

HOUSE CONCURRENT RESOLUTION NO. 169

REPORT TO THE 2022 LEGISLATURE



**Prepared by the
Department of Labor and Industrial Relations**

**H.C.R. NO. 169 WORKING GROUP TO IMPROVE ACCESS TO
GOVERNMENT SERVICES FOR IMMIGRANTS AND
INCREASE IMMIGRANT OPPORTUNITIES TO MAKE CIVIC
AND ECONOMIC CONTRIBUTIONS TO THE COMMUNITY**

- I. PURPOSE & RESOLUTION REQUIREMENTS**
- II. OVERVIEW OF IMMIGRANTS IN HAWAI'I**
- III. DISCUSSION OF IMPROVING ACCESS TO GOVERNMENT SERVICES**
- IV. FINDINGS AND RECOMMENDATIONS**

I. PURPOSE & RESOLUTION REQUIREMENTS

The purpose of House Concurrent Resolution No. 169 (HCR169) of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2021, requested the Department of Labor and Industrial Relations (DLIR) to convene a Working Group to improve access to government services for immigrants and increase immigrant opportunities to make civic and economic contributions to the community. HCR169 requested the working group to submit a report of its findings and recommendations, including any proposed legislation, no later than twenty days prior to the convening of the Regular Session of 2022.

HCR169 requested that the Director of Labor and Industrial Relations convene the Working Group in the interim between the Regular Sessions of 2021 and 2022 with the following members or their designees (in parentheses):

- Governor (Catherine A. Betts)
- Director of Labor and Industrial Relations—Anne Perreira-Eustaquio
- Executive Director of the Office of Community Services—Jovanie Domingo Dela Cruz
- Executive Director of the Office of Language Access—Aphirak “AP” Bamrungruan
- Hawai'i Coalition for Immigrant Rights— Dr. Amefil “Amy” Agbayani, Philious Uruman, Thaddeus Pham
- Inter-Agency Council for Immigrant Services—Terrina Wong, Darrin Sato
- Representatives from other organizations—Linda Spencer (Catholic Charities of Hawai'i), Bill Kunstman (DLIR)

The working group selected Co-Chairs Anne Perreira-Eustaquio and Amy Agbayani pursuant to the resolution. The members were diverse with representation from state government, immigrant serving non-profit groups, foreign-born and US born citizens, native speakers of English, Asian and Pacific languages, Oahu and Hawai'i island.

II. OVERVIEW OF IMMIGRANTS IN HAWAI'I

Hawai'i's history is inextricably interlinked with immigration, beginning with the remarkable Polynesian migration that discovered and settled the most remote archipelago on earth. Subsequently, the Kingdom and later Territory of Hawai'i relied on immigrant laborers from Asia and the Pacific in the sugar industry under the auspices of the Masters & Servants Act (SLH, 1850), and later the pineapple

industry. The Immigration and Nationality Act of 1965 amended the federal immigration law and resulted in major changes that resulted in fewer immigrants from Europe and more immigrants from other parts of the world. The amendments prioritized family immigration and the labor needs of the U.S. For the state of Hawai'i, this resulted in a growth of immigrants from Asia.

Immigration and immigrants continue to play an absolutely vital role in Hawai'i's economy, workforce and community. According to the 2020 census¹, foreign-born persons constitute 18.5% or 269,226 of Hawai'i's total population of 1,455,271 persons. A recent report by the New American Economy² using data from the 2018 American Community Survey³ provides information about immigrant communities and outlines the essential role of immigrants in Hawai'i's economy:

- The **top 10** countries of origin of immigrants to Hawai'i are: Philippines (46%), Japan (8%), China (8%), Korea (7%), Micronesia (5%), Vietnamese (4%), Mexico (2%), Marshall Islands (2%), Canada (2%) and Hong Kong/Taiwan (2%).
- **Immigrant share** of county population is: Honolulu 19%, Maui 18%, Hawai'i, 11% and Kauai 18%
- The majority (**57%**) of immigrants are naturalized citizens; 37% are eligible to apply for citizenship; 18% are undocumented; and 12% of non-citizens had at least one US born child.
- Over **40%** of immigrant households live at or below 300% federal poverty threshold
- Immigrants without health insurance (**7%**) is double the share of U.S. born
- Immigrants in Hawai'i contributed **\$17.6 billion** to the local economy in 2018, with **\$1.55 billion** paid in federal taxes and over **\$874 million** going to state and local taxes
- Immigrants in the state had a spending power of **\$5.8 billion**, and contributed over **\$17.5 billion** to Hawai'i's GDP
- Immigrants contributed **\$780 million** to Social Security and **\$195 million** to Medicare in 2018
- These total contributions from immigrants represented an estimated **18.4%** and **18.8%** of all contributions to Social Security and Medicare, respectively, in the state
- Immigrants accounted for nearly **40%** of agricultural workers and **33%** of the workers in the tourism, entertainment, and hospitality industry
- Immigrants are more likely to be working age (73% compared to U.S. born (61%).

➤ Immigrants (**18.5%** of the population) play an out-sized role in major occupations:

- ❖ **68%** of House-keeping cleaners
- ❖ **50%** of Chefs and Head cooks
- ❖ **47%** of Nursing assistants
- ❖ **44%** of Landscapers & groundskeepers
- ❖ **40%** of Food preparation workers
- ❖ **39%** of Cooks
- ❖ **38%** of Food service managers
- ❖ **32%** of Cashiers
- ❖ **32%** of Accountants and Auditors
- ❖ **32%** of Janitors and Building cleaners
- ❖ **31%** of Supervisors of Retail sales workers
- ❖ **31%** of Security Guards
- ❖ **26%** of Retail salespersons
- ❖ **25%** of Laborers & Material movers
- ❖ **23%** of Registered nurses
- ❖ **22%** of Construction laborers
- ❖ **21%** of Carpenters
- ❖ **20%** of Drivers/Sales workers and Bookkeeping & Accounting clerks

Despite immigrants' integral contributions to Hawai'i's economy, workforce and community, foreign-born residents still encounter significant barriers to full integration into Hawai'i. The literature is replete with examples of how immigrants encounter barriers across a variety of domains, including legal, language, financial, citizenship, and cultural literacy ones, amongst others.

The Working Group identified many of the critical issues facing immigrants in contemporary Hawai'i in discussions and as tabulated in a survey of participants available as Appendix A. Critical issues identified as crucial needs for immigrants to overcome barriers included:

- ✓ Failure of state and federal programs to provide meaningful language access services
- ✓ Lack of funding for legal assistance to immigrants for immigration legal services
- ✓ Funding to support training of more accredited representatives to provide legal immigration services
- ✓ Insufficient capacity, support and funding for interpreters and translators

- ✓ Deficiencies in data collection and disaggregation for many of Hawai'i's immigrant groups
- ✓ A statutory process for undocumented persons to acquire a Hawai'i identification card
- ✓ Delay or lack of eligibility for federal programs like Temporary Assistance for Needy Families (TANF) and Supplemental Nutrition Assistance Program (SNAP)
- ✓ A one-stop shop/sites across the state for immigrants as well as a centralized website
- ✓ Anti-discrimination training to combat discrimination and marginalization of immigrant communities
- ✓ English language and acculturation education and training
- ✓ Outreach with use of bilingual staff, technology and ethnic media to immigrant communities
- ✓ Coordination of service delivery and immigrant integration into the provision of services across state government
- ✓ Workforce training that incorporates economic integration of immigrants
- ✓ Bilingual materials to support access to government services that meets legal requirements

III. DISCUSSION OF IMPROVING ACCESS TO GOVERNMENT SERVICES

The Working Group quickly identified a community needs assessment as a key component in the strategy moving forward on how to help immigrants overcome barriers and improving their access to government services and increasing immigrants' opportunities to make civic and economic contributions to the community. A comprehensive community needs assessment can provide important information as to what agencies or organizations may be working on to address particular issues, and where gaps in community services may be found.

A comprehensive community needs assessment for immigrants would provide the foundation for strategic planning and provide policy makers with avenues for improving access to government services. Such an assessment could identify what roles the federal, state, and county governments play and where the provision of resources could have the greatest impact.

Importantly, the Working Group notes that although HCR169 tasked the Department of Labor and Industrial Relations to convene a working group, the scope of the

working group entailed a broad mandate that reaches beyond the jurisdiction of the DLIR and OCS.

The Working Group noted that immigration responsibility is the responsibility of the federal government, but that leaves states and metropolitan areas to fill in the gaps not currently provided by the federal government. Innovative approaches taken in Seattle⁴, San Francisco⁵, New York City⁶ and other jurisdictions serve as examples of how counties and the State of Hawai'i can improve and overcome barriers to improve access to government services for immigrants and increase immigrant opportunities to make civic and economic contributions to the community.

In Act 305 (SLH, 1985) the Legislature consolidated four anti-poverty agencies administering state and federal funds—the Progressive Neighborhoods Program, Hawai'i Office of Economic Opportunity, Refugee Resettlement Program, and State Immigrant Services Center—into the Office of Community Services (OCS). OCS currently has 14 staff: an executive director, 2 clerks, 3 fiscal staff, 3.5 federal program specialists, and 4.5 state program specialists.

OCS administers a state-funded Employment Services program that helps Hawai'i's low-income individuals and legal permanent residents gain employment skills, find and retain jobs. The Employment Services program contains two components:

ES-LIP: The Employment Services for Low-Income Persons program serves low-income individuals in Hawai'i at a household income of 200 percent of or below of the most current [United States Federal Poverty Guidelines for Hawai'i](#). This service population may include legal permanent residents who do not need additional assistance provided through the ES/LPR program.

ES-LPR: The Employment Services for Legal Permanent Residents program serves legally permanent residents, which are lawfully present immigrants residing in Hawai'i for less than five years, Compact of Free Association (COFA) migrants, and other non-citizens who are eligible to work in the United States whose household income is at 200 percent or below of the United States Federal Poverty Guidelines for Hawai'i.

The current service providers for both programs include the Honolulu Community Action Program, Goodwill Industries of Hawai'i, Parents and Children Together, Child and Family Service, and Maui Economic Opportunity. The total appropriation in FY2020 was \$1.3 million. Under the current period of performance of the program, it served approximately 1,200 individuals; although that number that was severely impacted by the COVID-19 Pandemic.

OCS also administers eight recurring federal grant programs through contracts with non-profits totaling nearly \$5.6 million, which are immigrant inclusive programs. In addition, OCS administers many of the Chapter 42F (HRS) Grants-in-Aid (GIA) appropriated by the Hawai'i State Legislature to non-profit agencies for which the DLIR is the expending agency. In FY2020 OCS managed a portfolio of 92 grants totaling more than \$25.6 million, of which approximately \$23.8 million was for capital improvement projects and \$1.8 million was for operating grants.

OCS's eight recurring federal grant programs:

Community Services Block Grants (CSBG) support Hawai'i's four Community Action Agencies (Honolulu Community Action Program, Inc., Hawai'i County Economic Opportunity Council, Maui Economic Opportunity, Inc., and Kauai Economic Opportunity, Inc.) with funding to underwrite a broad array of services that range from job training and job placement to Head Start, housing assistance, transportation services, food assistance, shelter assistance, and financial literacy. The FY2020 grant award was \$3,851,915. Furthermore, due to the Coronavirus (COVID-19) health crisis, OCS also received CSBG CARES Act Supplemental Funds (\$1,372,494) to allocate to CSBG Community Action Agencies. The purpose of CSBG CARES Act Supplemental Funds is to prevent, prepare for, and respond to the effects of COVID-19 within low-income communities and populations. The total number of clients served was 71,247.

The Emergency Food Assistance Program (TEFAP) provides shelf-stable and frozen foods such as canned vegetables and various meat and poultry products to supplement the diets of low-income individuals at no cost. TEFAP is by far OCS's largest food program, serving an estimated weekly average of 22,821 individuals through funding from the U. S. Department of Agriculture's (USDA) Food and Nutrition Service (FNS) Branch. The FY2020 grant award included \$242,030 in administrative funding, \$156,000 in Food Purchase Distribution Program (FPDP) administrative funding, and a \$995,707 TEFAP food commodity budget. In FY2020, TEFAP also received Family First Coronavirus Response Act funds (\$1,136,130) and CARES Act (\$1,278,688) funding that provided Hawai'i with even more administrative funding and many more additional TEFAP food deliveries in 2020.

Commodity Supplemental Food Program (CSFP) provides one box per month of pre-selected canned and packaged foods to each of 3,733 low-income seniors through the USDA's FNS branch. A typical box contains a cross-section of foods,

including canned fruits and vegetables; dry goods such as flour, rice, and cereals; and beverages such as fruit juices and milk. The FY2020 grant award was \$304,313.

Seniors Farmers' Market Nutrition Program (SFMNP). In FY2020, this USDA FNS program provided approximately 9,000 low-income seniors with food coupons to purchase locally grown fruits and vegetables from local farmers and farmer's markets. The FY2020 grant award was \$497,820.

Legal Advocacy, Outreach, and Referral Services to Protect the Rights of Children and Their Families. Two programs that collectively serve approximately 2,000 children under this grant funded by the U. S. Department of Health and Human Services provide legal services to children in low-income households to address a myriad of issues ranging from family violence, abuse, and neglect, to child support and access to education and social safety-net services. The FY2020 grant award was \$267,000.

Weatherization Assistance Program (WAP) provides funding from the U. S. Department of Energy for energy conservation education and the installation of weatherization measures to low-income households to reduce their energy costs. Among the weatherization measures approved for installation under this grant are solar water heaters, hybrid heat pumps, energy-efficient refrigerator or air conditioner replacements, compact fluorescent lights (CFLs) or light emitting diodes (LEDs), advanced power strips, and low-flow faucet aerators and shower heads. The FY2020 grant award was \$257,473 and the program served 48 homes.

Low-Income Home Energy Assistance Program (LIHEAP) is funded by the U.S. Department of Health and Human Services through the Hawai'i State Department of Human Services (DHS). This program is administered in conjunction with the WAP to install energy-saving appliances or measures to reduce energy costs for low-income households. The OCS portion of the LIHEAP FY2020 grant was \$438,931, and it served 39 homes.

Refugee and Entrant Assistance Program provides refugees and asylees with two types of services under this formula grant from the U. S. Department of Health and Human Services, Office of Refugee Resettlement: (1) Social services for employment and other social services for up to five years after arrival into the U.S. or granting of status; and (2) Cash and medical assistance for up to eight months from arrival into

the U.S. or granting of status. The FY2020 grant awards were (1) \$70,000 for social services and (2) \$6,758 for cash assistance. The total number of clients served was 26.

IV. FINDINGS AND RECOMMENDATIONS

As previously mentioned, the Working Group identified a community needs assessment as a key method in determining how Hawai'i may move forward to addressing improving immigrant access to government resources. This assessment should include a matrix of services currently offered by State and county agencies along with eligibility criteria and areas that could use service enhancement. Currently, there is a lack of resources required to conduct such an assessment. A community needs assessment could identify the utility of establishing one-stop centers, websites, and re-establishing Immigrant Resource Centers across the state. These efforts could facilitate the necessary outreach to immigrants and immigrant communities. Legislative funding and support of a comprehensive community needs assessment represents a viable path forward on how to address the challenges facing immigrants in accessing government services within Hawai'i.

The group also identified bolstering the state's language access law and provision of language access resources as another important component to addressing current immigrant needs in accessing state services. (The Working Group notes that another working group, pursuant to H.R.97/S.R.74, is developing recommendations for effective communications for Limited Proficiency Persons and persons with disabilities). Funding for state agencies to include in their respective budgets for language access, bilingual outreach, and anti-discrimination training as well as adding an enforcement provision for the Office of Language Access (OLA) to effectuate implementation and delivery of state agencies' language access plans stated outcomes were outlined as two crucial parts of addressing language access issues.

Relatedly, building capacity for interpreters and translators (particularly in Filipino and Micronesian languages) through funding for scholarships, training programs and certification efforts could also play a large role by providing robust interpretation and translation services to address access issues. Similarly, bolstering English language and acculturation programs would help immigrants navigate the complicated terrain they encounter in accessing government services.

Strengthening the state's data collection efforts, including disaggregating data beyond current U.S. Census data, was also identified as another opportunity. Improved data collection and disaggregation could guide ongoing and future efforts at improving access to government services.

The Working Group also suggests that increasing the provisioning of resources for legal assistance and the infrastructure to build the pool of accredited representatives to provide legal immigration services is crucial to efforts to increase immigrant access to government services.

OCS has committed to updating the Hawai'i Handbook for Immigrants originally published by OCS in 2014 and translated into Ilokano, Marshallese and Chuukese and strengthening its website (including multilingual materials) as part of the effort to increase immigrant access to Hawai'i state services.

Other initiatives discussed by the Working Group include:

- State-level, enterprise-wide direction and coordination of multilingual communication and technology access support
- Creation of a statutory process to create a Limited Purpose State ID card for Hawai'i's undocumented residents
- State support for gaps in eligibility for TANF, TAONF, and SNAP
- Increasing support for workforce training that incorporates economic and acculturative integration of immigrants
- Enhanced coordination of service delivery and immigrant integration into the provision of services across state government
- An annual Immigrant Resource Fair once pandemic conditions improve
- Dedicated programs, staffing and resources for OCS to enhance services to immigrants and refugees, including pass through grants for non-profits providing services
- Additional OCS Staff to monitor federal immigration policies, issues, apply for federal funding, and assist with providing grants/contracts with immigrant serving organizations

Proposed Legislation

The Working Group proposes legislation to provide guidance and funding on a comprehensive community needs assessment to guide policy makers and stakeholders on how to increase immigrant access to government resources and increase immigrant opportunities to make civic and economic contributions to the community.

1 <https://www.census.gov/quickfacts/HI>

2 https://research.newamericaneconomy.org/wp-content/uploads/sites/2/2021/05/NAE_Hawai'i_V7_FINAL.pdf

3 <https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/2018/>

4 <https://www.seattle.gov/iandraftaffairs>

5 <https://sf.gov/get-immigration-legal-help>

6 <https://www1.nyc.gov/site/immigrants/index.page>

APPENDIX A: HCR169 Working Group Survey

	NEED/BURDEN	EXISTING LOCAL RESOURCES	BEST PRACTICES	RECOMMENDATIONS
1	<p>Many of Hawaii's critical community service programs fail to provide language access services even though they receive federal and state funding. To assure compliance with these laws the following best practice is suggested: In all RFPs, OCS to require applicants to attach language access plans and to include information showing costs for translation and interpretation services and the number of LEP persons served in the preceding fiscal year, etc. In all POS contracts, OCS to include a section requiring the vendor to implement and provide language access services as required by (cite to State and federal laws). OCS to monitor recipients for compliance.</p>	<p>DHS may have sample contract language.</p>	<p>State and federal laws.</p>	<p>Initiate this protocol in the upcoming fiscal year.</p> <ul style="list-style-type: none"> • OCS, through its State plans and contracts, ensure that all the programs it administer are in compliant with federal and state laws • The federal food programs also conduct civil rights training for the service providers • OCS programs are monitored regularly in accordance with the monitoring requirements prescribed by the federal and/or state law(s) that govern the program
2	<p>Identification is essential to opening bank accounts, accessing credit, entering into agreements with landlords or others, notarizing documents, entering into legal contracts, etc. While Hawaii issues driver licenses for undocumented persons, it has not created, by statute, a process for undocumented persons to acquire a State ID card. According to the New American Economy: Immigrants and Migrants in Hawaii (2021) there are 41,2346 undocumented persons living in Hawaii.</p>	<p>State Department of Transportation</p>	<p>https://cliniclegal.org/resources/state-and-local/why-states-should-grant-drivers-license-all-residents</p>	<p>Support legislation to create a Limited Purpose State ID card for Hawaii's undocumented residents.</p>
3	<p>Programs funded through OCS may not have developed robust language access plans and/or resources. Because these programs</p>	<p>OLA</p>	<p>Existing federal and state legal requirements</p>	<p>OCS to request funding from the Legislature to help its POS providers come into compliance with federal and state law. OCS to fund and create a specific RFP</p>

	<p>receive State funding they are required by law to provide language access.</p>			<p>that would assist its providers with additional funding to come into compliance.</p> <ul style="list-style-type: none"> • There has been no language access complaint filed against any of OCS programs. Nevertheless, OCS, through its State plans and contracts, ensure that all the programs it administer are in compliant with federal and state laws
<p>4</p>	<p>According to the federal government, Hawaii currently may have up to 45 unaccompanied minor children residing in our communities. https://www.acf.hhs.gov/orr/grant-funding/unaccompanied-children-released-sponsors-state. These children reside with sponsors and are in need of access to immigration and other legal and social services.</p> <p>I strongly support funding for unaccompanied minor children, separate from funding for general immigration legal services. Hawaii needs to determine what happens to these kids once they arrive here, what services, including public benefits, medical, and mental health counseling are available to them (I only know of Medicaid as a possibility, based on a law that Hawaii passed in 2000 or so. I can get the site for you, if needed.). As far as I know, no entity within the state government provides coordinated services for these kids.</p>	<ul style="list-style-type: none"> • The Legal Clinic • Legal Aid Society of Hawaii • Richardson School of Law - Immigration Clinic 	<p>https://www.migrationpolicy.org/sites/default/files/publication/s/mpi-unaccompanied-children-services_final.pdf https://www.migrationpolicy.org/research/services-unaccompanied-children-us-communities</p> <p>If OCS funds this request, it is imperative that the recipient provide a report summarizing the best practices Hawaii needs to establish coordinated services for these youth. With global warming and increased regional instabilities, I don't see a decrease in the number of unaccompanied children entering the US and Hawaii. We need to provide for these kids!</p>	<p>Provide dedicated funding for legal services for unaccompanied minor children residing in Hawaii. As part of the RFP also consider commissioning a study from the provider or the provider's subcontractor on the medical, mental health, social, educational needs etc. for this cohort of children; how the State can best address these needs moving forward. I would think OCS might consider funding for a single legal service provider since one of the objects is to conduct research, collect data, and report back.</p> <ul style="list-style-type: none"> • There are two types of program for unaccompanied minor: Unaccompanied Refugee Minor (URM) program and the Unaccompanied Alien Children (UAC). URM are refugees that are processed through the US Refugee Admission Program. These minors are at refugee camps overseas. Hawaii does not have URM program. US Department of State does not allocate URM to Hawaii. • UAC are unaccompanied children who are apprehended in the United States without immigration status or a parent or legal guardian. The Office of Refugee Resettlement (ORR) has a policy that requires the timely release of children and

				<p>youth to qualified parents, guardians, relatives, or other adults, referred to as “sponsors.” According to ORR data, from Oct. 2020 to July 2021, there are 19 UAC released to Hawaii sponsors. However, these UAC are not qualified to receive services from OCS’s Refugee Social Services and Refugee Cash Assistance programs.</p>
5	<p>Lack of language access in departments and services. I believe the best data is to ask what the Language access are plans each department has and the resources to meet the needs. I would get the data from the state census to look at households where English is not spoken.</p>	<p>I am not sure what type of resources this is asking for? If its data we have census, Hawaii Primary Care Association has information regarding Federally Qualified Health Centers</p>	<p>There are some states that do this however, I am not sure if there are any states that demonstrate best practices. I believe states such as New York and Oregon do an adequate job and some parts of California.</p>	<ul style="list-style-type: none"> • The questions while good where difficult for me. I believe that we need to look at the state statutes regarding language access and see if it meets our current needs. Our recommendations are for the state to have a state plan for language access that all departments, grantees of the state etc. follow. • In addition, the resources that are needed to develop and full fill the plan. I am not sure how difficult this would be. It can be as simple as asking the different departments if they have a plan. Majority do not or have no means to implement which would be another question to ask. • It difficult to do this with just a couple of department's information as we seem to focus on that particular issue. I believe one of the things to determine is what is the state's overall plan and if there is none then one needs to be created for Emergency, Health, Courts, Transportation etc. <p>”</p>
6	<ul style="list-style-type: none"> • Funding to support training of more accredited representatives to provide legal immigration services as part of the Department of Justice program. There is 	<ul style="list-style-type: none"> • InterAGency Council for Immigrant and Refugees public and private agencies servicing immigrants; 	<p>Top 10 most welcoming cities to immigrants -- research them and find out why and how they do it:</p>	<p>Research/data, funding, expertise, commitment</p> <ul style="list-style-type: none"> • OCS willing to take on the task to update the Immigrant Handbook

<p>such a compelling need by our immigrant population to access legal immigration services at low-cost or no cost. At present, only Catholic Charities, Maui County and Pacific Gateway Center have accredited representatives for the entire state (total of 5 accredited reps, I think). Training is provided by CLINIC (Catholic Legal Immigration Network) and cost for the COIL (Comprehensive Overview of Immigration Law) is \$450 and other training varies but approximately \$1,000 - \$1500 plus mentorship would be needed. Alternatively, John Egan, Esq, Director of UHM's Immigration and Refugee Law Clinic has thought about bringing CLINIC staff attorneys to provide training in Hawaii.</p> <ul style="list-style-type: none"> • Enforcement teeth that would empower OLA to effectuate implementation and delivery of state agencies' language access plans stated outcomes. • Funding for state agencies to include in their respective budgets for language access. • Building capacity for interpreters and translators (particularly in Filipino and Micronesian languages) to support need by our community limited-English proficient. Funding needed to provide scholarships to support training. Related to this is developing a meaningful training program that leads to 	<ul style="list-style-type: none"> • Hawaii Coalition for Immigrant Rights • Child & Family Services (under contract by OCS) to conduct refugee services; • Pacific Gateway Center that implements refugee resettlement services; • Non-profits that provide legal immigration services; • Federally-qualified community health centers that provide health services to immigrants with language access and will see immigrants without insurance; • Food banks and food pantries; • Language service providers (Bilingual Access; Language Services Hawaii; Hawaii Language Bank at Pacific Gateway Center); • Waipahu Safe Haven that services the Micronesian community; • We are Oceania; Marshallese Community Organization of Hawaii; • Public health nurses; Department of Health; public libraries; churches and faith-based institutions; KNDI radio; diverse cultural organizations; Catholic Charities, etc. 	<p>https://www.majority.com/en/community/article/10-best-migrant-friendly-cities-in-the-us/</p>	<ul style="list-style-type: none"> • OCS advocates and strongly supports conducting a needs assessment • OCS currently administers the Employment Services Program for Low-Income Persons (ES-LIP) and Legal Permanent Residents (ES-LPR), which are funded by the State of Hawaii. The objective of these programs is to enable participants to successfully obtain or increase and maintain employment for a minimum of 30 days. • ES-LIP: The Employment Services for Low-Income Persons program serves low-income individuals in Hawaii at a household income of 185 percent of or below of the most current United States Federal Poverty Guidelines for Hawaii. This service population may include legal permanent residents who do not need additional assistance provided through the ES/LPR program. • ES-LPR: The Employment Services for Legal Permanent Residents program serves legally permanent residents, which are lawfully present immigrants residing in Hawaii for less than five years, Compact of Free Association (COFA) migrants, and other non-citizens who are eligible to work in the United States whose household income is at 185 percent or below of the United States Federal Poverty Guidelines for Hawaii. • An annual Immigrant Resource Fair could be a challenging/difficult task due to the current COVID-19 situation
---	---	--	---

<p>certification (many committees currently working on this issue).</p> <ul style="list-style-type: none"> • Acquiring a better sense of capacities, services, and interests of all the public and private sectors, community stakeholders that support our immigrant community so that we know where we can go to for support and help. This could be a goal of the IAC. • An annual Immigrant Resource Fair for the community -- with workshops, legal immigration services, and public and non-profits coming together so the immigrant community is aware of the vast network to support them. • Local policies of inclusivity and financial empowerment and opportunities to encourage civic engagement. • Update Immigrant Handbook • Ensure data-driven strategies to address need; implications for how State's intake or applications for various services collects data and what data is collected needed on our immigrant populations to collect what is needed to make best decisions. This means disaggregate data on our specific immigrant groups • Support DOE in welcoming immigrant families, working with students on how this might be accomplished. Students speaking heritage languages could support this effort, especially for families who do not speak one of the top 5 			
--	--	--	--

	<p>languages in the DOE system. They are lost in the system.</p> <ul style="list-style-type: none"> • Prepare Micronesians who decide to migrate to Hawaii to provide them with a cultural and economic orientation to Hawaii before they come so they know what to expect • Partnership with public libraries to provide immigrant resources • Closer partnership with neighbor island organizations that support immigrant populations in their respective communities; • Funding to create multi-lingual websites • Keep close communication with our US Senators and Congressmen on immigration issues and needs 			
7	<ul style="list-style-type: none"> • Compact Impact Reports-Annually • LEP State Department Plans-Annually • Federal Data Sources • Temporary Assistance for Other Needy Families (TAONF--General Funded Program for non-citizens/state equivalent of federally funded TANF) • Data from Office of Civil Rights re: language access • OLA Reports 	<ul style="list-style-type: none"> • State Language Access Plans • State funded programs for immigrants/LEP • Constitutional authority for service provision to all residents, including immigrants • HIJC • Legal Aid • OLA • Civil Rights Commission • Hawaii Coalition for Immigrant Rights • OCS • DHS • KKV • We Are Oceania 	<ul style="list-style-type: none"> • Standardizing and Operationalizing language access for all state departments and services. • Leveraging state funds for immigrant populations (can be used as state maintenance of effort--equal protection issue raised for continuing state funded services equivalent to federally funded services) • One stop shop • Robust interpretation and translation services • More communication with congressional delegation so 	<p>Most immigrants are not immediately eligible for federal programs – there’s a 5 year waiting period from the date of entry</p> <p>Migrants (residents covered by COFA) are not ever going to be eligible for SNAP</p> <p>TANF Reauthorization is upcoming---what's the appetite for changing the outdated TANF guidelines?</p> <p>There are a lot of state funded benefits and services that they are eligible for</p> <p>-what are the outreach strategies, so people know</p>

		<ul style="list-style-type: none"> • Economic Development Boards-statewide • MEO 	<p>they're aware of the state funded services for Compact Nation residents---robust communication with GAO (Sen. Murkowski's request) lead to a data driven report to support increased funding</p> <ul style="list-style-type: none"> • Anti-discrimination training--still rampant discrimination and marginalization of recently emigrated populations, including Compact Residents. 	
8	<p>There are multiple barriers facing community immigrant integration and access to government services. Recommendations to address/mitigate barriers and improve access to government services and increase opportunities will require various state departments in addition to DLIR and its attached agency, Office of Community Service which is identified as the lead state agency because the legislature identified low-income communities, immigrants and refugees. Immigration is the responsibility of the federal government so policies and programs for immigrants at the state and local levels should be consistent with federal policies and also seek federal funds to support state efforts where appropriate.</p>			<ul style="list-style-type: none"> • Data collection needs to be collected/ disaggregated where possible (e.g., language spoken, proficiency in English) • Language accessible information and services • Outreach with use of bilingual staff, technology, ethnic media, immigrant communities • Know your rights, including non-discrimination policies, language access and how to make a complaint) <p>Recommendation for services (providers can be government or non-profit)</p> <ul style="list-style-type: none"> • Citizenship and legal services for immigrants, • English language education that focuses on integrating immigrants into society; • Workforce development training that supports the economic integration of immigrants; • Bilingual information to access government services and meet requirements;

				<ul style="list-style-type: none"> • training/support for translation and interpretation and use of technology <p>Recommendations for DLIR:</p> <ul style="list-style-type: none"> • Improve language access to programs, e.g., September 21, 2021 news release The U.S. Department of Labor and the Hawaii Department of Labor and Industrial Relations have entered into a voluntary conciliation agreement to ensure those with limited English proficiency and eligible non-U.S. citizens seeking to file claims for unemployment insurance benefits have better access to services. • Increase use of DLIR programs, services and outreach to immigrants e.g., Workforce Development training programs) <p>Recommendations relating to OCS:</p> <ul style="list-style-type: none"> • Review, clarify administrative relations of the Office of Community Services, an attached agency to the DLIR (e.g., OCS budget increases/decreases; legislative testimony; Solutions and resources required; increase visibility/effectiveness of OCS services for immigrants; review alternative organizational structures) • Additional resources & staffing to carry out or purchase the functions • Apply for Federal monies (existing and expected federal fund (e.g., The National Office of New Americans Act is a stand-alone measure from the larger New Deal for New Americans Act (H.R. 4928; S. 3470), which complements the establishment of the Office with measures that expand access to citizenship, workforce development and English-language learning
--	--	--	--	---

				<p>programs, legal services, and increase the amount of refugees the U.S. resettles yearly</p> <ul style="list-style-type: none"> • Community needs assessment to identify resources, gaps and required resources to address the needs (strategic plan). • “Soup up” OCS’s website, including social media presence & campaign • One-Stop shop for resources including websites, for example Seattle • Assess need for re-establishing Immigrant Resource Center • OCS Employment Service program has an acculturation component including ESL training/course. • OCS’s refugee program includes, but not limited to, translation/interpretation services, citizenship and naturalization preparation and English language training • OCS advocates and strongly supports conducting a needs assessment • The needs assessment will determine the type of services that will be offered at the Immigrant Resource Center.
<p>9</p>	<ul style="list-style-type: none"> • “Immigrants and Migrants in Hawaii” Essential Contributors to the Workforce and Economy” - May 2021 prepared by Partnership for a New American Economy Research Fund • “Hawaii Handbook for Immigrants” – 2015-2016 Published by the Office of Community Services, Department of Labor and Industrial Relations, State of Hawaii • “A Service Providers Manual for Immigrant Families” – Pre 2015 – Published by Catholic 	<ul style="list-style-type: none"> • Copies of items listed in answer 1 are available with some agencies that were contracted with OCS during their tenure. Much more data should be available at the OCS office, at least 35 years if they kept data files. With COVID, it is difficult to know what is now available. It would certainly be beneficial to include electronic training and ZOOM education and training 	<p>I have not read much about models or seen workable ones, but the resource center concept seems to still be preferred and workable. If it is kept simple with basic information available to provide and teach newly arrived and even longtime residents, it will attract immigrants even those with limited or no English skills.</p>	<p>Make sure it is an “immigration/migrant facility not a combination of immigration and another need such as employment, homelessness, financial, family, health, insurance. As those needs develop during the building of the immigration case management file send them to the correct agency for any of those services and invite them back if they don’t get a satisfactory answer where they were sent. Workers in those centers should be at least partially accredited to be able to provide accurate “immigration services” to a client and continuing</p>

	<p>Charities Hawaii funded by Hawaii State Department of Health</p> <ul style="list-style-type: none"> • “Voyaging Together to a New Life” A Handbook for Newcomers to Hawaii – first published 2008 as a Handbook for Newcomers to Hawaii from an illustrated handbook ©United State Conference of Catholic Bishops, Washington DC 	<p>classes that has arisen during the pandemic.</p> <ul style="list-style-type: none"> • The following resources should still have records and materials used by immigrants and migrants: Library’s, UH Manoa, UHH, MUBI (Micronesians United Big Island, Various Consulates located on Oahu, High School Immigrant Programs, employers and farms using immigrant and migrant workers, service providers, Chamber of Commerce, and State Agencies offering social services and assistance to immigrant/migrant populations, and past immigrant/migrant clients who have had to rely on any of these resources 	<p>Immigrants come in usually for one service “immigration” assistance, but that service usually turns into multiple questions about social, and economic assistance. The service provider has to be aware of their own community so they can provide up to date and accurate information. The name of the service center has to be “easily recognized” by newly arrived immigrants as a place they can go for community welcoming and information. If it is not a “welcoming” place to gather and learn, it will scare some of them away</p>	<p>knowledge of other social needs so they are referring to a place where they will receive the right service.</p>

Background Information

DBEDT Data and Reports:

- [2019 State of Hawai‘i Data Book](#)
- [2019 State of Hawaii Data Book Individual Tables](#)
- [Non-English Speaking Population in Hawai‘i \(DBEDT Report – April 2016\)](#)
- [Detailed Languages Spoken at Home in the State of Hawai‘i” \(DBEDT Report – March 2016\)](#)

- English proficiency had strong impacts on an individual's economic activities. Labor force participation rate of the non-English speakers who could not speak English well was about 15 percentage points lower than the rates for the English-only speakers and the non-English speakers who could speak English well. The rate difference with these groups was bigger at 33 percentage points for the non-English speakers who could not speak English at all.
- English proficiency also played a role in the selection of occupation. The occupational composition of the non-English speakers who could not speak English well showed a high concentration in two occupation groups: "Food preparation and serving" and "Building/grounds cleaning and maintenance". About one in two non-English speakers worked in one of these two occupations if they could not speak English well.
- Earning disparities among various English proficiency groups were evident. The median earnings of the non-English speakers were lower than that of the English-only speaking population for all English proficiency levels, and the earnings gap amplified as English proficiency decreased.
- The earning disparities among various English proficiency groups include both direct effects of English proficiency on earnings and indirect effects through other characteristics correlated with English proficiency. A multivariate regression analysis showed that the impacts of English proficiency on earnings were still significant even when all related factors were controlled. The regression results suggest that the earnings of non-English speakers can be 10 to 34 percent lower than that of the English-only speakers due to lack of English proficiency although they have the same amount of education and experience, are subject to the same race and gender, and work in similar occupations.

[H.R.1308 - New Deal for New Americans Act of 2021117th Congress \(2021-2022\)](#)

To establish the National Office of New Americans, to reduce obstacles to United States citizenship, to support the integration of immigrants into the social, cultural, economic, and civic life of the United States, and for other purposes.

[H.R.572 - National Office of New Americans Act117th Congress \(2021-2022\)](#)

This bill establishes the National Office of New Americans (NONA) within the Executive Office of the President to promote and support the integration of immigrants and refugees into the social, cultural, economic, and civic life of the United States.

The NONA shall also establish the Federal Initiative on New Americans. The initiative shall establish a coordinated federal program to respond effectively to immigrant and refugee integration issues such as language learning, adult education and workforce training, health care, and naturalization.

- The National Office of New Americans Act is a stand-alone measure from the larger New Deal for New Americans Act, which complements the establishment of the Office with measures that expand access to citizenship, workforce development and English-language learning programs, legal services, and increase the amount of refugees the U.S. resettles yearly.
- With new leadership in the White House, immigrant and refugee communities are ready for a bold, visionary federal approach that ensures that every immigrant and refugee can achieve their full potential in their new home country.

- The National Office would oversee national integration efforts, in coordination with federal agencies as well as state and local governments. These efforts would support immigrants and refugees in employment attainment, language access, and naturalization and civic engagement, and ensure that they have due process protections and legal information in the form of an attorney and immigration legal services. The establish of the Office would also amplify the message that immigrants are welcome in our country – a value expressed through the Biden-Harris administration’s first executive actions on immigration – and help to implement key services necessary if the administration’s proposed immigration reform bill becomes law.

HB1976

Measure Title: RELATING TO LEGAL SERVICES FOR LOW-INCOME IMMIGRANTS.

Report Title: DLIR; Immigrants; Immigration Proceedings; Legal Counsel; Appropriation (\$)

Description: Appropriates funds to the Department of Labor and Industrial Relations, Office of Community Services to contract with non—profit service providers for legal counsel to assist and represent low—income immigrants in immigration proceedings and immigrant status issues. Appropriates funds.

HB2380 HD1

Measure Title: RELATING TO IMMIGRATION.

Report Title: Immigration Proceedings; Legal Counsel; Judiciary; Appropriation (\$)

Description: Makes an appropriation to the judiciary to contract with nonprofit organizations to provide legal assistance and legal counsel to immigrants in determining legal status and citizenship, provide diversion to existing services, and otherwise provide counsel for existing rights. Takes effect on 7/1/2050. (HD1)

To: Judiciary Committee

Re: HB 2380 hearing on 2/4/20 at 2:05pm

Dear Committee Members,

I write in strong support of HB2380 which proposes allocating funding for nonprofits to provide immigration legal services to indigent immigrant residents of Hawaii. Hawai'i

ranks 6th highest among US states for foreign-born residents. Our state benefits tremendously from the contributions of immigrants, who are entrepreneurs and business owners, workers fueling our tourism, healthcare, and construction industries, and who as a whole, contribute over \$668 million in state and local taxes a year (American Immigration Council). And yet, an estimated 90,000+ immigrants citizens in Hawaii are not yet U.S. citizens—including lawful permanent residents, DACA recipients, and many living here for decades without authorization. They aren't able to vote and can't enjoy the full benefits and security that citizenship status offers. There are woefully few affordable and accessible attorneys in Hawaii available to help low-income immigrants in Hawaii navigate complex immigration law in order to move along the pathway toward citizenship. The few nonprofit legal clinics that are able to help—are under-resourced and spending an inordinate amount of time fundraising when they want to be focused on providing legal services. As an onslaught of federal policies are further restricting opportunities to attain permanent residency or citizenship status. We are already witnessing the hardships impact families and businesses in our community.

- Health clinics are reporting that more immigrant patients are skipping appointments, due to fear of the “public charge” ruling increasing their chance of deportation.
- A successful shuttle/bus service in Honolulu faced an unprecedented school bus driver shortage as many of its COFA employees were unable to renew their licenses due to an oversight in the REAL ID act policy rollout.
- DREAMers with temporary legal status to work here are having to prepare for a possible end to the DACA program this year—and the real possibility that they could be deported to a country that is foreign to them, with no security or foreseeable opportunity to return.

Many of Hawaii's estimated 40,000 undocumented residents may be eligible for legal residency, but without access to an attorney, they are vulnerable to losing their cases in court or may be too fearful to come forward to petition their status. In 2017, only 37% of petitioners going before Immigration Court in Honolulu had legal counsel--resulting in one third of them being deported (removal or voluntary departure status). This bill, if passed, would increase the capacity for immigration legal services in Hawai'i, and help ensure a more civically engaged, secure and healthy immigrant population. This in turn, would benefit our community and our economy overall. I urge you to support the bill as written, and not to earmark funding for any particular organization.

US Department of Labor reaches voluntary conciliation agreement with Hawaii to improve language access to unemployment insurance

WASHINGTON – The U.S. Department of Labor and the Hawaii Department of Labor and Industrial Relations have entered into a voluntary conciliation agreement to ensure those with limited English proficiency and eligible non-U.S. citizens seeking to file claims for unemployment insurance benefits have better access to services.

The agreement follows an investigation by the federal department's [Civil Rights Center](#) into complaints that the state's UI program was failing to make its services fully available to those two groups. During the investigation, the state labor department offered to work with CRC to resolve the complaints amicably.

“This agreement symbolizes how federal and state governments can work together to improve access to government services for limited English proficient communities and others protected by civil rights law, particularly during these difficult times,” said Civil Rights Center Director Naomi Barry-Perez. “We appreciate Hawaii’s commitment to non-discrimination and its willingness to address these allegations affirmatively and cooperatively.”

To provide better access to LEP claimants and eligible non-U.S. citizens, DLIR has, among other actions, agreed to

- Reinstate non-electronic methods of filing UI claims and appeals.
- Ensure vital information is provided in select non-English languages as required by law.
- Provide interpretation and translation services to individuals with limited English proficiency upon request or where otherwise required by law.
- Ensure that its claims-filing system captures all the information needed to establish whether non-U.S. citizen applicants are eligible to receive UI benefits.
- Train staff on the state’s citizenship- and limited English proficiency-related obligations under the laws enforced by the Civil Rights Center.
- Periodically review the language assistance services provided by its offices to ensure that those services are timely, accurate and effective.

CRC enforces nondiscrimination laws that apply to the nation’s unemployment insurance program, as well as to other recipients of financial assistance from the U.S. Department of Labor and, in some circumstances, from other federal departments and agencies. For more information about the center, [visit the Civil Rights Center’s website](#) or call 202-693-6500 (voice) or 800-877-8339 (relay).

Office of the Secretary

September 21, 2021

Contact: Michael Trupo

Phone Number

[202-693-6588](tel:202-693-6588)

Email trupo.michael@dol.gov

Office of Community Services (OCS)

OCS currently have 14 staff: an executive director, 2 clerks, 3 fiscal staff, 3.5 federal program specialists, 4.5 state program specialist.

Federally Funded Programs

In FY 2020, OCS administered eight recurring federal grant programs through contracts with non-profits totaling nearly \$5.6 million. These are immigrant inclusive programs. The following were the federal programs administered by OCS during the fiscal year:

Community Services Block Grants (CSBG) support Hawai'i's four Community Action Agencies (Honolulu Community Action Program, Inc., Hawaii County Economic Opportunity Council, Maui Economic Opportunity, Inc., and Kauai Economic Opportunity, Inc.) with funding to underwrite a broad array of services that range from job training and job placement to Head Start, housing assistance, transportation services, food assistance, shelter assistance, and financial literacy. The FY 2020 grant award was \$3,851,915. Furthermore, due to the Coronavirus (COVID-19) health crisis, OCS also received CSBG CARES Act Supplemental Funds (\$1,372,494) to allocate to CSBG Community Action Agencies. The purpose of CSBG CARES Act Supplemental Funds is to prevent, prepare for, and respond to the effects of COVID-19 within low-income communities and populations. The total number of clients served was 71,247.

The Emergency Food Assistance Program (TEFAP) provides shelf-stable and frozen foods such as canned vegetables and various meat and poultry products to supplement the diets of low-income individuals at no cost. TEFAP is by far our largest food program, serving an estimated weekly average of 22,821 people through funding from the U. S. Department of Agriculture (USDA)'s Food and Nutrition Service (FNS) branch. FY 2020 grant award included \$242,030 in administrative funding, \$156,000 in Food Purchase Distribution Program (FPDP) administrative funding, and a \$995,707 TEFAP food commodity budget. In FY 2020, TEFAP also received Family First Coronavirus Response Act funds (\$1,136,130) and CARES Act (\$1,278,688) funding which provided Hawaii with even more administrative funding and many more additional TEFAP food deliveries in 2020.

Commodity Supplemental Food Program (CSFP) provides one box per month of pre-selected canned and packaged foods to each of 3,733 low-income seniors through the USDA's FNS branch. A typical box contains a cross-section of foods, including canned fruits and vegetables; dry goods such as flour, rice, and cereals; and beverages such as fruit juices and milk. The FY 2020 grant award was \$304,313.

Seniors Farmers' Market Nutrition Program (SFMNP). In FY 2020, this USDA FNS program provided about 9,000 low-income seniors with food coupons to purchase locally grown fruits and vegetables from local farmers and farmer's markets. The FY 2020 grant award was \$497,820.

Legal Advocacy, Outreach, and Referral Services to Protect the Rights of Children and Their Families. Two programs that collectively serve approximately 2,000 children under this grant funded by the U. S. Department of Health and Human Services (DHHS) provide legal services to children in low-income households to address myriad issues ranging from family violence, abuse, and neglect, to child support and access to education and social safety-net services. The FY 2020 grant award was \$267,000.

Weatherization Assistance Program (WAP) provides funding from the U. S. Department of Energy for energy conservation education and the installation of weatherization measures to low-income households to reduce their energy costs. Among the weatherization measures approved for installation under this grant are solar water heaters, hybrid

heat pumps, energy-efficient refrigerator or air conditioner replacements, compact fluorescent lights (CFLs) or light emitting diodes (LEDs), advanced power strips, and low-flow faucet aerators and shower heads. The FY 2020 grant award was \$257,473 and it served 48 homes.

Low-Income Home Energy Assistance Program (LIHEAP) is funded by the U.S. DHHS through Hawai`i's State Department of Human Services. This program is administered in conjunction with WAP to install energy-saving appliances or measures to reduce energy costs for low-income households. The OCS portion of the LIHEAP FY 2020 grant was \$438,931, and it served 39 homes.

Refugee and Entrant Assistance Program provides refugees and asylees with two types of services under this formula grant from the U. S. Department of Health and Human Services, Office of Refugee Resettlement: (1) Social services for employment and other social services for up to five years after arrival into the U.S. or granting of status; and (2) Cash and medical assistance for up to eight months from arrival into the U.S. or granting of status. The FY 2020 grant awards were (1) \$70,000 for social services and (2) \$6,758 for cash assistance. The total number of clients served was 26.

State Funded Programs

OCS administers many of the Chapter 42F (HRS) Grants-in-Aid (GIA) appropriated by the Hawai`i State Legislature to non-profit agencies for which DLIR is the expending agency. In Fiscal Year 2020 OCS managed a portfolio of 92 grants totaling more than \$25.6 million, of which approximately \$23.8 million was for capital improvement projects and \$1.8 million was for operating grants.

OCS also administers a state-funded employment services program that helps Hawai`i's low-income individuals and legal permanent residents gain employment skills, find and retain jobs. The current service providers are Honolulu Community Action Program, Goodwill Industries of Hawaii, Parent and Children Together, Child and Family Service, and Maui Economic Opportunity. The total appropriation in FY 2020 was \$1.3 million. Under the current period of performance of the program, it served approximately 1,200 individuals; a number that was severely impacted by the COVID-19 pandemic.