-fund-opens-for-applications-tomorrow/) fund on May 19 for one-time

payments for those in greatest need, including immigrants. Local, community-based organizations are disbursing the funds to roughly 30,000 households.

**The following governments have established programs that, while not explicitly targeting unauthorized immigrants, do not consider immigration status in determining eligibility:**

- **California**

The state allocated **\$50 million** <https://ibank.ca.gov/small-business-finance-center/> on April 2 to the Small Business Finance Center for financial relief for small businesses and nonprofits that may not qualify for federal funds.

- **Washington**

The Washington State Department of Social and Health Services is administering the **Disaster Cash** <https://www.dshs.wa.gov/os/office-communications/media-release/dshs-provide-disaster-cash-assistance-some-washingtonians-beginning-april-17> Assistance Program (**DCAP** <https://www.dshs.wa.gov/os/office-communications/media-release/dshs-provide-disaster-cash-assistance-some-washingtonians-beginning-april-17> ), which was expanded April 17 to include the COVID-19 emergency. Benefit amounts are relatively small, with maximum amounts of \$363 for a household of one and \$670 for a household of four.

- **Minneapolis, Minnesota**

On April 3 the city established a **\$5 million fund** <http://minneapolismn.gov/coronavirus/gap-funding> for housing assistance and forgivable loans for small businesses.

Money for housing assistance was provided directly to landlords or utility companies, and demand far exceeded supply.

- **Los Angeles, California**

On June 23 the City Council approved using **\$100 million** <https://www.latimes.com/homeless-housing/story/2020-06-23/la-passes-100-million-coronavirus-rent-relief> from federal CARES Act money towards an Emergency Rental Assistance Subsidy Program. This is the largest rental assistance program passed by any city in the United States. Undocumented immigrants will be eligible for assistance, with qualifications based primarily on income. The money will help approximately 50,000 families in the city. This compares to county-wide estimates of need that show about 365,000 households at risk of losing their homes.

- **Chicago, Illinois**

Chicago established a **\$2 million fund** [https://www.chicago.gov/city/en/depts/mayor/press\\_room/press\\_releases/2020/april/EOImmigrantRefugeeProtection.html](https://www.chicago.gov/city/en/depts/mayor/press_room/press_releases/2020/april/EOImmigrantRefugeeProtection.html) on April 7 for housing assistance grants and a \$100 million fund to provide low-interest loans for small businesses. The Mayor's executive order explicitly stated that all benefits, opportunities, and services provided or administered

by the City of Chicago are accessible to all residents, regardless of birth country or current citizenship status.

- **King County, Washington**

The county has partnered with two nonprofits to create and disburse a **\$5 million fund**

<https://www.uwkc.org/renthelp/> for rental assistance as well as \$10,000 grants to small business owners. The program was announced on April 10, but has since been on pause due to high demand.

- **Fort Bend County, Texas**

On June 1 the county allocated **\$19.5 million**

<https://www.khou.com/article/news/health/coronavirus/how-to-apply-for-covid-19-relief-in-fort-bend-county/285-b01b9c4f-8aa3-4fb8-ba03-24fe8e2343c1> of their federal COVID-19 aid money to support residents with rent and mortgage payments, and another \$2 million to aid with utility payments. Money is given directly to the landlords, mortgage providers, or utility companies. **However,**

[https://www.fbherald.com/free/application-process-could-prevent-undocumented-immigrants-from-getting-rent-assistance/article\\_53d03c78-ac07-11ea-a052-07814bdca004.html](https://www.fbherald.com/free/application-process-could-prevent-undocumented-immigrants-from-getting-rent-assistance/article_53d03c78-ac07-11ea-a052-07814bdca004.html) **extensive application**

[https://www.fbherald.com/free/application-process-could-prevent-undocumented-immigrants-from-getting-rent-assistance/article\\_53d03c78-ac07-11ea-a052-07814bdca004.html](https://www.fbherald.com/free/application-process-could-prevent-undocumented-immigrants-from-getting-rent-assistance/article_53d03c78-ac07-11ea-a052-07814bdca004.html)

[undocumented-immigrants-from-getting-rent-assistance/article\\_53d03c78-ac07-11ea-a052-07814bdca004.html](https://www.fbherald.com/free/application-process-could-prevent-undocumented-immigrants-from-getting-rent-assistance/article_53d03c78-ac07-11ea-a052-07814bdca004.html) > **requirements**

[https://www.fbherald.com/free/application-process-could-prevent-undocumented-immigrants-from-getting-rent-assistance/article\\_53d03c78-ac07-11ea-a052-07814bdca004.html](https://www.fbherald.com/free/application-process-could-prevent-undocumented-immigrants-from-getting-rent-assistance/article_53d03c78-ac07-11ea-a052-07814bdca004.html) > have largely kept undocumented residents from accessing aid. The Commissioner of one precinct noted that the number of undocumented immigrants receiving any funds is very low, if not zero due to the application requirements. The Commissioner of another precinct said that he assumed undocumented immigrants were not eligible, and that there was no information or debate about it.

- **Santa Clara County**

The Santa Clara County Homeless Prevention System created an **\$11 million relief fund**

<https://abc7news.com/coronavirus-in-bay-area-ca-santa-clara-county-funding/6043569/> > to assist residents with rent and other basic needs. The county and the city of San Jose each voted on March 24 to put in \$2 million each, and the remainder was private funding. The aid amount was set high at \$4000 per month (compared to other local government's programs which ranged from \$200 – \$1500), but the **funds ran out**

<https://destinationhomesv.org/2020/03/three-days-after-launch-11-million->

*santa-clara-county-coronavirus-relief-fund-runs-out-of-money/*> three days after the program's launch. The program has now obtained more funding, but the amount has decreased to \$1000 and the eligible households must have an income of less than 30% of the area median income (instead of the original requirement which was set at 80%).

- **Boston, Massachusetts**

The Mayor created a Rental Relief Fund using **\$8 million** *<https://www.boston.gov/departments/neighborhood-development/office-housing-stability/rental-relief-fund>* from federal stimulus funding. The original \$3 million was announced on April 2 and \$5 million was added on June 3 due to increased demand. The fund is managed by the Office of Housing Stability together with three nonprofit partners. The program has now finished two rounds of disbursing aid.

- **Paul, Minnesota**

The Saint Paul Bridge Fund is a **\$4.1 million fund** *<https://www.stpaul.gov/sites/default/files/Media%20Root/Planning%20%26%20Economic%20Development/Bridge-Fund-Program-Report.pdf>* created to aid families and small businesses in Saint Paul. Saint Paul Housing and Redevelopment Authority contributed \$3.25 million dollars on April 1, and other

funding came from philanthropic, corporate and individual donors. One-time payments were provided to families and small businesses, but only about one-fifth of applicants received funding.

- **Seattle, Washington**

The City of Seattle allocated **\$2.5 million**

[https://www.seattle.gov/office-of-economic-development/small-](https://www.seattle.gov/office-of-economic-development/small-business/small-business-programs-/stabilization-fund-)

[business/small-business-programs-/stabilization-fund-](https://www.seattle.gov/office-of-economic-development/small-business/small-business-programs-/stabilization-fund-) in federal

Community Development Block Grants to the Small Business Stabilization Fund for grants to qualifying small businesses. 250 small businesses were selected on April 15, out of **9,000 applicants**

[https://durkan.seattle.gov/2020/04/mayor-jenny-durkan-announces-initial-](https://durkan.seattle.gov/2020/04/mayor-jenny-durkan-announces-initial-250-grantees-of-the-small-business-stabilization-fund-calls-on-private-sector-and-philanthropy-to-help-support-future-grants/)

[250-grantees-of-the-small-business-stabilization-fund-calls-on-private-](https://durkan.seattle.gov/2020/04/mayor-jenny-durkan-announces-initial-250-grantees-of-the-small-business-stabilization-fund-calls-on-private-sector-and-philanthropy-to-help-support-future-grants/)

[sector-and-philanthropy-to-help-support-future-grants/](https://durkan.seattle.gov/2020/04/mayor-jenny-durkan-announces-initial-250-grantees-of-the-small-business-stabilization-fund-calls-on-private-sector-and-philanthropy-to-help-support-future-grants/) .

- Under the Families First Coronavirus Response Act of 2020, the US Department of Agriculture has authorized **47 states** <https://www.fns.usda.gov/snap/state-guidance-coronavirus-pandemic-ebt-pebt> to operate a Pandemic Electronic Benefits Transfer (P-EBT) All children who would receive free or reduced-price meals, if not for their school closure due to COVID-19, are eligible. States can provide meal-replacement benefits of up to

**\$125** <https://protectingimmigrantfamilies.org/immigrant-eligibility-for-public-programs-during-covid-19/> per month per child.

Other governments are promoting or organizing programs for undocumented immigrants, even if they are not funding them. **New York City** <https://bklyner.com/20-million-relief-fund-immigrant-workers/> partnered with George Soros' Open Society Foundations, which donated \$20 million to create an emergency relief program for immigrant workers. Recipients received direct, one-time payments.

**San Francisco** <https://sfmayor.org/article/mayor-london-breed-announces-give2sf-funding-seniors-undocumented-san-franciscans-and-small>'s

<https://sfmayor.org/article/mayor-london-breed-announces-give2sf-funding-seniors-undocumented-san-franciscans-and-small> City government is organizing approximately \$10.5 million that has been donated by foundations and individual donors to provide aid to city residents, and undocumented people have been deemed a priority. **Los Angeles** <https://spectrumnews1.com/ca/la-west/health/2020/03/24/prepaid-debit-cards-to-be-distributed-to-la-families-in-need>'

<https://spectrumnews1.com/ca/la-west/health/2020/03/24/prepaid-debit-cards-to-be-distributed-to-la-families-in-need> Angeleno Campaign— which provides debit cards to low-income residents or those facing financial hardship— was started by the Mayor.

**Baltimore** <https://mima.baltimorecity.gov/erif>'s

<https://mima.baltimorecity.gov/erif> Mayor's Office of Immigrant Affairs established the Emergency Relief for Immigrant

Families fund. City governments in **Pennsylvania**

[https://www.voanews.com/usa/immigration/efforts-launched-help-immigrants-](https://www.voanews.com/usa/immigration/efforts-launched-help-immigrants-ineligible-us-federal-covid-19-assistance)

[ineligible-us-federal-covid-19-assistance](https://www.voanews.com/usa/immigration/efforts-launched-help-immigrants-ineligible-us-federal-covid-19-assistance) are promoting the PA

Immigrant Relief Fund. Other governments, such as the state government of **Nevada**

<http://ona.nv.gov/Resources/ResourceHome/> , have compiled and

promoted multilingual resource guides for immigrant communities.

Multiple issues have plagued local governments' attempts to aid their undocumented communities. One issue is the sensitivity of immigrants' information, as it could be used for immigration enforcement efforts. The attempt to protect immigrants' information in **New York City**

[https://documentedny.com/2020/06/24/city-funding-for-undocumented-](https://documentedny.com/2020/06/24/city-funding-for-undocumented-immigrants-is-shrouded-in-secrecy/)

[immigrants-is-shrouded-in-secrecy/](https://documentedny.com/2020/06/24/city-funding-for-undocumented-immigrants-is-shrouded-in-secrecy/) , for example, led to a lack of

publicly available information and complicated application procedures. Most programs, even when government-funded, have been carried out or distributed by nonprofit organizations that have greater access to undocumented communities and can better protect their information.

However, this has led to serious technical difficulties and slow progress in the disbursement of aid, **as depicted by**

**the Los Angeles Times.** [https://www.latimes.com/california/story/2020-](https://www.latimes.com/california/story/2020-06-26/coronavirus-california-financial-assistance-immigrants)

[06-26/coronavirus-california-financial-assistance-immigrants](https://www.latimes.com/california/story/2020-06-26/coronavirus-california-financial-assistance-immigrants) In that

account of California's economic relief program for

unauthorized migrants, nonprofits organizations admitted

that they simply do not have the infrastructure to handle such massive projects. As a leader in one organization described it, “People are expecting the operation of a credit card company or a bank. These are not financial institutions. We are nonprofits.”

Noncitizen immigrants earn **lower incomes**

<https://www.americanprogress.org/issues/immigration/reports/2013/03/20/57351/the-economic-effects-of-granting-legal-status-and-citizenship-to-undocumented-immigrants/> than US citizens on average. They make up a

**disproportionate share**

<https://www.washingtonpost.com/business/2020/04/05/undocumented-immigrants-coronavirus/> of workers whose sectors are hit the hardest in this crisis, and lack access to many of the social safety nets accessible to citizens. Not surprisingly then, overwhelming demand has shown that the need is much greater than the resources available. Almost every program has lacked funding to meet the number of applications received. Furthermore, almost every program’s aid amount has been below the \$1200 provided under the federal CARES Act. Despite the limitations, these programs provide meaningful assistance to those they do reach. And, given that they were undertaken at a time of historic shortfalls in local and state government budgets, they make important positive statements about how those jurisdictions value the undocumented people in their communities.

# Healthcare

Access to healthcare for undocumented immigrants has long been hotly disputed, and it has become a more urgent issue now as most strategies for combatting the pandemic require that all people have access to testing and treatment for COVID-19. Nearly half of undocumented people lack health insurance compared to less than a tenth of US citizens. There have been recent efforts to address barriers to COVID-19 testing on the federal level. The Families First Coronavirus Response Act seeks to make COVID-19 testing free, although in practice that has not uniformly **occurred**

<https://www.healthaffairs.org/doi/10.1377/hblog20200413.783118/full> .

Additionally, the Act does not address treatment for COVID-19. Fears of debilitating treatment costs compound issues that were already discouraging undocumented people from accessing vital services. Examples of these issues include **fear**

<https://www.nytimes.com/2020/03/18/us/coronavirus-immigrants.html> of immigration enforcement and deportation efforts near testing sites or hospitals, and fears that getting testing or treatment will later make undocumented persons ineligible for legal status due to the new Public Charge guidelines. While the government has taken some **action** <https://www.uscis.gov/green-card/green-card-processes-and-procedures/public-charge> to address these issues, uncertainty and fear remain.

The Trump Administration's rapidly changing immigration policies and the highly discretionary nature of its recently implemented Public Charge guidelines leave many unsure of the impacts of accessing critical health services and emergency financial assistance.

Despite these obstacles, some states are working to find ways to cover their undocumented residents. On June 30, **Colorado enacted legislation** <<https://leg.colorado.gov/bills/sb20-215>> that broadly addresses the affordability of health insurance and includes major benefits for low-income and uninsured residents of the state regardless of their immigration status. In its legislative declaration the General Assembly made special note of the economic dislocations of the pandemic and the losses in health care coverage it has brought about.

Emergency Medicaid is a federal program that is accessible regardless of immigration status, and states have the power to decide what constitutes "emergency" treatment, within general guidelines set by the federal government. **California** <<https://www.dhcs.ca.gov/Documents/COVID-19/COVID-19-Emergency-Services.pdf>> , **New York** <[https://www.health.ny.gov/health\\_care/medicaid/program/update/2020/no07\\_2020-03\\_covid-19\\_reimbursement.htm](https://www.health.ny.gov/health_care/medicaid/program/update/2020/no07_2020-03_covid-19_reimbursement.htm)> and **Washington** <<https://www.washingtonlawhelp.org/resource/immigrants-and-coronavirus-covid-19-you-can-get-care-without-fear#i5C960161-6EE2-4540-B389-BB4EFD464AFE>>

were among the first to update their definitions of “emergency” to include COVID-19 testing, evaluation, and treatment. This inclusion of extended COVID-19 services in Emergency Medicaid enables low-income undocumented residents of these states to access care. Although each state’s policy has different coverage guidelines, there are now **twelve states**

<https://www.kff.org/medicaid/issue-brief/medicaid-emergency-authority-tracker-approved-state-actions-to-address-covid-19/#Table2> that have expanded their Emergency Medicaid to cover at least some COVID-19 testing and treatment. Those twelve states are California, Colorado, Connecticut, Delaware, Maine, Massachusetts, Michigan, Nevada, New York, Oregon, Pennsylvania, and Washington.

## Essential Workers

<https://cmsny.org/publications/us-essential-workers/>

Immigrants as a whole make up 18 percent of the US workforce. Yet, they are 29 percent of the country’s physicians and 23 percent of building cleaners in the healthcare industry. They make up 31 percent of agricultural workers, 26 percent of the workers in food processing and manufacturing, and 38 percent of the meat processing industry workers. Some states are especially dependent on immigrant workers. In California,

for example, immigrants make up 68 percent of the state's agricultural workers. These jobs and the people who work them have always been essential, and yet the COVID-19 pandemic is forcing the country to reckon with its dependence on this workforce.

## Licensing Requirements for Medical Workers

Healthcare workers are on the front lines of the battle against COVID-19, and a **quarter**

<https://www.ecfmg.org/news/2020/03/23/match-day-adds-7000-international-medical-graduates-to-u-s-gme-programs/> of active physicians in the United States are international medical graduates.

Governors, lacking sufficient numbers of healthcare providers, have asked retired physicians to return to work and medical school students to accelerate the end of their programs. **1.5 million immigrants**

<https://www.migrationpolicy.org/news/us-health-care-system-coronavirus-immigrant-professionals-untapped-resource/> already serve as doctors, pharmacists, and registered nurses in the US healthcare system. There are another **263,000**

<https://www.migrationpolicy.org/news/us-health-care-system-coronavirus-immigrant-professionals-untapped-resource/> who could be working in the healthcare system but are out of work or working jobs that do not utilize their healthcare degrees. One reason is the barrier of licensing requirements to work in the United States. Foreign exams, qualifications, and experience do not necessarily transfer to the United States. The required

exams to be licensed in the United States can be very expensive and are intended for recent graduates, not experienced doctors. For example, as one **foreign-born physician explained** <https://www.newyorker.com/news/daily-comment/immigrant-doctors-want-to-help-fight-covid-19-but-are-stymied-by-state-licensing-laws> , the exam is essentially testing a skilled cardiologist on every bone in the foot. The barriers to work in the United States keep many immigrant healthcare workers from being able to help in the current crisis.

Some governors have passed executive orders to better enable foreign-educated health workers who lack the required US licenses to work during the pandemic. Governors are doing this by facilitating quicker licensing procedures for workers with foreign degrees. The following states have adjusted their licensing requirements to enable more foreign workers to contribute their skills during the crisis:

- **New Jersey**

Governor Phil Murphy signed an **Executive Order** <http://d31hzlkhk6di2h5.cloudfront.net/20200401/fa/1d/84/7d/184bf8acfd4ee1851d4c2ca/EO-112.pdf> on April 1, 2020 temporarily authorizing foreign doctors who are in good standing in other jurisdictions to work in the state.

- **Nevada**

Governor Steve Sisolak signed an **Emergency Order**

[http://gov.nv.gov/News/Emergency\\_Orders/2020/2020-04-01\\_-\\_COVID-](http://gov.nv.gov/News/Emergency_Orders/2020/2020-04-01_-_COVID-19_Declaration_of_Emergency_Directive_011/)

[19\\_Declaration\\_of\\_Emergency\\_Directive\\_011/](http://gov.nv.gov/News/Emergency_Orders/2020/2020-04-01_-_COVID-19_Declaration_of_Emergency_Directive_011/) on April 1, 2020

waiving professional licensing requirements for any provider of medical services who has received training in another country but is not currently licensed in the United States.

- **New York**

Governor Andrew Cuomo signed an **Executive Order**

[https://www.governor.ny.gov/news/no-20210-continuing-temporary-](https://www.governor.ny.gov/news/no-20210-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency)

[suspension-and-modification-laws-relating-disaster-emergency](https://www.governor.ny.gov/news/no-20210-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency) on

March 23, 2020 allowing graduates of foreign medical schools without licenses to provide patient care in hospitals if they have completed at least one year of graduate medical education.

- **Massachusetts**

Governor Charles Baker signed an **Executive Order**

<https://www.mass.gov/doc/april-9-2020-foreign-medical-doctors/download>

on April 9, 2020 that expedited the licensing of physicians who are graduates of International Medical Schools and who are practicing in the United States with a limited license.

- **Utah**

Governor Gary Herbert signed a **bill** <https://le.utah.gov/~2020/bills/static/SB0023.html> into law on March 30, 2020 that allows doctors trained in specific other countries that have training similar to that in the United States, such as the United Kingdom, Canada, Australia, or New Zealand, to qualify for state licenses.

- **Colorado**

The Colorado Department of Regulatory Agencies **announced** <https://content.govdelivery.com/accounts/CODORA/bulletins/2897a83> on May 1, 2020 that temporary licensure would be available for international medical graduates to work during the pandemic under the supervision of a Colorado licensed physician.

- **Oklahoma**

The State Board of Medical Licensure and Supervision **published** [https://www.okmedicalboard.org/download/2005/APPROVED+BY+GOVERNOR+04.21.2020\\_MD+COVID-19+Emergency+Rule+Document.pdf](https://www.okmedicalboard.org/download/2005/APPROVED+BY+GOVERNOR+04.21.2020_MD+COVID-19+Emergency+Rule+Document.pdf) COVID-19 Pandemic Emergency Rules on April 21, 2020 establishing that the Board may issue a license

to graduates of medical schools approved by the Board. A medical doctor or surgeon licensed by Oklahoma must attest that the graduate is necessary in the interests of the public health, safety, and welfare to combat the COVID-19 pandemic, and that the physician will assume supervision over the graduate.

- **California**

Governor Gavin Newsom signed an **Executive Order** <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.30.20-EO-N-39-20-text.pdf> on March 30, 2020 that has no specific wording regarding immigrants but states that the Director of the State Department of Public Health may waive any professional licensing and certification requirements.

### **“Essential Worker” Letters**

Undocumented immigrants make up a disproportionate share of **essential workers** <https://cmsny.org/publications/us-essential-workers/> during the crisis. About 74 percent of the undocumented labor force consists of essential workers. Some 310,800 undocumented immigrants work in agriculture and farms and 193,900 work in food processing and manufacturing. Many immigrants are simultaneously both “essential” and “illegal.” They are

required to work, and their employers are forbidden from employing them. The COVID-19 crisis has brought to light the contradictions of a system that has long existed in the shadows.

Multiple states have provided workers with “essential worker” letters to ensure that they can safely get to and from work during stay-at-home orders. North Dakota and North Carolina are examples of two states that are providing template “essential worker” letters on State government letterhead. The template letters are available online and are written so that employers can designate any workers, without regard to immigration status, as “essential” under **federal guidelines**

<https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce> . The letters proclaim that the bearer should be

allowed to move about unimpeded to protect the nation’s food supply regardless of stay-at-home orders. Operating under **its own Coronavirus guidelines**

<https://www.ice.gov/coronavirus> , US Immigration and Customs Enforcement (ICE) is supposed to avoid operations that could impede the delivery of healthcare or otherwise interfere with federal, state or local efforts to manage the crisis.

While these letters do not grant any immigration status or serve as ironclad protection from apprehension by ICE, they constitute acknowledgment and acceptance by a state agency of employment by unauthorized migrants even though that employment is in contravention of federal law. Though far less formal and consequential than the issuance of drivers' licenses, the letters to some extent mitigate the consequences of being an undocumented immigrant. And, they are an explicit recognition of the economic contributions made by those immigrants.

- **North Dakota**

*<[https://www.nd.gov/ndda/sites/default/files/Critical%20Infrastructure%20Letter.p](https://www.nd.gov/ndda/sites/default/files/Critical%20Infrastructure%20Letter.pdf)*

*df>* is providing letters on the State of North Dakota Department of Agriculture letterhead and signed by the Agriculture Commissioner. The letter describes the “food and agriculture sector as a critical infrastructure sector whose assets, systems, and networks are considered so vital that their incapacitation or destruction would have a debilitating effect on security, national economic security, national public health, or safety.” It suggests that the person carrying the letter should “proceed unimpeded to and from their destination in the interest of protecting the nation’s food supply chain.”

- **North Carolina**

*<<https://www.ncagr.gov/disaster/documents/documents/SIGNEDWORKAUTHORI>*

[ZATIONAGGROUPEPERSONNELMarch26.pdf](#) is providing letters on the North Carolina Department of Agriculture and Consumer Services letterhead, written directly from the Commissioner of Agriculture with their signature on the template. The letter states that “It is necessary that this employee be able to proceed to work, conduct any and all functions of his/her job in whatever setting or locale required, and to return home after work.”

- Other states are simply providing template “essential worker” letters that do not have any government affiliation attached to them. Examples include **Florida** <http://www.flchamber.com/wp-content/uploads/2020/04/Essential-Worker-Letter-Template-04.05.20.pdf> , **Michigan** <https://www.michamber.com/essential-worker-letter-template> , and **Maryland** <https://mdchamber.org/resources/covid-19-resources/> .

Overall, the crisis has provoked the greater involvement of state and local governments in issues of immigration, which could have significant impacts on the development of immigration policy down the road. States are providing undocumented communities with emergency resources, often with public funds, providing letters on state letterhead verifying that they are essential workers, and altering requirements so that foreign workers can more easily work in the United States. The COVID-19 crisis has heightened the visibility of the contradictory status of

“essential” and “illegal.” However, the impacts of that visibility and of the increased authority claimed by state and local governments are still to be seen.

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