

BASIC INTAKE POLICIES FOR NYANA

I. NEED FOR DEFINING NYANA'S INTAKE POLICY

The organization of NYANA on July 5, 1949 as a New York City immigrant agency created a need for NYANA to review existing intake policies and to define for itself what its intake policy should be as an independent organization. Specifically, the need to define the intake policy arose because of the following factors:

1. When the services which are now a part of NYANA constituted "local" services of USNA, it was recognized that intake policy for even those local services were geared to the overall responsibilities of USNA as a national agency which also had local responsibilities in New York City. The separation of USNA functions into national and local makes it necessary to clearly define the groups of immigrants for whom NYANA should be responsible.
2. New York City is the major port of entry into the United States. More immigrants enter through the port of New York than through any other port. New York City also has a tradition and background for Jewish immigrants. It is therefore necessary to determine for what immigrants New York City should be responsible as the New York City community rather than as a port city for individuals who happen to have entered through the port of New York.
3. We are now having the peak of Jewish immigration into the United States. NYANA is already spending over a million dollars a month and at the rate of current applications for service, these expenditures will increase substantially. All NYANA services are financed through UJA funds. We are aware of the difficulties which the UJA is having in raising the necessary funds and the continuing need on the part of the UPA and the JDC. It is recognized that sufficient money to serve everyone who asks for service from NYANA is not available, and it is therefore necessary to decide whom NYANA has a basic responsibility to serve in New York City.
4. NYANA has a central objective of integrating its services with those of existing public and private agencies in the community. This objective must be kept in mind in deciding whom NYANA shall serve since with every decision made by NYANA for serving certain groups of immigrants, there is the implication that when NYANA is out of existence, an existing community agency will be called upon to serve these same groups of clients.

Because of the various needs indicated above, a special staff committee was set up very shortly after NYANA was organized. This committee, consisting of representatives of executive staff and heads of the various departments, has met regularly to discuss the most important questions dealing with a basic intake policy for NYANA. The following report incorporates the committee's thinking and recommendations in reference to intake for NYANA.

II. BASIC CONSIDERATIONS

In considering the entire question of intake, the following basic considerations are important:

1. NYANA as a social agency recognizes that any intake policy must be concerned with the immigrant's needs and welfare and that its policies must operate on the principle that there is a coverage for basic services to all immigrants who require these services.

2. NYANA's main purpose is to assist immigrants to become self-maintaining as quickly as possible and to help them become integrated into the American, and more specifically, the New York community.
3. To carry out the above objective, NYANA can set up a philosophy of intake which will be designed to meet the needs of only those immigrants who belong in New York City and who can remain in the United States permanently - either because (a) they entered under permanent visa, or (b) they have a very definite possibility of securing a permanent visa while in the United States. This is predicated on the proposition that NYANA exists for the purpose of aiding those immigrants who intend to make America their permanent home and who are legally able to realize that objective.
4. Or, NYANA can set up a philosophy of intake which is designed to meet the needs of any immigrant who belongs in New York City, on the basis of need alone - without any distinction as to whether or not he will eventually be able to remain permanently in the United States. This means establishing NYANA as a general purpose immigrant agency whose function it is to meet the needs of all New York City immigrants regardless of their immigration status, their purpose in coming here, their intentions concerning duration of stay, or the countries from which they came.

NYANA's decision as to which of these conflicting philosophies it shall base its intake policy on is basic to controlling intake, size of operations, expenditures, etc.

III. WHOM SHALL NYANA SERVE?

A. Basic Requirements

In keeping with the role of NYANA as stated in the Articles of Incorporation and consonant with its function as a New York City immigrant agency, NYANA's services shall be available to:

1. Applicants who are of the Jewish faith.
2. Applicants who reside in greater New York and in the counties of Nassau, and Suffolk, and Westchester.
3. Applicants who are in the United States less than five years.

Citizens of the United States are not eligible for the services of NYANA since there are other public and private agencies which make their services available to this group.

B. Categories of Immigrants Requesting Service from NYANA

In order to develop a sound and reasonable intake policy for NYANA, it is necessary to be aware of the various categories of immigrants - as defined by migration law - who request help from NYANA and who are now receiving various services. The kind of migration status under which an individual enters this country affects the kind of activity he may carry on while in this country, and therefore determines whether an agency

can or cannot help him become self-maintaining as soon as possible; this in turn affects the nature of the services NYANA may be called on to provide. For example, in the case of an immigrant who is here on a temporary visa as a student, NYANA cannot assist this student to find employment. If he works, he cannot continue to be a student within the definition of law and therefore his migration status would be jeopardized.

1. Permanent Visas

Individuals who enter the United States on permanent visas on a regular quota basis come into the United States with the right to become permanent residents and after five years, they can become citizens of the United States. In order to be able to enter this country, the individual must meet a number of requirements, and in addition, must be sponsored by an individual in the United States or by a recognized organization. The basic purpose of having a sponsor is to ensure that the individual will have someone in the United States who will be ready to assist him so that he will not be in danger of becoming a public charge. While sponsors have some moral obligations, it has not been interpreted that they have a legal obligation to support the individual once he arrives.

While the largest number of permanent visa immigrants who are known to NYANA are in the displaced person category, there are others who emigrate from such countries as Britain, Belgium, Denmark, South American countries, etc.

In the last number of years, USNA definitely established itself in the community as an immigrant agency rather than a displaced persons agency. It moved away from the earlier concept of only serving "refugees" or "displaced persons" and served all immigrants who were eligible for its service, regardless of their country of origin. NYANA should continue to play a similar role in New York City because:

- a. The same problem exists for the adjustment in the community of all immigrants regardless of their country of origin.
- b. There is no other agency in the community which is now prepared to offer services to immigrants who are not classified as "refugees" or "displaced persons"; i.e. immigrants from England, from South American countries, etc.
- c. The character of the agency's charter (Articles of Incorporation) and Board policy to date specifically provide that where needed, assistance and services shall be given to all immigrants. For example, the Certificate of Incorporation, Section II, provides - under purposes for which the corporation is to be formed - that the role of NYANA shall be "to give voluntary financial aid, support and assistance, and to furnish advice, information and guidance, or other forms of assistance to persons who have emigrated to the United States and have taken residence in the city of New York, its suburbs and vicinity." The

statement of policy adopted by the Board on June 23, 1949, also uses the words "Jewish immigrants", rather than any other term. It appears to be the will, therefore, of the Jewish community that NYANA service immigrants rather than setting up special criteria for servicing individuals on the basis of their countries of origin.

The implications of such a recommendation need to be recognized. While the overwhelming number of permanent visa immigrants arriving in the United States and coming to NYANA for service fall into the displaced persons category, some individuals who apply come from South America, England, Belgium, France, Denmark, etc. The numbers have so far been small. Within this recommendation, for example, individuals who may, in the future, emigrate from Israel to the United States would be considered eligible for services from NYANA if found to be in need. (In connection with this latter point, a recent press release indicated that the U.S. Consul in Haifa has about 10,000 pending applications involving about 15,000 Israeli residents who desire to come to the United States. It is known that the largest number of these individuals would have to enter the United States on Polish and other types of quotas where it would take years to process them, but it is also estimated that there is a noticeable number who may be eligible to enter on the German quota which is as yet not filled.)

The permanent visa group constitutes the largest bulk of immigrants whom NYANA is now serving.

2. Permanent Visa Non Quota

The immigration laws permit individuals to enter the United States on a permanent visa non quota basis in order to take positions in this country as ministers, professors and in other specified specialities. To secure such a visa, the individual has to satisfy the U.S. Consul overseas that he has had at least two years experience in the field; in addition, he must have a contract from a recognized institution in the United States indicating that a specific job as a rabbi or teacher will be available for him when he arrives here. NYANA is now giving relief to approximately 350 immigrant families in which the head of the household entered the United States on a permanent visa non quota basis. In many cases, the anticipated jobs with organizations did not materialize - many never actually existed except "on paper." Some members of this group do not have the qualifications to be rabbis or teachers and some are not at all interested in being rabbis or teachers. In some respects, there is a jeopardy factor involved for these individuals because they secure their visas only on the basis of having special qualifications and presumably having a job in the United States.

All permanent visa non quota cases are at first handled by the Religious Functionary Department. Here an effort is made to determine what the specific facts are in reference to the individual's qualifications to be a teacher or a rabbi in a yeshiva and what actual possibility there is

for the congregation or yeshiva to carry through on the terms of its contract. Where the individual is qualified to be a rabbi or teacher, every effort is made to find him a position in that category or to give him additional training so that he can secure employment in his field. In those instances where the individual is not qualified or not interested, we have nevertheless had to pursue a policy (formally approved by the USNA Board) of continuing such individuals in the category of religious functionaries for a maximum period of one year. During this period, they may leave this category on their own and secure other kinds of work, but NYANA cannot be a party to helping them directly in such a plan until the year is up. When the year has passed, NYANA no longer considers these individuals as religious functionaries and helps them find employment in some other field. The period of one year is used on the assumption that at least for that year, the individuals tried to secure employment in the religious functionary field. Not being successful, they then moved on to another field. If the question ever arises, therefore, Government will recognize their attempts to carry through on the intent on which they entered before going into another field of employment.

Exact statistics are not available, but the overwhelming number of individuals who have come in on permanent visa non quota basis on contracts given by yeshivas and other religious institutions have come to New York City because of the location of the yeshiva or institution in this city. It is the special concentration of these institutions in New York City which brings this group to the city rather than other parts of the country. In this sense, therefore, consideration needs to be given to the fact that these cases should be a national responsibility and that New York City should be expected to assume responsibility for its fair share rather than for all of them.

3. Temporary Visas

Under immigration laws, individuals may also enter the United States on the basis of student, visitor or transit visas.

a. Students

Under the United States migration law, a student can only be admitted into the United States on a student's visa when he has a matriculation certificate from an institution recognized by the Attorney General of the United States and the Immigration and Naturalization Service, indicating that the student will attend a regular course of study and the institution will be responsible for him. The student cannot work while in the United States except under very special conditions which must be approved in each case by the Immigration and Naturalization Service for part-time work. Students can take summer employment. The basic assumption is that the student is here to study and not to work; that he has some means of his own or private sources from which he can

secure help (yeshiva, friends, relatives, organizations, etc.) to enable him to study without the necessity of working. Visas for students are given for a designated period of time, usually one year, and have to be renewed at the end of that period of time. Renewal always involves answering questions as to what the student has been doing in the past year, how he has been maintaining himself, and giving information on other pertinent questions.

Almost 5 percent of the total number of individuals cared for by NYANA are individuals who came in on student visas. Most of these are served by the Religious Functionary Department; in fact, they represent 65 percent of the Religious Functionary Department's caseload. In almost all instances, the matriculation certificates were given by various yeshivas. Practically all of the students are receiving full financial assistance from NYANA for their maintenance, i.e. food, rent, clothing, medical care, etc. The yeshivas provide free tuition. The yeshivas have stated that they are not in any position to assist this large number of students with maintenance even though they originally undertook some responsibility. Some of the students have relatives in New York City, but in very few instances have the relatives been in a position or wanted to assume any financial responsibility for the students. Because of the special nature of their migration status, which prevents them from taking full-time employment and prevents the agency from helping them to secure this employment, most of the students stay on relief for long periods of time. In fact, in the Religious Functionary Department, the average period of time for which a student has been receiving relief is approximately 2 years. The cost of relief and other services to the students who are on NYANA's caseload is about \$775,000 per year.

b. Visitors

Individuals secure visitor's visas on the basis of visiting friends or relatives, visiting for the purpose of establishing a business, securing medical care, etc. Visitor's visas are given for a short period of time. The visitor must report his whereabouts to the Immigration and Naturalization Service while in the United States and must request an extension of his visitor's visa if he wishes to continue to stay in the United States beyond the time originally authorized. Most of the visitors who apply for relief to NYANA have exhausted their resources while in the United States and do not have any relatives or friends who are able to assist them. The overwhelming majority of them desire to remain in the United States.

c. Transits

Such visas are issued for the purpose of enabling an individual who has a visa for a country other than the United States to travel through the United States intransit to the other country. Transit visas are for designated periods of time - the basic idea being that the person will definitely leave the United States to move on to the country of his destination.

Immigration law recognizes that individuals who entered the United States on temporary visas may desire to remain in the United States, and specific avenues of relief are provided for effecting change of visa status from that of temporary to permanent. Specifically, three ways are now open for this change of status:

- a. Suspension of Deportation (section 19c of the U.S. Immigration Law): Under this section, the immigrant on temporary visa applies for what is known as suspension of deportation, i.e. he states that he recognizes that he is liable to deportation because he has become illegal by giving up student, visitor, or transit status by beginning to work, but claims he has the major responsibility for supporting a wife who is an American citizen, or an American born child and his deportation would result in economic detriment to his American citizen spouse or child. Each such application, after being processed by the Immigration and Naturalization Service must also be passed upon by Congress.
- b. If a student or visitor secures a contract from an institution indicating that he will be employed as a rabbi or as a professional, he may go to Canada and then be permitted to re-enter the United States on a permanent visa non quota basis. There are relatively few such cases.
- c. Under the Displaced Persons Act of 1948, special provisions (Section 4) gave recognition to the fact that many individuals in the United States on temporary visas were actually displaced persons who could not return to the country from which they came because of fear of political, religious or other types of persecution. It set up a special procedure which provided that if the individuals entered this country on temporary visas before April 1, 1948, they could apply for change of status from temporary to that of permanent. About 850 (800 yeshiva students) of the total caseload of NYANA have applied for change of status under this provision of the law. The hearings are proceeding slowly and there are many difficulties being presented in the processing of the cases.

Policies for Dealing with Individuals on Temporary Visas

While no exact statistics are available, it is definitely known that the overwhelming number of Jewish individuals who are in the United States are in New York City. Some of the factors which have led to this are that New York City is a major port city through which these people entered; New York City has a concentration of the religious institutions, especially the yeshivas; and New York City has a concentration of medical resources. The basic characteristic of individuals who are admitted to the United States on temporary visas is that unless they secure a change of status, they are not eligible for permanent residence in the United States.

In recognition of the growing problem of individuals on temporary visas, USNA sought to clarify its policies in reference to these groups in the past few years. Thus, for example, in 1947, the policy in reference to transits and students was enunciated. The policy in reference to transits was geared to helping the transits leave the United States for their country of end destination as quickly as possible and limiting service in that respect. The policy in reference to students attempted to limit services to those who came from "rescue countries only." In May 1949, a basic policy was adopted for all individuals on temporary visas which provided that;

"It shall be the policy of USNA to provide maintenance assistance only for persons for whom there is an established legal channel for obtaining permanent immigrant status in the United States. All other persons shall be provided with such assistance as may be necessary before proceeding to a country of safety where permanent settlement is possible. The agency will consider all factors in determining the most constructive permanent plan for the family or individual."

Those Eligible for a Change to Permanent Status

The basic intent of this policy, which has been carried over by NYANA, is to provide service - mainly financial assistance - to those individuals who could use legal means to secure change of status from temporary to permanent. While it was recognized that the final outcome of an application for change of status is not known until final decision is made by government, there is nevertheless sufficient evidence, on which to base presumptive eligibility for change of status, to warrant the conclusion that presentation of an application for change of status would be successful and therefore a basis on which to determine that the immigrant was eligible for NYANA's services.

Those Not Eligible for Change to Permanent Status

In other instances where no such presumptive eligibility was established, - either immediately, or as likely in the very near future, - a policy was established that the only agency service to be given was to help the individual move on to another country where he could secure permanent residence.* It was thought that this was sound not only from the point of view of conserving community costs, but also from the point of view of helping the individual to come to grips with the fact that he could not remain in the United States on a permanent basis and that he should begin to move to some country where he could stay permanently. As an extension of this policy, a specific short time limit - usually one month - was set up beyond which the agency would not help the individual who had no possibility for change of status unless he agreed to move on to another country; and, in that case, agency service would be focused on helping him move on to this other country. Israel was considered the resource for this group of clients since Israel had agreed to accept these individuals from the United States. In a few cases, the individuals could return to countries such as France, or Belgium. This was predicated on

* In fact, USNA offers help in moving the immigrant on to a "country of safety where permanent settlement is possible."

the philosophy that service was intended for those immigrants only who intended, and were legally able, to establish permanent settlement in the United States.

It is important to recognize the distinction in the intake policies in reference to the temporary visa cases. These policies are aimed at providing service for those individuals who are here on temporary visas and who have a reasonable chance of having their status changed to permanent visa so that they can remain in the United States on a permanent basis. For the others, the policy aims to move them on to another country and if they refuse, to deny service. To highlight this application of the policy, we should note that students who arrived here on temporary (student) visas prior to April 1, 1948, are eligible for all of NYANA's services since they are legally able, under Section 4 of the Displaced Persons Act, to obtain a change of status from temporary to permanent. Conversely, students who arrived after that date, unless qualified under other provisions of our immigration law (as for example, Section 19c, marriage to an American citizen, or birth of an American child) are not eligible for NYANA's services, except as above set forth, since they are not legally able to establish permanent settlement in the United States, even if they wish to do so.

This policy has been severely criticized by certain sections of the community, especially religious organizations. In an effort to have the individuals know about this policy, even before they arrive in the United States, JDC has every temporary visa person sign a form letter indicating that the person recognizes that in coming to the United States, he will not be eligible for assistance from NYANA* - we receive copies of these letters. The individuals, nevertheless, come in very shortly after arrival and ask the agency for assistance. Many of them have every intention, and hope, of establishing permanent settlement here. There is another implication involved in these temporary visa cases. For example, NYANA has been asked to support a group of students who have come from Morocco, who are studying in a yeshiva in New York City and who, we are told, plan to return to Morocco to become religious teachers and leaders there. Since these students arrived after January 1, 1949, and there is no chance for them to change their status, we have denied assistance in accordance with our policy. Even if our policy permitted help, there would be a question whether as a social agency primarily concerned with maintenance relief and rehabilitation, we should be using agency funds to assist individuals who have this purpose. Should they not be the responsibility of other agencies in the community? These and similar types of questions arise when it is known that the person will not be able to remain permanently in the United States.

* The letter reads as follows:

"I confirm that I know that I am not eligible for the assistance of the United Service for New Americans and the American Joint Distribution Committee in the United States.

"I declare that I am leaving on my own responsibility and will not approach the named Institutions nor other affiliated committees for either legal nor financial assistance after my arrival at the port of destination and during my stay in the U.S.A."

The staff committee studying the problem of temporary visa cases has recommended that two exceptions be made in the case of temporary visa individuals who do not have a possibility for change of status to permanent. These exceptions are:

- a. Cases where an individual comes into the country on a temporary visa for medical care and it has been determined that New York City is the only or most advisable resource for this care. The presumption in such cases is that once the individual has secured medical care, he will return to the country from which he came. In experience, however, we have often found that these individuals want to remain in New York City. In some of these cases, the expenditures involved are not only for maintenance, but also for medical care.
- b. Cases where we would be contributing to the separation of a family, if we denied service to one member who was not eligible for change to permanent status. There are some cases where some members of the family are here on permanent visa or on temporary visa, but eligible for change of status; another member of that family has, however, recently arrived here on temporary visa and cannot apply for change of status. Where the relationship is close, that is, child, parent, etc., it is recommended that relief be continued as long as the individual can remain in this country.

Temporary Visa Cases as a National Responsibility

New York City has an overwhelming preponderance of temporary visa cases. As indicated, this is due to a variety of factors, such as the fact that New York City is a main port of entry, and that it has a concentration of religious institutions, medical institutions, etc. The responsibility for temporary visas should be shared not only by the Jewish community of New York City, but by the entire Jewish community of the country. For example, while there are some immigrant yeshiva students in cities like Chicago, Detroit, Cleveland, etc., the overwhelming number of them are in New York City. It is not, at this time, possible to recommend any formula for the proper share of national and local responsibility (NYC) for temporary visa cases, but some of the factors which might be considered are:

- a. Using the ratio of the Jewish population in New York City, approximately 40-45 percent, to the Jewish population of the rest of the country, 55-60 percent.
- b. Using the ratio of UJA contributions in New York City, approximately one-third to that raised by the rest of the country, approximately two-thirds.

While this factor may not be of paramount importance now, when the total financing of USNA and NYANA comes out of UJA funds, it is extremely important to consider this factor of national-local responsibility for this group of cases in planning for the integration of NYANA into the existing community agencies.

IV. WHO BELONGS IN NEW YORK CITY

It has always been recognized that it is sound for a variety of reasons to have Jewish immigrants arriving in the United States distributed to as many parts of the country as possible so that they will not concentrate in the larger cities, particularly New York City. In keeping with this principle, the National Refugee Service and subsequently, USNA, set up certain settlement programs which were aimed at facilitating the movement of immigrants to all parts of the United States. Under the Displaced Persons Act of 1948, the principle of distribution is maintained and in some cases, even strengthened by the idea of "overseas designation".

A. National Settlement Policies

Following the end of World War II, USNA had a settlement program which operated on the following principles:

1. Freedom of Choice

New immigrants were informed about the settlement services of USNA upon their arrival in New York City and were encouraged to avail themselves of these services. The individual, however, had freedom to choose so that if he wished to remain in New York City, he was permitted to do so.

2. Settlements in New York City Authorized Only Where Immigrant Had First Degree Relatives

In 1947, as a result of the increase in immigration and the fact that few people wanted to leave New York City, USNA adopted a new policy. This was based on the principle that unless an individual had first degree relatives in New York City, or there were some other very good reasons why he must remain in New York City,--for example, if he had the kind of trade where his best chance for securing employment was in New York City, etc., -- the individual would be offered help in settling in a community outside New York City. If he refused, no authorization would be made for settlement in New York City, and he was denied relief or other services from USNA's local operations. If, however, he remained in New York City for a period of six months, he was considered a New York City resident and would then become eligible for USNA's local services. This policy resulted in an increased number of people leaving New York City, though many individuals refused to leave New York City even if they could not get agency services for a period of six months.

3. Settlements on the Basis of Individual and Agency Assurances

In July, 1948, USNA adopted another change in policy as a result of the continued increase in migration, and also by reason of some of the new factors involved in the Displaced Persons Act, namely, the idea that an individual was already "destined overseas" to a community on the basis of an individual assurance or agency assurance. (This provision under the Displaced Persons Act is related to the fact that under the Act, an assurance regarding a job, housing and the fact that the individual will not become a public charge is made for every person entering the United States.) This change of policy provided that

individuals were to go to the community where the individual's sponsor resided. For New York City, this meant that all cases in which the immigrant's sponsor resided in New York City were considered as belonging in New York City, regardless of the degree of relationship to the sponsor, or for that matter, whether or not the sponsor actually would assume any responsibility for the individual.

Currently, about 30-35 percent of the individuals who are entering the United States under USNA sponsorship remain in New York City, and from 65-70 percent move on to other communities in the United States. This situation does not hold true with reference to cases which have been expedited by HIAS. It is estimated that 75 percent of the individuals who come in under HIAS sponsorship remain in New York City and 25 percent are for communities outside New York City - so that the over-all number of immigrants remaining in New York City is approximately 50 percent of those who enter the United States. Approximately two-thirds of all arrivals in New York City apply to NYANA for help within a short time after their arrival -- from first days to first few months. Furthermore, the continued flow of immigration each month adds to the reservoir of immigrants living in New York City who may reapply to NYANA for help if economic conditions worsen or there is illness or other individual mishaps in the family which makes relief necessary. Over 800 applications are now received each month from new arrivals for relief and service from NYANA.

B. Community Quotas

In addition to immigrants who constitute a "natural flow" to communities - i.e., they go there because their sponsors or affiants are living there, or for other reasons -- it has become the practice throughout the country for Jewish communities to have specific settlement quotas. Communities give a specific number of agency assurances to USNA for the purpose of settling immigrants in those communities where no, or a small number of, individual assurances have been received for them. In some ways, this controls the number of people for whom the community will be responsible. Thus far, New York City has not set such quotas, though over 4000 community assurances have already been given for New York City (to date, 200 individuals have come to New York City on agency assurances).

C. USNA Policies as they affect NYANA

Now that USNA is no longer responsible for local functions in New York City, it has been sharpening and defining its national policies. By agreement, NYANA refers to USNA all people who have an individual sponsor in another community, or who come in on agency assurances from another community and therefore do not belong in New York City. USNA has informed us that in such instances, an effort is made to settle the individual in the community in which he belongs. Moreover, as a matter of basic USNA policy, when the individual who may be destined to another community has his first-degree relatives in New York City, they authorize him for New York City settlement. This means that whereas New York City settlement had been established on a basis of "first degree relations" and then changed to a basis of "individual or agency assurances", now NYANA is being asked to carry responsibility for both categories. We are informed that this principle also applies with all other communities.

There are also individuals who proceed to the community of destination but who, without authorization, return to New York City. We have so far been following the practice of referring these cases back to USNA, with the possibility that they will assist them to return to the community from which they came or else work out some other plans for them outside New York City. USNA is now recommending that we only refer such cases to them where the individual returns to New York City within one month after his arrival in the other community, despite the existing policy of not accepting for service immigrants not destined to New York City unless they have been here six months. This also means a potentially substantial increase in NYANA's caseload. The assumption is that if the individual has been in the community for more than one month, NYANA should deal with the problem directly by trying to get the other community to take the person back, or requesting some other community to accept them, or authorizing the individual for relief in New York City.

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This problem of individuals going to another community and then returning to New York City must be viewed in the light of what it may mean for NYANA intake. We know that many individuals do not want to leave the port of New York when they enter even though they are destined to another community. If it becomes known throughout the country that immigrants who stay in another community for one month, or who do not even leave New York City for that one month period, can return to New York City and apply to NYANA for relief, we feel that a large number will return no matter what NYANA's intake policy may be in reference to this group. Once a person comes back to New York City, it is very difficult to get him to go back to the community he came from or to some other community. It also means putting NYANA in the national settlement business, which is USNA's function, not ours.

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USNA also operates on the principle that in all ports of entry, there are "inevitably some cases which, although they were not originally destined to the port of entry for permanent care, are unable to proceed elsewhere". USNA takes the position that in providing for such families, it has only two alternatives:

1. To maintain a long-term relief and adjustment program which it considers inappropriate for a national agency, or
2. To have these cases accepted by the local immigrant care agency.

Since these are usually the difficult cases, other communities outside New York City are not ready to take them. Consequently, when cases destined to other communities arrive at the New York City port of entry, USNA's efforts to entrain them to their community of destination do not work out, USNA states that it has no alternative but to refer them to NYANA. There have also been a number of cases in which other communities have just simply stated that they cannot continue to keep a family, e.g., very orthodox religious families, seriously disturbed families. New York City has been asked to accept responsibility for these families and has done so. For example, in recent weeks, New York City has accepted responsibility for two families who were originally settled in Warren, Pennsylvania. In one of these cases, the individual stated that he was very orthodox and that he could not observe his orthodox practices anywhere except in New York City. In another instance, a very orthodox Hassidic family was settled in Passaic, New Jersey and the community had difficulties with this family. After some discussion, New York accepted responsibility for the family group. In still another instance, a group of six families were settled in a small community in Pennsylvania. The community had difficulties with these families and after review of this situation by USNA, New York City was asked to approve resettlement of one of these individuals in New York City because he was

such a disturbing influence among the immigrant families in the town and in his relationship with the Jewish community there.

In a sense, this means that New York City serves as a "reservoir" for situations which cannot be settled anywhere else in the country. It means, in effect, returning to the "freedom of choice" national settlement policy, which was purposely abandoned to assure equitable distribution throughout the country at a time when immigration was much smaller than at present.

In summary, the important points in reference to national distribution and New York City distribution, are as follows:

1. Under current policies, NYANA is obligated to consider for service all immigrants arriving on permanent visas who have an individual affiant or assurer residing in New York City, or a NYANA agency assurance. It does not matter whether the affiant or assurer is a close relative, or friend, or even stranger.
2. Immigrants who are destined to communities outside New York City on the basis that their affiant or assurer resides there, or on the basis of agency assurances from those communities, are authorized for settlement in New York City by USNA if their only first degree relatives reside in New York City. USNA does this on the principle that it is sound for immigrants to live in the same community where their relatives reside -- and this despite the fact that these relatives have not even been sufficiently interested to sponsor the immigrant despite the absence of any legally enforceable financial liability attaching to such sponsorship.
3. USNA is proposing that NYANA be responsible for dealing with those immigrants who have gone to the community to which they are destined and return to New York City after they have stayed in the other community for one month, or who refuse to go to their community of destination and remain in New York City for one month.
4. NYANA serves as a reservoir for those cases which USNA cannot get other communities to accept, on the basis that it is USNA's job to get individuals into a local community as soon as possible; and if the community of destination or no other community will accept them, then the "port of entry" community must accept them.

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*5. cases for
other com.*

RECOMMENDATIONS

1. NYANA shall serve as an immigrant agency for needy Jewish immigrants destined to New York (New York City, Nassau, Suffolk, Westchester*) who intend to establish permanent settlement here and are actually, or presumptively, legally eligible to do so, regardless of their country of origin. This includes not only permanent visa and permanent visa non quota cases, but also temporary visa cases who have a reasonable chance of obtaining a change of visa status from temporary to permanent at the time of application to NYANA for agency services. NYANA services shall be limited to immigrants in this country less than five years.
2. NYANA shall not accept for service immigrants who enter on temporary visas and who are not actually or presumptively eligible at the time of application to NYANA for a change of status which would enable them to become permanent residents of the United States. In recognition of the fact that these immigrants may need some help before it is determined that they cannot remain here or make their decision to move on, NYANA may assist these immigrants for a period of one month with maintenance relief. If these temporary visa individuals decide that they will not leave the United States, NYANA will then withdraw all its services including financial assistance. If they agree to leave, services will be continued until plans for leaving are completed.

Two exceptions are recommended in regard to the above:

- a. Temporary visa cases coming to the United States for medical care where it is determined that New York City is the only place where such care can be secured or offers the best resource. Service in these cases should be geared to medical care and then to help the person move back to the country from which he came.
- b. Relief and services may be given to temporary visa individuals who cannot change to permanent status, and who are closely related, i.e. parent, child, brother, sister, etc. to other members of the family who can remain in the United States permanently. The granting of service in this type of situation will help prevent the breakup of families.
3. Responsibility for permanent visa non quota cases and for temporary visa cases should be recognized as a national rather than a local responsibility. New York should only assume its fair share of the cost of financing relief and service to this group of cases.
4. It may be necessary for NYANA to make a decision on what New York City's fair share of permanent visa immigrants should be in keeping with the philosophy of distributing immigrants equitably throughout the country. Such a quota should be limited to 40 percent of the total Jewish immigrants entering the United States.

* Westchester has an agency which deals with immigrants but this is completely supported through a subvention made by NYANA to the Westchester Committee for Refugees.