



## Falling Through the Cracks: Immigrant Communities and Coronavirus Relief

Last updated: June 12, 2020

*[Originally published: June 12, 2020]*

The CPC Center thanks America's Voice, Center for American Progress, CHIRLA, Community Change, Communities United for Status and Protection, The Immigration Hub, Economic Policy Institute, Leadership Conference on Civil and Human Rights, National Immigration Law Center, and United We Dream for their insights and contributions.

### Introduction

Despite being among the populations hit hardest by the pandemic, immigrant communities have been excluded from most of the relief enacted thus far. The [Heroes Act](#), which was passed in the House on May 15th, 2020, would provide immigrants with much-needed relief if it becomes a law.

### Background

Many immigrants risk their lives fleeing [violence, war, extreme poverty](#) and other dangerous conditions for a safer, better life. They leave everything behind to come here in hopes of the American dream and play an [invaluable](#) role in the American economy, culture and community life. Despite their contributions to our country, immigrant communities have faced unprecedented xenophobic rhetoric and increasingly extreme anti-immigrant policies under the Trump Administration.

With policies like the [Muslim Ban](#), the [Public Charge Rule](#), the termination of [Deferred Action for Childhood Arrivals \(DACA\)](#) and [Temporary Protective Status \(TPS\)](#) programs, the so-called [Remain in Mexico policy](#), and an [increase](#) in funding for immigration enforcement and ICE raids, immigrant communities in the U.S. are already under significant threat and, some live with the ever-present fear of deportation or family separation. The coronavirus pandemic has exacerbated the challenges immigrants in this country already face. On April 22, 2020, President Trump signed an [executive order](#) banning any foreign nationals seeking to obtain an immigrant visa from entering the U.S. for 60 days with the possibility of extension.

In addition to the increase in anti-immigrant policies, immigrant communities, like communities of color, [are at increased risk from the coronavirus pandemic](#). Immigrants are disproportionately represented in both the occupations hardest hit by the economic downturn and more likely to be in jobs considered "essential." Immigrant families are at

higher risk for both exposure to the virus and economic instability during the pandemic. In addition, they are more likely to be uninsured, more likely to live in neighborhoods with toxins that can weaken health status, and more likely to have some of the underlying health conditions that can leave people vulnerable to the virus.

## Congressional State of Play

On March 27th, 2020, the third coronavirus relief package, the [CARES Act](#), was signed into law. The CARES Act provided \$2 trillion of relief to Americans but many immigrants were excluded from much of the relief. The provisions under the CARES Act required individuals to have a Social Security number to be eligible for free coronavirus testing, direct cash assistance, unemployment insurance benefits, and more leaving many working immigrants ineligible for relief. An interim relief package, the [Paycheck Protection Program and Health Care Enhancement Act](#), that allocated an additional \$484 billion to replenish and supplement programs under the CARES Act including the Paycheck Protection Program (PPP), small business disaster loans and grants, and funding for hospitals, health care providers, and testing, passed and was signed into law on April 24, 2020. This interim relief package once again did not include funding and relief for many immigrants. On May 12th, 2020, House Democratic leaders introduced the fourth phase of coronavirus relief, [H.R. 6800](#), the Heroes Act, which passed in the House on May 15th, 2020. The Heroes Act is much more inclusive of immigrants than the CARES Act. It includes many positive immigration provisions as outlined in this explainer. Whether these provisions are included in any future Senate version remains to be seen.

## Immigrant Provisions in Coronavirus Relief Packages

### Health Coverage

The CARES Act provided approximately \$150 billion for healthcare and the interim relief package included an additional \$75 billion for hospitals and healthcare providers and \$25 billion for COVID-19 testing. This, however, falls short of meeting the true need because it excludes immigrant communities from accessing this testing and treatment.

The health coverage provisions under the Heroes Act rectify the mistakes and shortcomings of the CARES Act by expanding healthcare coverage to immigrants. The provisions include no cost sharing for coronavirus treatment through Medicaid regardless of immigration status and covers uninsured people in states that opt into Medicaid expansion. The provisions also include no cost sharing through Medicare, Medicare Advantage, group and individual market health plans, TRICARE, Veterans Affairs Healthcare, and Federal Employee Health Benefits (FEHB).

The coronavirus pandemic has exposed many of the holes in our nation's healthcare system including, but not limited to, the lack of access to healthcare, especially for immigrants and communities of color. In addition to ramping up testing for COVID-19, everyone who tests positive needs access to treatment. If passed into law, the Heroes Act will provide immigrants and uninsured people with access to testing and treatment, moving this nation one step closer to containing the virus.

## Work Status and Unemployment Insurance

Under the CARES Act, non-citizens who do not have green cards and have not been physically present in the United States long enough or “non-resident aliens” were excluded from all unemployment insurance benefits. Presently, a Social Security number is required for anyone who files for unemployment insurance benefits. The use of the definition “non-resident aliens” excludes undocumented people as well as many other non-citizen immigrants including some agricultural workers, DACA recipients, TPS and Deferred Enforced Departure (DED) recipients, and many recently arrived refugees. As millions of people lose their jobs in the face of this crisis, immigrants and mixed-status families struggle to cover their bills and put food on the table. Shut out of relief, they are being left with little to no options for financial support and security.

Additionally, the CARES Act did not include any provisions to extend work permits for immigrants, including many essential workers. Nearly [202,500](#) DACA recipients and approximately [131,000](#) TPS holders continue to serve on the frontlines of this crisis, especially in [states](#) hardest hit by COVID-19 including California, Illinois, New York, Texas, and Washington. They continue to serve despite the uncertainties and possibility of deportation as the Trump Administration is trying to overturn the DACA program in the [Supreme Court](#) and work permits are expiring. The Heroes Act would automatically extend temporary immigration status and work permits for all immigrants including DACA recipients and TPS holders.

## Direct Assistance

Similar to the health coverage and unemployment insurance provisions, non-citizen immigrants were excluded from any direct assistance under the CARES Act. The CARES Act provided individuals with a Social Security number that make up to \$75,000 annually with a \$1,200 stimulus check and decreased amounts for individuals that make up to \$99,000 and \$2,400 for married couples as well as \$500 for dependent children under the age of 17 years. Anyone using an Individual Taxpayer Identification Number (ITIN) or in a household where someone uses an ITIN number was excluded from direct cash assistance. Consequently, more than [15 million](#) people were not eligible for any stimulus relief because they have a non-citizen family member. The Heroes Act addresses these problems by retroactively paying anyone with an ITIN with the previously allocated stimulus check, as well as future stimulus checks.

## Detention and Incarceration

The U.S. has [built](#) the world’s largest for-profit immigrant detention system with over [850,000](#) immigrants, including asylum seekers and legal migrants, taken into custody in 2019. The CARES Act allocated \$100 million for Bureau of Prisons for coronavirus prevention, preparation, and response. The provisions under the CARES Act, however, did not include any specific protections for immigrants in detention.

Organizations and advocates are [demanding](#) protections for and the release of immigrants in detention amid the coronavirus pandemic. Overcrowded detention centers put detainees

at higher risk to contract the virus and over [1,800](#) detainees have tested positive and [two detainees](#) have died due to COVID-19 as of June 5, 2020. The Heroes Act resolves some of these issues by requiring ICE to provide free and unlimited access to telephones as well as soap, sanitizer, and other necessary hygiene products. It also requires ICE to conduct file reviews for consideration of release and reduces immigration detention. These measures would protect and keep detainees safe during this crisis and potentially reduce the risk of outbreaks at detention centers. However, the Trump Administration has a [history of flouting regulations](#) that protect immigrants. If the Heroes Act becomes law, Congress will need to monitor the Trump Administration's implementation closely.

## Conclusion

We are facing the worst [economic downturn](#) since the Great Depression as businesses shutter and unemployment rates continue to [rise](#). Congress must continue to provide people, including immigrants, with adequate financial support during this crisis to keep workers and businesses afloat and pave the way for a rapid recovery for when this crisis ends.

The Heroes Act addresses many of the weaknesses of the CARES Act and previous relief packages. It provides immigrants with much-needed relief including access to healthcare, extended work permits, unemployment insurance benefits, and protections for those incarcerated and in detention. If the Heroes Act becomes law, these positive immigration provisions will save lives and provide families with some of the support and protections needed to weather this crisis and beyond.