

New York State Comptroller
THOMAS P. DiNAPOLI

Department of State

Office for New Americans – Connecting
and Providing Immigrants With Legal
Services

July 2026 | Report 2023-S-35

Prepared by the Division of State Government Accountability

Audit Highlights

Objective

To determine whether the Department of State's Office for New Americans is effectively connecting and providing immigrants with legal services. The audit covered the period from January 2019 through July 2024. We also considered information provided by the Office for New Americans and by selected grantees through December 2025.

About the Program

The Office for New Americans (ONA) was initially established in 2012, followed by legislation enacted in 2014 that amended the State Executive Law (Law) to lay out ONA's powers and duties. ONA's stated mission is to work to assist newcomers to New York State to fully participate in the State's civic and economic life, and to strengthen the State's welcoming environment for New Americans and facilitate their success. ONA defines a New American as an individual born abroad and their children, irrespective of immigration status. To fulfill its mission, ONA offers help to New Americans in accessing and navigating a variety of free services and supports—including legal services—through its grant contracts with a statewide network of not-for-profit community-based providers. Through nine grant-funded programs, grantees provide referrals to legal service providers and assist New Americans with naturalization applications and citizenship interviews.

ONA programs that provide legal services include a confidential hotline and a pro bono program that seeks to build future capacity through training other attorneys in the field of immigration services. In addition, Opportunity Centers (Centers) operate in physical locations to offer a variety of services, and through the Legal Counsels (LC) program, not-for-profit organizations make experienced immigration attorneys available to provide legal consultations and potential direct representation, as well as support to the Centers. Center grantees must be U.S. Department of Justice (DOJ)-recognized, which includes having a DOJ-accredited representative(s) on staff.

Most grantees that provide legal services are required to submit quarterly reports that quantify and describe the services they provided during the quarter. Under the Law, ONA is required to provide an annual report to the Executive and the Legislature that describes its activities and the status of its programs. Budgeted funding to ONA increased for the State Fiscal Year (SFY) ended March 31, 2024, to \$67 million from the prior year's \$22 million. Funding for the SFY ended March 31, 2025 was \$68.2 million.

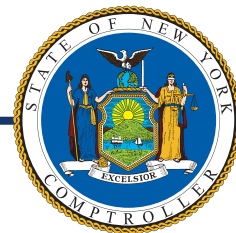
Key Findings

Through its grant contracts with not-for-profit organizations, ONA helps connect immigrants with a variety of free legal services. As a result of our audit, we identified several areas that ONA should address to improve its ability to connect and provide New Americans with legal services. Specifically:

- ONA lacks adequate information to assess and estimate potential unmet need and grantees' ability and capacity to meet it.
- There were limitations in the quarterly reports that ONA requires from grantees that make them difficult to use and compare, as well as inconsistencies in grantees' reported numbers that represent potential inaccuracies and/or lack of understanding about how to report their activity.
- ONA hasn't provided clear reporting requirements to grantees that could improve accuracy, consistency, and comparability in their reporting.
- The lack of organizations in the North Country region with DOJ accreditation presents a continuing challenge.
- ONA doesn't request information about which grantee(s) made the referrals to the Pro Bono program; this information could provide insight about Centers' and/or LC grantees' capacity to provide services.

Key Recommendations

- Take steps to obtain information to help anticipate and identify changes in the need for services to New Americans, grantees' ability to provide these services, and estimate unmet need.
- Revise grantee reporting requirements to obtain the most appropriate information to assess grantee activity and performance.
- Provide guidance to grantees, which could include training and/or written instruction, to assist them in providing information to ONA.
- Continue to evaluate potential ways to expand legal services to New Americans in the North Country region.
- Evaluate reporting requirements to determine the feasibility and value of obtaining referral sources.



**Office of the New York State Comptroller
Division of State Government Accountability**

July 22, 2026

Walter T. Mosley
Secretary of State
Department of State
90 Washington Avenue, 11th Floor
Albany, NY 12231

Dear Secretary Mosley:

The Office of the State Comptroller is committed to helping State agencies, public authorities, and local government agencies manage their resources efficiently and effectively. By doing so, it provides accountability for the tax dollars spent to support government operations. The Comptroller oversees the fiscal affairs of State agencies, public authorities, and local government agencies, as well as their compliance with relevant statutes and their observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations. Audits can also identify strategies for reducing costs and strengthening controls that are intended to safeguard assets.

Following is a report of our audit of the Department of State entitled *Office for New Americans – Connecting and Providing Immigrants With Legal Services*. The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law.

This audit's results and recommendations are resources for you to use in effectively managing your operations and in meeting the expectations of taxpayers. If you have any questions about this report, please feel free to contact us.

Respectfully submitted,

Division of State Government Accountability

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Glossary of Terms

Term	Description	Identifier
ONA	Department of State's Office for New Americans	<i>Auditee</i>
Centers	Opportunity Centers – Provide free services including application assistance, civics test preparation, and trainings	<i>ONA Program</i>
Direct Representation	When an individual is taken on as a client by an ONA Legal Counsel attorney	<i>Key Term</i>
EO 28	State Executive Order 28	<i>Key Term</i>
ESOL	English for Speakers of Other Languages	<i>Key Term</i>
Grantees	Used to refer collectively to not-for-profit organizations ONA contracts with	<i>Key Term</i>
GSCR	Grantee Services Contact Report	<i>Key Term</i>
Intake	A grantee's initial meeting/conversation with potential clients	<i>Key Term</i>
Law	State Executive Law	<i>Law</i>
LC	Legal Counsels – Provide free legal services and direct representation	<i>ONA Program</i>
Manual	ONA Monitoring Manual	<i>Key Term</i>
New American	As defined by ONA, an individual born abroad and their children, irrespective of immigration status	<i>Key Term</i>
PBVA	Pro Bono Volunteer Attorney	<i>Key Term</i>
Pro Bono	Refers to legal service provided voluntarily by law firms, law schools, and attorneys without monetary compensation	<i>Key Term</i>
Pro Se	Refers to representing oneself; appearing on one's own behalf without an attorney	<i>Key Term</i>
RFA	Request for Applications	<i>Key Term</i>

Background

The Office for New Americans (ONA) was initially established in 2012, followed by legislation enacted in 2014 that amended the State Executive Law (Law) to include §94-b, which laid out ONA's powers and duties. ONA's stated mission is to work to assist newcomers to New York State to fully participate in the State's civic and economic life, and to strengthen the State's welcoming environment for New Americans and facilitate their success. ONA defines a New American as an individual born abroad and their children, irrespective of immigration status. Part of ONA's stated approach is to define New Americans by their desire to contribute to the State's social, civic, and economic life, and not solely by their immigration status. According to a statement in its 2024 Annual Report, ONA is the first state-level immigrant assistance office created by statute in the United States.

To fulfill its mission, ONA offers help to New Americans in accessing and navigating a variety of services and supports—including legal services—through its grant contracts with a statewide network of not-for-profit community-based providers. Under the Law, ONA is required to provide an annual report to the Executive and the Legislature that describes its activities and the status of its programs.

According to the New York City (City) Comptroller's website, as of late May 2024, more than 200,000 people seeking asylum had come through the City's shelter system since the spring of 2022. (See the Exhibit at the end of this report for the definition of "asylum" and other relevant terms.) ONA's budget has reflected the influx of new arrivals to both the City and the rest of the state. During the 6 State Fiscal Years (SFY) covering the period from April 1, 2019 through March 31, 2025, budgeted funding to ONA increased from the previous year in each of the 4 SFYs ended March 31, 2022 through March 31, 2025. Funding for the SFY ended March 31, 2024 increased from \$22 million the prior year to \$67 million (see Table 1).

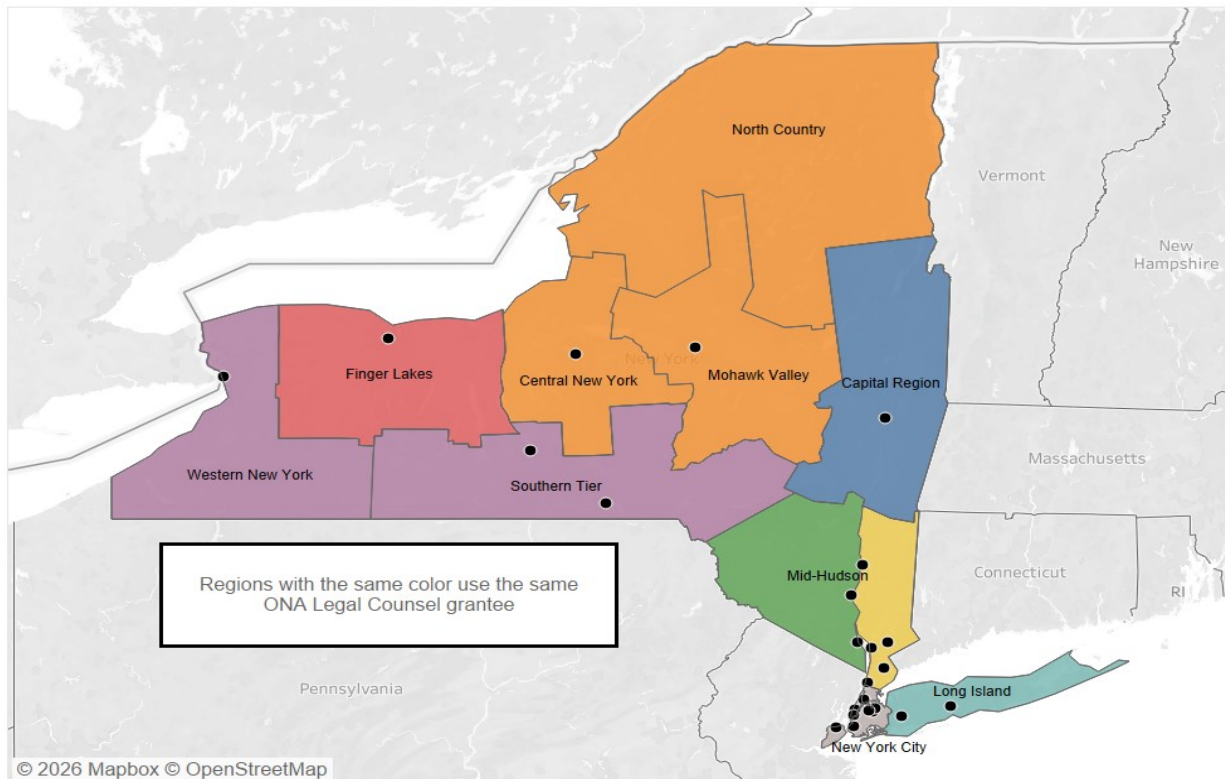
Table 1
ONA Funding Per Enacted Budgets: State Fiscal Years Ended March 31, 2020–2025

	2019–20	2020–21	2021–22	2022–23	2023–24	2024–25
Total State Operations Bill	\$442,000	\$442,000	\$442,000	\$500,000	\$2,500,000	\$2,545,000
Total Aid to Localities Bill	\$17,440,000	\$16,440,000	\$16,440,000	\$21,500,000	\$64,500,000	\$65,700,000
Totals	\$17,882,000	\$16,882,000	\$16,882,000	\$22,000,000	\$67,000,000	\$68,245,000

ONA describes its legal services as referring to free, immigration-related legal services, including direct representation, pro se assistance, consultations, and the provision of legal advice. ONA operates six State-funded programs that offer legal services to immigrants or help connect immigrants with these services, as described below:

- Legal Counsels (LC), where not-for-profit organizations make experienced immigration attorneys available to provide free immigration legal consultations and support to ONA Opportunity Centers (Centers) (see Figure 1).
- Upstate Immigration Court/Upstate New York Immigrant Family Unity Project (NYIFUP), which provides legal services to immigrants who are detained and appearing before one of the upstate immigration courts.
- Pro Bono Program, which awards grants to qualified not-for-profit organizations to support a Supervising Attorney to recruit, train, and support volunteer attorneys to provide legal services to immigration clients.
- DOJ Trainer, which helps people to become accredited by the U.S. Department of Justice (DOJ) and able to provide certain kinds of legal assistance, such as with applications for asylum, to New Americans.

Figure 1
Map of ONA Regions and Opportunity Centers



Note: Each dot represents an Opportunity Center location.

- New York Legal Response Program—including NYC Rapid Response Legal Collaborative—which was established in October 2022 to provide immigrants arriving in New York City with free immigration-related legal services and assistance with critical application filings and required appearances.
- Welcoming New York, which was launched in August 2023 in response to the increase in migration both to the U.S. and to New York City and the State. The program, which began with 1-year contracts with two grantees that totaled \$20 million, focuses on leading efforts to greet and welcome immigrants at arrival points, such as busing locations and shelters, and to provide referrals for asylum seekers. The two contracts were renewed twice at the same annual combined program funding of \$20 million. As of December 31, 2025, about \$19.4 million had been spent for the two contracts combined: \$5.75 million, \$6.92 million, and \$6.73 million in the SFYs ended March 31, 2024, 2025, and 2026, respectively, representing about 32% of the \$60 million contract amounts covering the 3 years.

In addition to the above six programs, three other ONA programs play a significant role in connecting and/or providing immigrants with legal services: Centers, which operate in physical locations throughout the State to offer services; the North Country Immigrant Resource Coordinator; and the New Americans Hotline (Hotline). Through these three grant-funded programs, collectively, grantees provide referrals to legal service providers and assist New Americans with naturalization applications and citizenship interviews.

During the period from May 2022 through January 2025, there were 53 contracts that were active at some point for the nine ONA programs (see Figure 2) that connect and/or provide legal services to New Americans, totaling more than \$120 million in awarded funds, as shown in Table 2. We focused our audit work on five of the nine programs: LCs, Centers, North Country Immigrant Resource Coordinator, Pro Bono, and the Hotline. During the above period, there were 42 contracts that were active at some point for these five programs, totaling more than \$50 million in awarded funds.

In May 2023, State Executive Order 28 (EO 28) was issued, which declared a State Disaster Emergency. EO 28 cited the expected increase in migration into the U.S., and the imminent arrival of people to New York City and the State at an increased rate, in response to the expiration of a federal Order that limited some arrivals to the U.S. during the COVID-19 pandemic. According to language in ONA's contract amendments, in response to EO 28, the Legal Counsel, Opportunity Center, NYIFUP, and Pro Bono contracts were amended in 2023 to provide additional funding to grantees for the 2023–24 and 2024–25 contract years. The amendments justified the additional funding by citing the influx of asylum seekers to the City that had overwhelmed the capacity of community providers and resulted in an urgent need to expand these programs. The funding was intended to allow grantees to hire additional qualified staff to increase their capacity to assist new arrivals seeking asylum. Funding to the Hotline grantee, which is based on volume of calls received and number of referrals made, varied.

Table 2
Funding by Contract Year

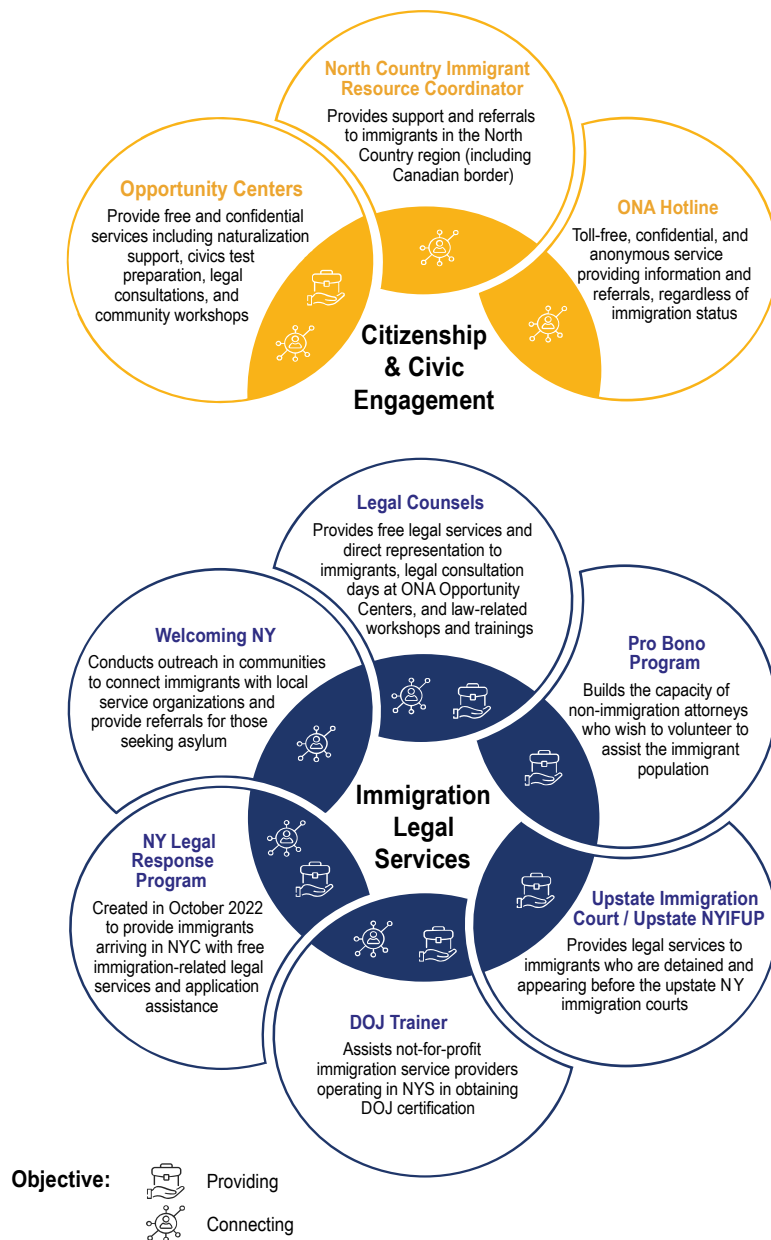
Program	2022–23 Contract Year	2023–24 Contract Year	2024–25 Contract Year	Totals
Welcoming NY	\$0	\$20,000,000	\$20,000,000	\$40,000,000
Legal Counsels	\$6,000,000	\$12,000,000	\$12,000,000	\$30,000,000
Upstate Immigration Court/ Upstate NYIFUP	\$5,100,000	\$8,075,049	\$10,200,000	\$23,375,049
Opportunity Centers	\$2,688,000	\$5,376,000	\$5,376,000	\$13,440,000
NY Legal Response Program	\$1,400,000	\$2,200,000	\$2,200,000	\$5,800,000
Pro Bono	\$1,487,500	\$3,150,000	\$1,050,000	\$5,687,500
Hotline	\$649,806	\$716,000	\$631,000	\$1,996,806
DOJ Trainer	\$68,100	\$136,200	\$136,200	\$340,500
North Country Immigrant Resource Coordinator	\$80,000	\$80,000	\$80,000	\$240,000
Totals	\$17,473,406	\$51,733,249	\$51,673,200	\$120,879,855

Notes:

1. Beginning and ending months of contract years may vary by program.
2. The Pro Bono program contract term associated with the \$3.15 million was the 18-month period from November 1, 2023 through April 30, 2025; the term associated with the \$1.05 million was the 6-month period from May 1 through October 31, 2025.
3. Contracts for the Hotline program are on a calendar year basis. The amounts above represent contract amounts for the 2022, 2023, and 2024 calendar years.
4. Programs in shaded rows are those we focused on in our audit.

Data we obtained from the Federal Executive Office for Immigration Review through requests by the Transactional Records Access Clearinghouse at Syracuse University, indicates that there are better outcomes for people who are represented by legal counsel in cases that involve potential deportation. According to that data, for the Federal Fiscal Years ended September 30, 2018–2024, of the 112,520 immigration court cases in New York State that resulted in deportation, 65% of individuals were not represented by legal counsel. In contrast, of the 56,467 cases that didn't result in deportation, 97% of the people had legal representation.

Figure 2
ONA Programs Connecting and Providing Legal Services to Immigrants



Audit Findings and Recommendations

Through its grant contracts with not-for-profit organizations, ONA helps connect immigrants with a variety of free legal services. We found, however, that the information that ONA requires from its legal services grantees should be improved to allow it to better assess grantee activity and performance and the demand for legal services, including potentially unmet need, and result in program improvements. We also identified a need for better guidance to grantees to improve the accuracy and usefulness of their quarterly reports and cited the value of obtaining information about the source of referrals to the Pro Bono program grantees.

In addition, ONA is contending with the continuing need for more immigration legal services in the North Country. Finally, we found opportunities for improvement in the timeliness of the information that documents staff site visits to grantees and in maintaining a record of meetings with the Hotline grantee. We make eight recommendations to address these concerns.

Identifying and Addressing Grantee Capacity and Potential Unmet Need for Legal Services

Based on our discussions with Center and LC grantees and our review of the quarterly reports that ONA requires from them, we found that ONA lacks information that could better inform its ability to connect immigrants with—and provide—legal services. In particular, it lacks adequate information to assess and estimate potential unmet need and grantees' ability and capacity to meet it.

The Centers are physical, public-facing locations that connect New Americans with free services, including legal services. Center grantees are not-for-profit organizations that generally also offer non-ONA programs. As of June 2025, there were 25 ONA-funded, neighborhood-based Centers in the State: 14 upstate, nine in New York City, and two on Long Island. ONA has separate contracts for each Center, and the Centers function independently of each other, but a single grantee may operate more than one Center. Center grantees must be DOJ-recognized, which includes having a DOJ-accredited representative(s) on staff. According to DOJ's website, the Recognition and Accreditation program seeks to increase the availability of competent immigration legal representation for low-income and indigent persons, thereby promoting the effective and efficient administration of justice. Accredited Representatives may only provide immigration legal services through Recognized Organizations, and only not-for-profit, federally tax-exempt entities may apply to be recognized.

Centers use an on-site immigration attorney or DOJ-accredited representative to assist eligible clients with applications, such as those for naturalization or for a permanent resident "green" card. Not all Centers have immigration attorneys, but each Center is supported by an LC grantee's attorneys, who they rely on to handle the more complicated and time-consuming cases, such as those involving asylum.

Center staff typically schedule two types of legal service appointments: application assistance and consultation days. Application assistance can be provided through walk-in or pre-scheduled appointments, depending on the Center. Center consultation days are scheduled appointments held at the Center with an LC attorney to discuss potential legal representation. Per contract terms, a minimum of 20 consultation days per year is required at each Center.

Centers publicize their services, such as citizenship preparation classes, English for Speakers of Other Languages (ESOL) classes, and workforce support, through outreach to schools, libraries, and churches and by using social media platforms and posting flyers in the community. ONA requires that Center grantees submit quarterly reports that include information such as the number of individuals that received application assistance by application type, number of consultation days held with LC attorneys, and the number of citizenship preparation classes held.

LC grantees provide direct representation to immigrants, in addition to legal consultation days, workshops, and training, such as Know Your Rights training. Each LC grantee must use a “universal representation” model, providing services to any immigrant in need of immigration-related legal representation, and must maintain the capacity to take cases for direct representation from Center consultation days as well as from ONA referrals. An initial consultation with an LC attorney isn’t guaranteed to result in an ongoing attorney-client relationship.

At the time of our audit, there were eight grantees with 14 LC contracts statewide, spread throughout 10 regions, that supported the Centers. The number of attorneys per LC grantee varies by grantee and region served. More than one region may share the same LC grantee; however, each region has its own contract and individual attorneys working in that region. For example, a single grantee serves both the Southern Tier and Western New York under two separate contracts with ONA, with different attorneys working on each contract.

Grantee capacity to provide legal services varies. In May 2025, we contacted seven Centers and three LC grantees about the estimated wait time for an appointment. According to Center personnel, application assistance wait time ranged from no wait to 6 months, and for consultation days from no wait to 2 months. For the LCs, estimated wait for an initial meeting with an attorney ranged from no wait to a few weeks. One LC grantee replied that if the wait was long, they might recommend a pro se clinic that helps prepare people to represent themselves in immigration proceedings. When LC grantees can’t take on new cases, clients seeking legal services have a few options: they can continue to wait until an appointment becomes available, accept a referral (and pay out of pocket) for a private attorney, or attend a pro se informational session. Other options include organizations that don’t receive grants from ONA but that provide free or low-cost immigration services, private law firms that perform pro bono services, and other programs provided by local governmental entities, such as the City of New York.

ONA’s LC quarterly reports require grantees to report the number of consultation days held and the number of trainings they led. They also require information about the number of immigrants met with (intake), and the number of clients taken on for direct representation. However, ONA doesn’t require information from grantees about the number of people who don’t get taken on for direct representation, or the wait for services (e.g., number of people waiting or length of the

wait). Though ONA isn't required by law or other authority to obtain this information, it could provide valuable insight and may signify unmet need.

In one example, a 2023 quarterly report showed that a grantee had an intake of 112 and number of clients taken on for direct representation as 60. According to ONA officials, the number of people taken on for direct representation in any given quarter (here, 60) might be included in the intake numbers reported for that quarter (here, 112), or they could have returned from a prior quarter or year. In this example, therefore, the outcome of the 112 potential clients is unknown because it's not possible to determine how many were taken on for direct representation, nor is it known how many were not. In another example, a grantee reported an intake of 73 and number of clients taken on for direct representation as 309.

We acknowledge that ONA's LC grantees contend with challenges inherent to the populations they serve. They're required to maintain capacity for urgent needs, are driven by application due dates, and must understand the potentially transient nature of people served (in some cases, a client has relocated or simply can't be found when an appointment becomes available). According to ONA officials, some individuals do not have a legal path, at least at the time they're seeking services, and there are no legal services to offer them. In other cases, the Centers and/or LCs are at capacity and can't take the case at that time, or a person may decide to seek legal services elsewhere.

In response to our observations, ONA officials said that they don't collect data on the number of people who don't receive ONA legal services in part because they're not mandated to do so, although they also said that it's an aspiration to pursue. They also said that they use other tools, such as site visits and continuous communication, in their evaluation of capacity and local need. In addition, they said that it's generally acknowledged that the demand for legal services under ONA and other immigration programs in the State may exceed current funding and capacity, and that ONA cannot accommodate the need for legal services for all New Americans. They acknowledged that having information about the number of immigrants seeking legal services but unable to be served—for whatever reason—would likely enhance ONA's ability to estimate the need for services. They added that this could drive improvements in its legal services programs.

Recommendation

1. Take steps to obtain information to help anticipate and identify changes in the need for services to New Americans, grantees' ability to provide these services, and estimate unmet need.

Limitations and Inconsistencies Among Quarterly Reports

We found limitations in the quarterly reports that ONA requires from grantees that make them difficult to use and compare. There were also inconsistencies in grantees' reported numbers that represent potential inaccuracies and/or lack of understanding about how to report their activity. In

addition, ONA hasn't provided clear reporting requirements to grantees that could improve accuracy, consistency, and comparability in their reporting.

Most ONA grantees, including those that provide legal services, are required by their contracts to submit quarterly reports to ONA that summarize services rendered during the quarter. (ONA receives monthly reports from the Hotline grantee.) The quarterly reports require information that differs depending on the program. For example, LC grantees report the number of intake and direct representation cases, whereas the Centers report the number of applications completed and number of citizenship preparation classes held. Other than these field descriptions on the reports themselves, there are no instructions for how to complete the quarterly reports. ONA uses information from the quarterly reports to produce its annual report.

Each LC contract work plan indicates that the number of Centers in the LC's region determines the estimated number of recipients of the LC's services. For example, the work plan for one grantee indicated that with zero or one Centers in that region, the work plan goal would be to provide assistance to 100–120 cases at a time (see Figure 3). According to ONA officials, they determine expected caseload, which we interpret as number of cases at a given time (consistent with Figure 3), using geographic information, location, number of individuals served, and studies. They also acknowledged the inherent difficulty in estimating the need in the regions. The work plan goal, as expressed as a caseload number, is a prepopulated column in the quarterly report's section titled, "Intakes/Direct Representation," which grantees use to report activity for a given period of time.

The report has fields to capture the number of intakes and number of clients taken on for direct representation for a given period or periods of time (e.g., a quarter or quarters), both of which provide relevant and valuable information to ONA about grantee legal services during the period. But the Work Plan Goal field, which relates to estimated grantee cases at a point in time, isn't comparable to the number of intakes or clients accepted for direct representation for a period of time, though the fields are adjacent on the report, as shown in Figure 3. And, despite the caseload per the work plan being part of the quarterly report, the report doesn't capture this information from grantees. As such, it's unclear—even more so without written instructions—what information ONA is requesting, and has likely led to unintentionally inaccurate reporting by

Figure 3
Excerpt from an LC Grantee Quarterly Report

<i>Instructions: This report will be completed and submitted every quarter by the ONA Legal Counsel grantee.</i>						
Intakes/Direct Representation						
	Work Plan Goal	May-July	Aug-Oct	Nov- Jan	Feb- Apr	Annual Total to date
# of intakes	N/A					
# of clients accepted for direct representation	Caseload is per grantee, not per attorney; one case is defined as one individual client: 0-1 Opportunity Center - 100 to 120 cases at a time; 2-3 Opportunity Centers - 80 to 100 cases at a time; 4-5 Opportunity Centers - 60-80 cases at a time					

grantees (an example of which we describe below) and/or information that is duplicative or is otherwise of little value to ONA.

In response, ONA officials acknowledged that the work plan goal information requested could cause confusion to someone unfamiliar with the reporting process and that it would better define the information that grantees should be reporting. They also said that they assess caseload during site visits through reviewing the grantee logs, and that they evaluate information collected from grantees to identify areas of improvement.

We also found differences in the information reported from one quarter to the next, which make it more difficult to assess grantee activity and may represent inaccurate information reported by the grantee. The report templates include columns for grantees to report results from the previous quarter(s), in addition to the current quarter. As a result, a fourth-quarter report includes fourth-quarter numbers as well as those from the prior three quarters. We reviewed all four quarterly reports for the 2022–23 contract year for eight LC grantees, for a total of 32 reports, and found that for six of the eight grantees, the numbers reported for prior quarters didn't match what was originally submitted. This resulted in a total of 21 instances in which numbers differed from those previously reported, affecting 10 of the 32 quarterly reports we reviewed, or 31%.

For example, one grantee's first-quarter report showed the number of clients accepted for direct representation as 66. Yet, its second-quarter report showed the first-quarter number as 67, while the third- and fourth-quarter reports showed it as 39. Without further information about how grantees are reporting their results, and whether they're doing so in a way that meets ONA's needs and fulfills contract requirements, the value and accuracy of the information reported is diminished.

When we discussed this with ONA officials, they said that they stress to their grantees the importance of submitting accurate quarterly reports. They cited training that's provided at the start of a new contract award as well as the technical assistance that ONA Analysts provide during site visits. They also provided documentation of correspondence, including ONA's response, that was initiated by a grantee asking for clarification about how to count a client with more than one case. Nonetheless, there are weaknesses in the quarterly report format, content, and guidance that resulted in the issues we identified above.

Recommendations

2. Revise grantee reporting requirements to obtain the most appropriate information to assess grantee activity and performance.
3. Analyze the information collected from grantees to identify potential areas of improvement and need.
4. Provide guidance to grantees, which could include training and/or written instruction, to assist them in providing information to ONA.

Services to New Americans in the North Country

Despite ONA's efforts to enhance resources to New Americans in the North Country region, the lack of organizations in the region with DOJ accreditation presents a continuing challenge.

ONA issued a Request for Applications (RFA) for an Opportunity Center in the North Country in 2017. The RFA required that all applicants be DOJ-recognized at the time of submission, which requires them to have a DOJ-accredited representative on staff. However, due to the lack of organizations that responded to and met the RFA qualifications, the region remained, and still remains, without a Center.

In an attempt to address the need for legal services and the growing immigrant population in the region, ONA initiated the North Country Immigrant Resource Coordinator as a pilot program in 2018, and in December 2022, ONA established a 1-year contract with a grantee to host the program at a physical location in the region, with an option for two 1-year renewals. The contract required the grantee to hire and maintain a dedicated staff person to serve as the Coordinator. The role of the Coordinator, who doesn't have to be an attorney, is to provide case management to immigrants and refugees, facilitate legal assistance through the LC grantee supporting that region, coordinate and manage referrals and appointments, provide quarterly reports to ONA, and other activities related to education and outreach.

With no DOJ-accredited representatives on staff, however, the grantee cannot offer help with applications, such as those for citizenship, naturalization, asylum, or temporary protected status, and must refer immigrant clients to an appropriate legal service provider, which may or not be the corresponding LC grantee. In responding to our observations, ONA officials cited its continuing outreach efforts to establish a Center in the North County region, while also indicating that, as of November 2025, there weren't yet any DOJ-accredited providers. These circumstances challenge ONA's ability to provide legal services to New Americans in the North Country region.

Recommendation

5. Continue to evaluate ways to expand legal services to New Americans in the North Country region.

Pro Bono Program Referrals

The purpose of the Pro Bono program is to establish an agreement with a qualified not-for-profit organization to support one or more Supervising Attorneys who oversee the supervision, coordination, and training of Pro Bono Volunteer Attorneys (PBVAs) to expand capacity for free immigration law representation in the state. We found that ONA could benefit from obtaining more information about referrals to Pro Bono program attorneys.

The Pro Bono program began in 2017 and initially operated in two of ONA's 10 regions: New York City and the Hudson Valley. It later expanded to the Central New York region in

November 2022 and as of June 2024 was operating in Western New York, the Finger Lakes, and the Capital District, with coverage in six of the 10 regions. ONA awarded the two grantees between \$1 million and \$3.2 million in funding for each of the 2022–23, 2023–2024, and 2024–2025 contract periods, with more than \$4 million spent from November 1, 2022 through December 31, 2025.

The Pro Bono RFA released in March 2022 required that each grantee conduct targeted outreach to recruit qualified PBVAs and non-legal volunteers. The PBVAs are required to provide immigration legal services to clients under close supervision of the Supervising Attorneys. The resulting Pro Bono contracts require the two grantees—one upstate and one downstate—to have a minimum number of PBVAs (45 and 20, respectively) and to conduct a minimum number of client case placements per contract year (105 and 60, respectively). Grantees must also maintain capacity to receive case referrals directly from ONA or other ONA grantees to be screened for placement with a trained PBVA, and to maintain an up-to-date list of referrals to programs and services available for those who can't be served under the grants. As with other ONA programs that provide legal services, Pro Bono grantees are required to submit a quarterly report that summarizes services rendered during the quarter.

The quarterly reports require grantees to report the number of referrals they received from other ONA programs, but not their source, such as whether a referral arose from a Center or LC contact. (Prior to 2022, the Pro Bono quarterly reports didn't request referral information.) For example, for the last quarterly report of the contract year ending October 2023, which included information for all four quarters, one grantee reported a total of 72 PBVAs and 161 case placements for the contract year and 65 referrals received from ONA or other ONA grantees; the other reported 32 PBVAs and 52 case placements and no referrals received.

Though ONA doesn't require its grantees to report the source(s) of Pro Bono referrals, this information could provide insight about potential strain on grantee capacity.

During the period from May through July 2024, we visited six grantees located in the service regions of the upstate and downstate Pro Bono contracts: four Center grantees (one upstate, three downstate) and two LC grantees (one upstate, one downstate). Notably, officials from five of the six grantees—including all four downstate grantees—said that they were either at capacity or were strained to provide legal services to immigrants, underscoring the need for additional providers, which might include those providing services under Pro Bono contracts with ONA. Information about the source of referrals to the Pro Bono program could provide insight about Centers' or LC grantees' capacity to provide services.

In response, ONA officials said that they haven't requested this information previously and that it's not part of the contract deliverables, but that they'd consider expanding reporting requirements to include referral sources. They also said that PBVAs have generally been attorneys with full-time jobs seeking to fulfill a requirement for hours of pro bono service or are retired attorneys from other areas of law. As such, none are full-time volunteers. They also cited regional differences in the pool of available attorneys and said that other ONA programs, such as Welcoming New York and New York Legal Response, help to add capacity. ONA launched a new Pro Bono program in November 2025 that will include the Long Island and Mohawk Valley

regions and is planning to update its website to include information about the new program in a newsletter it's developing to share with grantees.

Recommendation

6. Evaluate reporting requirements to determine the feasibility and value of obtaining referral sources.

Site Visits to Grantees

The results of our sample indicated that ONA Analysts conducted site visits to grantees and completed the reports that ONA requires to document the results of these visits, but that some reports remained outstanding for as long as 4 years.

ONA's Monitoring Manual (Manual) requires that ONA Analysts visit grantees twice per contract year, which generally includes Analysts reviewing some records. According to ONA officials, the visits are in-person except with the grantee that operates the Hotline because the Analysts don't review Hotline records. Prior to the site visits, each grantee must submit a log to the Analyst that documents things such as screenings, placements, and referrals, and when consultation days are being held. According to ONA officials, these visits are the main contract monitoring tool, and Analysts continue to discuss relevant observations and issues with their supervisor after the visits.

The Manual requires that Analysts document each visit, including information about whether the grantee is making substantial progress toward achieving the results as stated in the contract work plan, on a Grantee Services Contact Report (GSCR). The GSCRs differ slightly by program. For example, the GSCR for an LC grantee visit has space to document results of the Analyst's review of the grantee's intake and direct representation numbers and number of legal consultation days, whereas one for a Center visit addresses recruitment and outreach, the number of applications completed by type of application, and information about citizenship preparation classes held, including number of classes and attendees and the related materials. Similar to the GSCRs, the logs that grantees submit differ by program. During site visits, Analysts generally review just the supporting documentation for the information the grantee submits in the log.

ONA maintains a spreadsheet to track when site visits and GSCRs are completed and to identify when a visit is late or when a GSCR, due to ONA within 30 days of the visit, is outstanding. According to information that ONA provided in January 2024, there were 13 outstanding GSCRs at that time, all assigned to the same Analyst, for visits conducted between February 2020 and November 2021. In December 2021 ONA sent an email to the Analyst with a list of outstanding GSCRs but took no further action through February 2024. All 13 GSCRs were finally completed, 2.5–4 years after the site visits took place, in February 2024, during our audit. Late GSCRs, which reflect the outcomes of Analysts' monitoring efforts, reduce ONA's ability to both be

informed about and respond to existing or emerging conditions and to monitor grantee performance.

ONA officials attributed this lapse to circumstances of the COVID-19 pandemic, stating that their focus was helping grantees transition to providing services remotely and safely. They also acknowledged the importance of obtaining this information timely.

Recommendation

7. Strengthen oversight practices to provide better assurance that ONA Analysts submit GSCRs timely.

New Americans Hotline

We found that ONA doesn't maintain minutes or an equivalent record of its monthly meetings with the grantee that operates a hotline for immigration-related calls. Maintaining this information would preserve a record of the context and outcome of relevant discussions and serve to substantiate decisions.

ONA contracts with a not-for-profit organization to operate a confidential, toll-free hotline (Hotline) that provides anonymous callers with live assistance in more than 200 languages and operates from 9:00 a.m. to 8:00 p.m. (EST), Monday through Friday, excluding federal holidays. Hotline representatives refer callers to their local ONA provider, which could be a Center or an LC grantee, and/or other public and private immigrant-related support programs. The amount ONA pays the Hotline grantee is based on the volume of calls received and number of referrals made. The contract for the period from January 1, 2022 through December 31, 2026, which totaled \$3,155,000, called for an annual payment of \$631,000 based on 25,000 calls received and 50,000 referrals per year.

The contract was amended in January 2024 to provide for additional payment to the grantee because both the volume of calls received and number of referrals made exceeded the base numbers for both 2022 and 2023. In 2022, the grantee received 29,701 calls and made 62,539 referrals, resulting in an additional payment of \$18,806, and in 2023, it received 42,065 calls and made 117,826 referrals, for an additional payment of \$85,000.

The Hotline contract requires the grantee to submit an easy-to-understand monthly report that includes the number of phone calls answered, type of call, number of referrals made, and a list of agencies to which callers were referred. The reports present the total call data using caller responses to questions, including those about their current concern, immigration status, whether they're calling from within or outside of the U.S., and whether they're detained. Because a caller might have more one concern, the number of concerns reported may exceed the number of calls received.

The monthly reports also include the country of origin for each caller. According to U.S. Citizenship and Immigration Services information, as of November 2023, 17 countries were

designated for Temporary Protected Status (TPS), which allows protection against detainment based on immigration status due to conditions in the source country, such as civil wars or epidemics, that prevent nationals from returning safely. The countries with TPS status at that time were Afghanistan, Burma (Myanmar), Cameroon, El Salvador, Ethiopia, Haiti, Honduras, Lebanon, Nepal, Nicaragua, Somalia, South Sudan, Sudan, Syria, Ukraine, Venezuela, and Yemen. TPS status for many of these countries, such as Venezuela and Nepal, terminated in 2025 and is scheduled to terminate in 2026 for others, such as Burma (Myanmar) and Somalia.

Maintaining a record of relevant meetings can serve as justification for subsequent actions and decisions and preserve comments and insight that could be of future value. ONA officials stated that they have a monthly call with the Hotline grantee to review the monthly report information and discuss areas the grantee identifies as relevant. They said they may use information from those meetings in drafting future RFAs and in making program decisions. We asked ONA officials for an example of a decision that was made based on meetings with the grantee. They explained that they partnered with the grantee and others to host a phone bank in July 2024 to address concerns about potential scams targeting recent arrivals. When we asked for meeting minutes or similar information that documented these discussions, they said that they don't keep a written record of the meetings and cited the potential sensitivity of meeting content as one reason. They said that the grantee provides an agenda prior to the meeting, and that attendees can keep their own informal notes if they choose to do so. However, they also acknowledged that it may be helpful to document certain decisions made during these meetings, and said that going forward, ONA will document significant decisions that are made during the monthly meetings and share them with meeting attendees.

Recommendation

8. Maintain a record of significant decisions and other relevant interactions that result from meetings with the Hotline grantee.

Audit Objective, Scope, and Methodology

The objective of our audit was to determine whether the Department of State's Office for New Americans is effectively connecting and providing immigrants with legal services. The audit covered the period from January 2019 through July 2024. We also considered information provided by ONA and by selected grantees through December 2025.

To accomplish our objective and assess related internal controls, we reviewed State laws, ONA policies and procedures, contracts, and grantee and Hotline call data. We also interviewed ONA officials and conducted site visits to grantees. In addition, we analyzed publicly available data from the New York State Comptroller's website (Open Book) and the Enacted Budgets for the SFYs 2019–20 through 2024–25.

We used a non-statistical sampling approach to provide conclusions on our audit objective and to test internal controls and compliance. We selected judgmental samples. However, because we used a non-statistical sampling approach for our tests, we cannot project the results to the respective populations. Our samples, which are discussed in detail in the body of our report, were as follows:

- A judgmental sample of three of eight LC grantees to visit—which covered six of ONA's 10 regions and eight of the 14 LC contracts—that were active during the period May 2022 through April 2025, based on their number of contracts, the size of the area they covered, and the number of Centers each supported.
- A judgmental sample of seven of 25 Centers to visit based on them being supported by the three LC grantees we selected for visits, rates of legal representation, number of Hotline calls, and New York City Department of Homeless Services data.

We obtained data from ONA's website about community-based providers and assessed the reliability of that data by reviewing existing information. We determined that the data on ONA's website was sufficiently reliable for the purposes of this audit. We used certain other data in our report to provide background information. Data that we used for this purpose was obtained from the best available sources, which were identified in the report. Generally accepted government auditing standards do not require us to complete a data reliability assessment for data used for this purpose.

Statutory Requirements

Authority

The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law.

We conducted our performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. These duties could be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our professional judgment, these duties do not affect our ability to conduct this independent performance audit of the Department of State's Office for New Americans' effectiveness at connecting and providing immigrants with legal services.

Reporting Requirements

We provided a draft copy of this report to Department of State officials for their review and formal written response. We considered their response in preparing this final report and have included it in its entirety at the end of the report. In their response, Department of State officials agreed with most of our recommendations and described the actions they plan to take to address them. Our responses to certain Department of State comments are embedded within the Department of State's response as State Comptroller's Comments.

Within 180 days after final release of this report, as required by Section 170 of the Executive Law, the Secretary of State shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendations contained herein, and where recommendations were not implemented, the reasons why.

Exhibit

Immigration Terms

Term	Description
Asylum	A status that may be granted to noncitizens who meet the definition of refugee, are not subjected to a mandatory bar, and are physically present in the United States.
Citizen	A person born or naturalized in the United States, and subject to its jurisdiction.
Foreign National	A person without U.S. citizenship or nationality (may include a stateless person).
Green Card	An identification document issued to non-citizens as evidence of their conditional or lawful permanent resident status in the United States (also known as a Permanent Resident Card).
Naturalization	The process by which U.S. citizenship is granted to a lawful permanent resident after meeting the requirements established by Congress in the Immigration and Nationality Act.
Refugee	Generally, any person outside their country of nationality who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution based on their race, religion, nationality, membership in a particular social group or political opinion.
Temporary Protected Status	Status given to a foreign country due to conditions that temporarily prevent the country's nationals from returning safely, or where the country cannot adequately handle the return of its nationals. Status may also be granted to eligible nationals of certain countries who are already in the United States.
Visa	A document that indicates that a consular officer at a U.S. Embassy or Consulate abroad has determined that a foreign national is eligible to travel to a port of entry, airport, or land border crossing and request permission of the Department of Homeland Security to enter the United States.

Sources:

1. The definition for "asylum" is from the U.S. Citizenship and Immigration Services website <https://www.uscis.gov/humanitarian/refugees-asylum>. Note: In alignment with the New York State Executive Law, Chapter 669 of the Laws of 2022, we have modified the description to use "noncitizen" instead of the source's use of "alien."
2. The definition for "citizen" is from the U.S. Constitution 14th Amendment <https://www.archives.gov/milestone-documents/14th-amendment>.
3. The definitions for "foreign national," "green card," "refugee," and "temporary protected status" are from the U.S. Citizenship and Immigration Services website <https://www.uscis.gov/tools/glossary>. Note: In alignment with the New York State Executive Law, Chapter 669 of the Laws of 2022, we have modified the description to use "noncitizen" instead of the source's use of "alien."
4. The definition for "naturalization" is from the U.S. Citizenship and Immigration Services website <https://www.uscis.gov/citizenship/learn-about-citizenship/citizenship-and-naturalization>.
5. The definition for "visa" is from the U.S. Department of State website <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/frequently-asked-questions/what-is-us-visa.html>.

ONA Response and State Comptroller's Comments

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March 30, 2026

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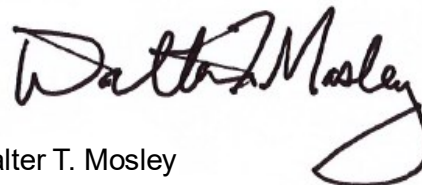
Re: Response to Draft Audit Report 2023-S-35

Dear Nadine Morrell:

Thank you for the opportunity to review and respond to the draft report and recommendations regarding the audit entitled "Office for New Americans – Connecting and Providing Immigrants with Legal Services."

The Department of State respectfully submits the attached response to the report's conclusions and recommendations. If you have any questions or need further information, please contact Linda Herald, Director of Internal Audit, at Linda.Herald@dos.ny.gov or at 518-474-7291.

Respectfully,



Walter T. Mosley
Secretary of State

Department of State's Response to the Office of the New York State Comptroller Audit of the Office for New Americans – Connecting and Providing Immigrants with Legal Services

Audit Number 2023-S-35

The Department of State (“Department” or “DOS”) recognizes the significant accomplishments the Office for New Americans (“ONA”) has achieved to strengthen new Americans’ connections to their communities and reduce the exploitation of vulnerable immigrants. The Department highlights ONA’s achievements in helping to connect and provide immigrants with legal services. As published in ONA’s annual reports from 2019 through 2024, ONA provided the following free services to immigrants through various grant programs, including:

- Served nearly 135,000 clients through its Legal Counsel grantees.
- Answered nearly 164,000 calls and made nearly 265,000 referrals through its ONA Hotline grantee.
- Provided application assistance to over 25,000 individuals through its Opportunity Center grantees.
- Served nearly 3,900 individuals through its Pro Bono grantees.
- Served nearly 2,000 individuals since 2020 through its North Country Immigrant Resource Coordinator grantee.

With respect to OSC’s recommendations, the Department’s comments follow:

OSC Recommendation 1: Take steps to obtain information to help anticipate and identify changes in the need for services to New Americans, grantees’ ability to provide these services, and estimate unmet need.

Department Response:

ONA disagrees with OSC’s assertion that “it is generally acknowledged that the demand for legal services under ONA and other immigration programs in the State may exceed current funding and capacity, and that ONA cannot accommodate the need for legal services for all New Americans.”

The statement cited by auditors was context-specific, and made in reference to a unique period starting in 2023 when New York was forced into a defensive posture due to rapid, uncoordinated, and increasingly aggressive shifts in federal immigration policy, coupled with an unprecedented influx of immigrants into the state and New York City. This crisis was exacerbated by the arrival of thousands of individuals on buses sent from Texas without any advance notice or coordination, creating unpredictable, unique, and unforeseen service demands.

State Comptroller’s Comment – The assertion that ONA cites came from ONA’s own November 2025 response to our report of preliminary findings. ONA expressly stated that the acknowledgment pertained to circumstances “at this time.”

In direct response to these volatile circumstances, the State has taken the following proactive steps to identify and meet evolving needs:

- **Historic Resource Allocation:** Governor Hochul declared a State of Emergency and surged ONA funding to record levels. This increased funding has allowed providers to quickly scale their operations to handle the sudden increase in volume.
- **Strategic Service Integration:** ONA deployed funding in a complementary fashion across state, local, and private partners. This collective network now provides more legal service funding for immigrants than at any time since ONA’s inception.
- **The Universal Representation Model:** To ensure agility, ONA continued to utilize and expand a

universal representation model. ONA specifically designed this framework to allow grantees to continuously assess community needs and pivot service delivery in real-time to address urgent and evolving legal challenges.

Given the volatility of needs in this area, it is important to distinguish between acknowledging the challenges presented by a particular situation from general characterizations about ONA's ability "to accommodate the need" for legal services. Of course, there are numerous organizations that provide free or low-cost immigration services that do not receive grants from ONA, including private law firms performing pro bono services, and there are programs provided by other local governmental entities within the State, such as the City of New York, that may also assist immigrants in need with free or low-cost legal services. Moreover, as demonstrated by the implementation of the above, ONA already maintains robust mechanisms to anticipate and identify changes in need—the very goal of the OSC's recommendation.

With respect to Recommendation #1, ONA takes numerous steps to anticipate and identify changes in need and gathers information on changing community needs and provider capacity by frequently inquiring and communicating with grantees including through observations and discussions during site visits, making direct referral of urgent cases by ONA to grantees, and written inquiries by ONA to grantees; engaging with state and local representatives; reviewing grantee-generated reports; participating in public outreach events; attending immigration-related forums; reviewing academic works and news reports; and monitoring changes in immigration laws and policies at the local, state and federal level. ONA's continuous communication with grantees and new Americans, as well as its expertise in immigration, plays a critical role in assessing capacity and need, as well as program design.

To address this recommendation, ONA will consider what additional information would be valuable to obtain, and work with its grantees to evaluate how to capture any such information appropriately, efficiently, and cost-effectively. ONA will also review the timing and details of implementing this recommendation, since work plan and reporting requirements are established periodically, as part of each grantee contract, during renewals/extensions, as well as during the development of new grant funding opportunities.

As mentioned above, legal service needs and priorities for immigrants in New York State are subject to rapid changes in response to local, state, national, and global events and/or shifts in applicable federal rules and policies. To provide agility in legal service delivery, ONA authorizes a universal representation model with its legal services grantees, which allows for and encourages timely response, continuous assessment of circumstances, evolving service delivery mechanisms, and the provision of a variety of immigration-related legal services as required to appropriately address new, urgent, and evolving circumstances. ONA's implementation of this universal representation model was the direct result of the steps described above that ONA takes to anticipate and identify changes in community needs and provider capacity.

ONA also engages in program design adjustments in response to changing immigration trends and unique community needs. For example, ONA's New York Legal Response program was initially available in New York City only. In 2022, ONA expanded this program to add grants covering the Hudson Valley and Long Island because there was a clear emerging enhanced need in those regions at that time. In 2023/2024, ONA crafted the (ongoing) Welcoming NY grant program and expanded funding opportunities so legal service providers Statewide could help more people to the greatest extent possible to provide immediate limited scope assistance to immigrants to preserve their ability to pursue legal status, work authorizations, and other immigration benefits. In 2025, as drastic changes occurred in Immigration Courts, ONA worked with its grantees to ensure that ONA legal providers were able to assist asylum seekers with responding to pretermissions, which is when an immigration judge denies or dismisses an asylum application without a full evidentiary hearing. As federal immigration policies continue to change and deliver a range of impacts creating an ever-evolving slate of service needs, ONA continues to consult with grantees to devise work plans allowing them to responsively serve immigrants with various immigration-related legal services.

Recommendations 2, 3, and 4: Revise grantee reporting requirements to obtain the most appropriate information to assess grantee activity and performance. Analyze the information collected from grantees to identify potential areas of improvement and need. Provide guidance to grantees, which could include training and/or written instruction, to assist them in providing information to ONA.

Department Response:

ONA will review its reporting requirements and consider revisions to the quarterly reports, including revisions to clarify when grantees should report number of clients and/or cases within the quarter versus the number of cases at a point in time. This should result in more uniform, clear reporting requirements for grantees and make the information more consistent. In recent months, ONA has worked to improve information delivery and communications to grantees in the following ways:

- Provided written instructions in quarterly report templates with additional explanations on how to complete select fields.
- Added more detailed definitions and instructions to the templates for its existing Welcoming NY, Pro Bono, and Opportunity Centers - ESOL quarterly reporting forms.
- Plans to provide grantees guidance of when to report the number of clients and/or cases within the quarter or at any point in time across its remaining programs when new grant awards are issued and prior to the start of new contracts.
- Continued to provide training and technical assistance to its grantees as needed, including at the start of new contracts, when reporting requirements change, and during site visits.

ONA will continue to analyze the information collected from grantees to assess their activities and performance and follow up on relevant information during site visits and as needed.

In reference to establishing work plan goals, ONA notes an apparent misunderstanding. OSC states, "According to ONA officials, they determine expected caseload...using geographic information, location, number of individuals served, and studies, but **also acknowledged that they haven't been able to estimate the need in the regions**" (emphasis added). This statement appears to confuse ONA's acknowledgment of challenges it faced in a specific context with a general statement about ONA's process. ONA staff did make statements about the challenges with estimating caseload increases in expectation of the anticipated influx of immigrants. These comments were intended to articulate the difficulties inherent in determining future needs at certain specific times when immigration policies and procedures nationwide may undergo drastic and, at times, difficult to predict changes that alter the landscape of needs and priorities regarding immigration legal services in specific regions of the state.

State Comptroller's Comment – We have modified our report to include a statement about the difficulty in estimating need.

ONA performs research and analysis to determine need per region by identifying the number of immigrants, what countries they are from, what languages they speak, their citizenship status, etc. ONA uses a mix of data sources from the Census and various immigrant research institutes. In September 2025, ONA presented a culmination of this research and published "A Snapshot of New Americans in New York State," which are data sheets highlighting immigrant populations, languages, and other data for each region. These snapshots are available on <https://dos.ny.gov/ona-resources>.

Recommendation 5: Continue to evaluate ways to expand legal services to New Americans in the North Country region.

Department Response:

ONA will continue to evaluate mechanisms to address the challenge of enhancing services available to New Americans in the North Country region. ONA funds four grants that provide services, outreach, and legal support specifically to the North Country: a Legal Counsel grant to provide direct legal services to immigrants in the North Country; the North Country Immigrant Resource Coordinator grant; and two Immigrant Resource Program grants.

Launched in 2024, the Immigrant Resource Program is comprised of a statewide network of Immigrant Resource Coordinators who, with the support of volunteers, conduct outreach and provide vital information to immigrant communities. The grantee in the North Country has hosted several Know Your Rights sessions in partnership with the North Country region's Legal Counsel grantee and has made legal services referrals to the Legal Counsel grantee. In addition, ONA has an Immigrant Community Liaison on staff, based in Watertown, dedicated to serving the North Country region by identifying needs, connecting providers, sharing resources, and assisting constituents to access services including legal assistance. It should also be noted that any immigrant in the North Country can receive legal services through the network of ONA legal services providers and are not restricted from eligibility for services by virtue of their location, and indeed immigrants can receive legal services from providers physically located in other parts of the State.

Recommendation 6: Evaluate reporting requirements to determine the feasibility and value of obtaining referral sources.

Department Response:

OSC concluded collecting the source of referrals to the Pro Bono program could provide insight about the capacity of Opportunity Centers or Legal Counsel grantees to provide services. While ONA is not confident that collecting this particular information will assist in timely identification of current and emerging capacity issues, we will consider implementing this recommendation in conjunction with Recommendation 1.

Recommendation 7: Strengthen oversight practices to provide better assurance that ONA Analysts submit GSCRs timely.

Department Response:

ONA agrees with this recommendation and is taking actions to address it. ONA has increased its staffing levels and restructured responsibilities. This includes the creation of a new position, ONA Deputy Director of Compliance, which ONA filled on December 18, 2025. One of the Deputy Director's responsibilities is to strengthen oversight and improve timeliness of GSCR completion.

ONA stresses its analysts perform site visits at the required frequency and promptly elevate significant issues observed during the visits. The purpose of GSCRs is solely to memorialize the visits.

Recommendation 8: Maintain a record of significant decisions and other relevant interactions that result from meetings with the Hotline grantee.

Department Response:

ONA will create a concise record of significant final decisions made during meetings with the Hotline grantee. In addition, ONA will consider the level of detail maintained so as not to create an undue burden, ensure appropriate confidentiality, and to continue to maintain an environment encouraging robust and thoughtful discussion among meeting participants.

Additional Comments:

In addition to responding to OSC's recommendations, ONA notes the following questions and clarifications.

- OSC's draft report states:
 "[t]hrough its grant contracts with not-for-profit organizations, ONA helps connect immigrants with a variety of free legal services and **also provides these services.**"
For clarity, ONA does help connect immigrants with free legal services; however, ONA staff do not directly provide legal services to immigrants. Legal services funded through ONA are rendered to immigrants by ONA grantees only, and not by ONA staff.

State Comptroller's Comment – We have modified our report accordingly.

- To clarify OSC's definition of New American in its Glossary of Terms and Background, this definition is established in Executive law, section 94-b(2), which states "for the purposes of this section, the terms "new American" and "immigrant" shall refer to non-citizen domiciliaries of New York state whose country of origin is other than the United States."

State Comptroller's Comment – The definition of New American in our report is not "OSC's" definition. We used the Office for New Americans' own definition from its website.

- OSC's statement regarding the Welcoming NY renewal contract amounts – "Each of the two contracts were renewed twice at the same funding levels" – is incorrect. While the total renewal amounts for the program remained at \$20 million in the second and third years, the individual renewal amounts changed from \$15 million to \$12 million and \$5 million to \$8 million.

State Comptroller's Comment – We have modified our report to include just the program total per year.

- OSC's draft report attributes the following statements to unnamed ONA officials, although ONA does not have a record of such statements being made:
 "They acknowledged that having information about the number of immigrants seeking legal services but unable to be served—for whatever reason—would likely enhance ONA's ability to estimate the need for services. They added that this could drive improvements in its legal services programs and should be easily obtainable given the information that grantees already maintain in order to prepare the quarterly report they submit to ONA."
ONA does not believe these statements, which OSC did not include in its preliminary report or otherwise make available to ONA previously, are entirely accurate. As noted in discussions with auditors and ONA's response to OSC's preliminary report, as a general matter ONA does not believe such information would be "easily obtainable," and any such information would require review and further analysis before a determination could be made as to whether it could be used to enhance ONA's ability to estimate the need for services or provide insights into potential program enhancements.

State Comptroller's Comment – We have modified our report accordingly.

It should be noted that ONA's use of "legal services" refers to free, immigration-related legal services, including direct representation, pro se assistance, consultations, and the provision of legal advice.

State Comptroller's Comment – We have modified our report to include this description.

- OSC also states in its draft report that clients seeking legal services only have three options when legal counsel grantees can't take on new cases: "they can continue to wait until an appointment becomes available, accept a referral (and pay out of pocket) for a private attorney, or attend a pro se informational session." ONA would clarify there are numerous organizations that provide free or low-cost immigration services that do not receive grants from ONA, including private law firms performing pro bono services, and there are programs provided by other local governmental entities within the State, such as the City of New York, that may also assist immigrants in need with free or low-cost legal services.

State Comptroller's Comment – We have modified our report to include non-ONA options.

- OSC makes the following statement:
 "In response to our observations, ONA officials said that they don't collect data on the number of people who don't receive ONA legal services in part because they're not mandated to do so, although they also said that it's an aspiration to pursue."

To clarify, ONA does not capture specific data on why individuals weren't taken on for direct representation services after intake/consultation by an immigration legal service provider. ONA's legal services encompass more than direct representation; services include application assistance, pro se services, advice, etc. As such, immigrants may receive varying degrees of legal services instead of direct representation, which often represents a decision arrived at based on the specific facts presented during intake or consultation with the immigration legal services provider as determined using their expertise and professional judgment—and the rationale underlying such decisions may often be privileged and confidential. Therefore, ONA has focused data collection on information regarding the number of individuals provided with services.



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