

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON IMMIGRATION

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March 19, 2013
Start: 1:50 p.m.
Recess: 3:12 p.m.

HELD AT: Council Chambers
City Hall

B E F O R E:
DANIEL DROMM
Chairperson

COUNCIL MEMBERS:
Charles Barron
Mathieu Eugene
Ydanis A. Rodriguez
Jumaane D. Williams

A P P E A R A N C E S (CONTINUED)

Vanessa Ramos
Committee for Hispanic Children and Families

Allan Wernick
CUNY Citizenship Now

Jocelyn McCalla
Haitian Americans United for Progress

Kathleen Jordan
New York Public Interest Research Group

Arthurine DeSola
Professional Staff Congress CUNY

Karla Rosero Kahn
Emerald Isle Immigration Center

Jacqueline Vimo
New York Immigration

Emily Park
Youth Program Associate
MinKwon Center

Mae Lee
Executive Director
Chinese Progressive Association

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2 CHAIRPERSON DROMM: Alright. So we
3 are really ready. Good afternoon. I am Daniel
4 Dromm and the chair of the New York City Council's
5 Committee on Immigration. Today the Committee
6 will hear and vote on Resolution number 1671
7 calling on New York State Legislature to pass and
8 the Governor to sign the New York State
9 Development Relief and Education for Alien Minors
10 or DREAM Act of 2013 sponsored by my Assemblyman
11 Francisco Moya and my Senator Jose Peralta. If
12 enacted the New York State DREAM Act would
13 establish the New York DREAM Fund Commission and
14 amend eligibility requirements and conditions
15 governing academic financial aid awards. This
16 afternoon we will look at the benefits that
17 passage of the New York state DREAM Act would
18 provide our immigrant youth. This resolution may
19 sound familiar to some of you since it is not the
20 first time we have considered legislation that
21 would address the needs of immigrant families who
22 want to send a young one to college or graduate
23 school. Three years ago this committee held a
24 hearing with the Committee on Higher Education
25 where we considered a resolution in support of the

1 federal DREAM Act. Many were disappointed because
2 despite tremendous nationwide efforts made to
3 enact the DREAM Act, the bill did not pass.
4 Fortunately however, New York State
5 representatives got together to address the needs
6 of our undocumented youth and immigrant families
7 that want to improve their lives through the
8 pursuit of higher education with legislation that
9 would have established a New York State DREAM Act
10 and a state DREAM Fund Commission. Just one year
11 ago the Committee considered two resolutions
12 supporting those bills. The Council ultimately
13 adopted two resolutions in support of the
14 legislation last year. Despite support from the
15 Council, student groups, immigrant advocates and
16 education advocates, the bills were not adopted
17 during the last state legislative session. This
18 has not stopped people from continuing to address
19 the needs of immigrant youth. In January of this
20 year, Assemblyman Moya and Senator Peralta
21 reintroduced the New York State DREAM Act that
22 actually combined the two pieces of legislation
23 that were considered during the last legislative
24 session. The New York State DREAM Act of 2013
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2 would establish the New York DREAM Fund Commission
3 and amend eligibility requirements and conditions
4 governing academic financial aid awards. The New
5 York State DREAM Fund Commission would be
6 responsible for raising private dollars to
7 establish a scholarship program for eligible
8 students interested in pursuing a college degree.
9 Additionally, this legislation will give
10 undocumented immigrant students access to a
11 variety of state financial assistance programs.
12 Lastly, this legislation would allow undocumented
13 parents with a valid tax identification number the
14 opportunity to participate in the New York State
15 529 family tuition account under the New York
16 State college tuition savings program. Passage of
17 the New York State DREAM Act of 2013 would help
18 immigrant students pursue higher education and
19 help them to continue to contribute to this great
20 city. This bill would help out state and our
21 city's immigrant families as they urge the next
22 generation to pursue higher education. I would
23 like to thank everyone for attending this
24 afternoon's hearing and I look forward to hearing
25 your testimony. By the way, if you do want to

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2 provide testimony, please make sure that you have
3 filled out one of these slips and then we can
4 consider having you up on a panel, and when the
5 time comes for the committee to vote on this
6 resolution, I would like to urge my colleagues all
7 to vote in favor of it. In Senator Peralta's
8 absence and Legal Aid also provided testimony for
9 the record, so I just want to make sure that
10 people know that that testimony will be included
11 in the record. Now I'd like to bring up our first
12 panel, and that will be Vanessa Ramos from the
13 Committee for Hispanic Children and Families,
14 Allan Wernick from CUNY Citizenship Now, and
15 Jocelyn McCalla from the Haitian Americans United
16 for Progress.

17 [pause]

18 CHAIRPERSON DROMM: Alright. So
19 since we have been joined by my colleagues Council
20 Member Ydanis Rodriguez from the Bronx and Council
21 Member Charles Barron from Brooklyn, what I am
22 going to do at this point is call for a vote and
23 ask the city clerk to do so.

24 COMMITTEE CLERK: Kevin Pin,
25 committee clerk. Roll call in the Committee on

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2 immigration, Reso 1671. Council Member Dromm?

3 CHAIRPERSON DROMM: I vote aye.

4 COMMITTEE CLERK: Barron?

5 COUNCIL MEMBER BARRON: I vote aye.

6 COMMITTEE CLERK: Rodriguez?

7 COUNCIL MEMBER RODRIGUEZ: I ask
8 permission to explain my vote?

9 CHAIRPERSON DROMM: Of course.

10 COUNCIL MEMBER RODRIGUEZ: I vote
11 aye and I am so disappointed that there is not any
12 interest at the state level to pass this DREAM
13 Act. It is so disappointing that when the nation
14 is moving in the direction to - - comprehensive
15 DREAM Act that we at the state level, we don't see
16 any will to make this resolution possible;
17 however, to send a message as a city, I am voting
18 aye.

19 CHAIRPERSON DROMM: Thank you, and
20 that is part of the reason why we wanted to make
21 sure we have this hearing today is to send that
22 message loud and clear, and I am going to ask the
23 clerk to leave the voting open for a half hour
24 until other members of the Committee join us, and
25 I'll ask Vanessa to start on the panel. Good

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2 afternoon. Push the red button.

3 VANESSA RAMOS: Okay. Good

4 afternoon. The Committee for Hispanic Children
5 and Families supports the proposed bill pending in
6 the state legislature, the New York State
7 Development Relief and Education for Alien Minors,
8 DREAM Act of 2013, which would give immigrant
9 students access to state financial aid programs,
10 New York State identification or driver's
11 licenses, employment opportunities and health
12 insurance regardless of immigrant status. City
13 Council Resolution 1671 2013 sponsored by Council
14 Members Dromm and Rodriguez opens a world of
15 economic opportunity to immigrant families. We at
16 the Committee support the resolution and we call
17 upon the New York State Legislature to pass and I
18 will add have an interest in passing and Governor
19 Cuomo to sign the New York DREAM Act of 2013.
20 Founded in 1982, the Committee for Hispanic
21 Children and Families combines education and
22 advocacy initiatives to expand opportunities for
23 children and families and strengthen the voice of
24 the Latino community. Many of the children in our
25 youth development programs are sons and daughters

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2 of documented and undocumented immigrants, and our
3 service population reflects New York's immigrant
4 demographics. The city is home to approximately
5 625,000 undocumented immigrants and has the third
6 largest undocumented population of all
7 metropolitan areas in the United States. We have
8 the responsibility to help these vulnerable New
9 Yorkers success and to ensure all young people are
10 given the opportunity to maximize their
11 capabilities by pursuing higher education. It is
12 our hope that immigrant status does not continue
13 to be a barrier to freedom and opportunity in the
14 United States and that the federal DREAM Act and a
15 comprehensive immigration reform become reality
16 this year. New York State's support for our
17 children's rights on education is a crucial step
18 toward allowing immigrants to emerge from the
19 shadows and ensure that their human rights are
20 protected in accordance with the universal
21 declaration for human rights, of which the United
22 States is a signatory. Thank you.

23 CHAIRPERSON DROMM: Thank you,
24 Vanessa, and Allan?

25 ALLAN WERNICK: Good afternoon,

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2 Chairperson Dromm and Committee Members Eugene and
3 Rodriguez, who are here with us today. My name is
4 Allan Wernick. I have with me by the way two
5 other members of the CUNY Citizenship Now staff
6 that I would just like to introduce. One is
7 Sophia Careno [phonetic], who is our
8 communications coordinator who is here, and Thomas
9 Shea [phonetic], who is our recently appointed
10 director of legal services. Very pleased to have
11 him on board. I'm a professor at Baruch College
12 and director of CUNY Citizenship Now, one of the
13 largest citizenship and immigration law service
14 providers in New York City. In the past year
15 alone, we assisted more than 10,000 individuals on
16 their path to U.S. citizenship. Almost half were
17 helped apply for naturalization, close to 1,000
18 were applicants for deferred action for childhood
19 arrivals. Our ability to serve New York's
20 immigrants is due in substantial part to the
21 support provided by the Committee and your
22 colleagues on the City Council, and we give you
23 our heartfelt thanks for your ongoing support. I
24 am very pleased to be here to report that CUNY
25 Chancellor Matthew Goldstein supports efforts to

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2 make federal and state financial aid available to
3 undocumented students. CUNY's Citizenship Now as
4 a frontline immigrant service provider is keenly
5 aware of the challenges faced by individuals
6 seeking higher education who are here without
7 legal status. CUNY does its best under existing
8 laws to assist undocumented students. We provide
9 limited privately funded scholarships to deserving
10 undocumented students and our Macaulay Honors
11 College admits students no matter their
12 immigration status, and as you know, most
13 undocumented students qualify for instate tuition,
14 the lower tuition that is paid by New York State
15 residents. Nevertheless, we know that college
16 expenses are often an obstacle to educational
17 advancement. Chancellor Goldstein is a
18 longstanding advocate for providing opportunities
19 for undocumented students. He was one of our
20 nation's first higher education leaders to call
21 for passage of the Federal DREAM Act and is
22 encouraged that Congress is considering
23 legislation that will provide a path to
24 citizenship for undocumented students and their
25 families. In the meantime we need our own DREAM

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2 Act in New York State to make college truly
3 accessible to undocumented students. As the
4 Chancellor pointed out in November, the access of
5 undocumented students to higher education is
6 limited by their inability to receive financial
7 assistance, including aid from the state's tuition
8 assistance program. He started then that I quote
9 "if they have earned their high school degrees in
10 New York and under state law are eligible to
11 attend public colleges, they ought to have access
12 to the support they need to advance their
13 education, especially at the time when New York
14 needs a skilled workforce." The proposed state
15 legislation must be viewed in the context of the
16 coming federal legislation that will provide a
17 path to citizenship for undocumented immigrants.
18 I expect the legislation to pass this year, making
19 such a path to citizenship possible. The
20 legislation will almost certainly include an
21 expedited path to permanent residence for
22 undocumented youth, known as dreamers. The debate
23 of whether dreamers will qualify for federal
24 financial aid however will be intense, and its
25 outcome is uncertain. Undocumented immigrants

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2 deserve the same opportunities as other students
3 seeking higher education. It is time that New
4 York join California, New Mexico and Texas in
5 ending a financial aid system that discriminates
6 against undocumented youth. Of course, I will be
7 pleased to answer any questions you might have
8 about this effort or the federal effort to pass a
9 path to citizenship for undocumented immigrants.

10 CHAIRPERSON DROMM: Thank you. Mr.
11 McCalla?

12 JOCELYN MCCALLA: Mr. Dromm, - - ,
13 Sir Rodriguez, thank you for the opportunity to
14 testify before you today. My name is Jocelyn
15 McCalla, and I am pleased to testify today before
16 the Committee on Immigration regarding a proposed
17 resolution that urges passage of the DREAM Act by
18 New York State Legislature and its signing by
19 Governor Cuomo. I am testifying on behalf of
20 Haitian Americans United for Progress. We rise in
21 support of the resolution as I stated and join my
22 colleagues at this table. Indeed, we join with
23 our colleagues and partners in the New York
24 immigrant community, namely members of the New
25 York Immigration Coalition to urge adoption of the

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2 resolution by the state legislature. This said,
3 allow me to point out that according to the
4 Department of City Planning, the Haitian immigrant
5 population ranks in 7th place among all immigrant
6 populations in New York City. Immigration Policy
7 Institute, a Washington D.C. based think tank
8 says of the Haitian population in the United
9 States that it has grown since 2008, and it's five
10 times larger than the Dutch, Hungarian immigrant
11 populations and obviously, much larger than the -
12 - population from Austria. DREAM is not a
13 uniquely Latino issue. It's not an Asian issue or
14 a Caribbean African matter. It's an immigrant
15 fairness issue. As such it concerns all of us who
16 advocate fairness and equity under the law for all
17 New Yorkers. We support the resolution before the
18 committee for all the reasons - - . it bears to
19 remind ourselves nonetheless that such a measure
20 makes economic sense for the empire state given
21 that higher education provides a strong return
22 investment, the cost of providing tuition
23 assistance would average only about two percent
24 more in expenditures, and that incentives to save
25 for higher education would anchor higher

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2 commitment to achieving the American dream. We
3 thank you for the opportunity to testify at this
4 hearing, and look forward to the passage of this
5 resolution by this committee and the entire
6 Council. Thank you.

7 CHAIRPERSON DROMM: Thank you.

8 Before I move to questions, let me give Council
9 Member Mathieu Eugene who has joined us the
10 opportunity to vote.

11 COMMITTEE CLERK: Eugene?

12 COUNCIL MEMBER EUGENE: Thank you,
13 Mr. Chair. I vote aye. May I explain my vote?

14 CHAIRPERSON DROMM: Yes.

15 COUNCIL MEMBER EUGENE: I won't be
16 able to stay for the hearing. I would love to,
17 but I have got to go to my other hearing, but I
18 just want to thank--

19 CHAIRPERSON DROMM: [interposing]

20 May I interrupt you just for a minute 'cause
21 Council Member Barron had to leave also. There
22 are several hearings going on at the same time and
23 a Brooklyn delegation meeting, so I just want
24 people to understand that although they realize
25 how important this legislation is, they also have

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to attend to those matters, so thank you.

COUNCIL MEMBER EUGENE: Yes. This legislation is very, very important and I want to commend Chair Dromm. I commend you for that, for your leadership, and I want to thank and commend also Mr. Wernick, Mr. Allan, Mr. McCalla and Ms. Ramos. Thank you. I commend you also for the wonderful job that all three of you are doing. I know what organizations you belong to. You are doing a wonderful job, and I think the DREAM Act is a very, very important legislation. It is going to be a win, win situation. It's good for immigrants. It is good for United States of America. We are talking about intelligent, brilliant young people who have the opportunity to become the leaders of tomorrow, who will be elected officials, doctors, nurses and you name it. We cannot refuse to those young people the opportunity that all of us will benefit from, and I think this is a wonderful thing. This is giant step in the right direction, and I commend all of you for that, and I commend all of those people who have been working and advocating for the DREAM Act. We hope that the - - also - - and all the

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2 legislators in Albany will take the same position.
3 Thank you very much.

4 CHAIRPERSON DROMM: Thank you,
5 Council Member Eugene, and let me start off by
6 asking a few questions. I also hope that this is
7 the last time we have to hear this in our
8 committee, but we will pursue it until we get
9 passage of the DREAM Act in New York State and
10 comprehensive immigration reform nationwide as
11 well, so let me just start maybe by asking Ms.
12 Ramos a couple of questions. Do you know--I'm
13 thinking about the impact of this on families and
14 those who want to pursue higher education, does
15 the New York City Department of Education do any
16 outreach to immigrant families in terms of college
17 preparation or ways that families can afford
18 college?

19 VANESSA RAMOS: To my knowledge,
20 they are not doing enough. They don't even do
21 enough for all of the other families in terms of
22 preparing children for a college education or
23 inspire them to pursue a college education. One
24 of the issues with immigrant children is the
25 hopelessness--the hopelessness that they may have

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2 the good grades; however, they cannot go to
3 college because of the cost, because they don't
4 have the aid necessary or they don't even know
5 that there can be some assistance to them like for
6 example, what my colleague here was talking about.
7 That information is not available. The schools
8 less and less the schools are having counselors
9 less and less. The schools are providing
10 guidance, and it is really, really very, very
11 frustrating for children and for families.

12 CHAIRPERSON DROMM: I am also a
13 member of the Education Committee, and some issues
14 like this, similar to this came up in the
15 Education Committee. One of the things that I had
16 asked the Department of Education to do was to
17 come up with some type of a curriculum, which
18 would help guide our students through the DACA
19 process or at least make them aware of DACA and
20 still to this date, we don't have that although I
21 continue to press on them for that, and I remember
22 when I was teaching they had little curriculum
23 guides on every little current thing that came up.
24 For example, they'd have something on school board
25 elections that they required us to teach and other

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2 issues, but that is the one that comes to mind the
3 most. I just don't understand why they can't come
4 up with this, and you highlight a very important
5 issue that I am aware of also, which is that
6 probably there is one guidance counselor for every
7 800 maybe to 1000 students or so, and it becomes
8 an impossible job especially when you are talking
9 about college preparation, so both of those things
10 are issues that I would like to see us push
11 further on, even after the enactment of this DREAM
12 Act, which we hope will pass to make sure that all
13 of our students have the option of going to
14 college. I happen to have gone into a Newtown
15 high school probably last September or October,
16 and I asked the students if they were aware of
17 DACA. I'd say maybe half of them were not or
18 maybe even more, but they were fascinated. As a
19 matter of fact, I couldn't really get their
20 attention until I talked about that possibility
21 and said I was chair of the Immigration Committee,
22 and then they sat up and they listened. So there
23 was great interest in immigration issues, and I
24 really wish that the Department of Education would
25 do more in that regards.

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2 VANESSA RAMOS: Yes, the community
3 based organizations would also wish more
4 cooperation from the Department of Education
5 because they have the resources - - open the doors
6 to give the information out.

7 CHAIRPERSON DROMM: So that is
8 going to lead me to Mr. Wernick. In terms of
9 CUNY, how much support do undocumented students
10 get when they come into CUNY?

11 ALLAN WERNICK: Well, of course our
12 project at CUNY Citizenship Now we have seven
13 offices located throughout the city, six fulltime,
14 one part time, and we direct those students who
15 have the opportunity to get into legal status who
16 are not in legal status now or people who are
17 permanent residents who want to become citizens
18 are directed to those centers. When the president
19 announced the deferred action program we geared
20 up, and we provided at a number of our campuses
21 free services right on our campuses, and as I
22 mentioned we assisted almost 1,000 people apply
23 for deferred action, and we have literature that
24 we provide to all our students and counselors that
25 explains the instate tuition rules, and if there

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2 is a problem that develops, we through CUNY
3 Citizenship Now we try to intervene because
4 sometimes there will be a new counselor who is not
5 aware of the rules, but I think we have quite a
6 vigorous program. Periodically, usually about
7 once every 18 months CUNY Citizenship Now holds a
8 training event for all the CUNY staff that have to
9 deal with registration and financial aid to advise
10 them of the rules. So I think we have quite a
11 vigorous program. I would say from my talks with
12 my professorial colleagues around the country I
13 recently was at a conference at the University of
14 New Mexico, I think we have the most vigorous
15 program in the country. Of course, we are always
16 looking to get better, and I think there is more
17 that could be done. Occasionally, we hear of a
18 student who is not aware of our services or a
19 counselor is not aware of the rules and we try to
20 intervene.

21 CHAIRPERSON DROMM: What is the
22 approximate cost for tuition?

23 ALLAN WERNICK: I believe it's a
24 little over \$5,000 now--that would be in state.
25 That would be for a student who graduated from a--

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2 let's say if you are undocumented, you graduated
3 from a New York State high school, it's just over
4 \$5,000 I believe, and as I mentioned--

5 CHAIRPERSON DROMM: [interposing]
6 What would be the difference if it's not an in
7 state student?

8 ALLAN WERNICK: If it's not an in
9 state student, I believe it's close to a little
10 over 10,000.

11 CHAIRPERSON DROMM: It's almost
12 double.

13 ALLAN WERNICK: But the rules--yes,
14 it's almost double, and also under current
15 financial aid rules if you are not an in state
16 student you pay per unit, where if you are an in
17 state student you pay a certain amount per a full
18 semester so you can take between 12 and 18 units,
19 but for an out of state student, you pay it by
20 unit, so there is no advantage to getting through
21 faster, and it's a higher burden. As I mentioned,
22 all of the campuses have some form of although
23 it's very limited financial aid for undocumented
24 students privately funded. Usually it is not
25 available to the entering student because they are

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2 based on merit, and then of course as I also
3 mentioned our Macaulay's Honors College, which is
4 a full tuition waived plus a stipend and other
5 benefits, that is available to incoming students,
6 first year students, and it is available and open
7 to undocumented students, and we know that we have
8 a certain percentage of those students who are
9 undocumented.

10 CHAIRPERSON DROMM: So you said
11 some of these scholarships are not available to
12 freshmen?

13 ALLAN WERNICK: They are not
14 because--well, we used to have the Vallone
15 fellowship--they used to call them fellowships,
16 right? The Vallone fellowships were very
17 advantageous to the undocumented population
18 because they were available based on merit, A B
19 average, and they were available to first year
20 students. Typically, first year students--there
21 are some exceptions, but I think typically they
22 are not available, other than the Macaulay
23 program, typically financial aid is not available
24 to incoming students who are undocumented.

25 CHAIRPERSON DROMM: The Macaulay is

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the honors program?

ALLAN WERNICK: Macaulay is the honors program, and it's a very select program. It is designed to compete and does in fact in terms of grade point average and SAT scores with the ivy league colleges, but it is only for--it's available on every four year college campus, and it is available regardless of your immigration status. Immigration status is not a consideration, and it does provide full financial aid plus a stipend for books, computer, travel expenses around the country, but unfortunately, it is a very limited program, so it only is for the best and the brightest, and we have many very bright students in CUNY who are not quite at that level or who transfer in--by the way you have to be a first year student for Macaulay, so let's say you are at a community college, and then you transfer in, you are not qualified for Macaulay. So that is really unfortunate. That is why I think this financial aid program is quite important, and I would add as I know it's not exactly with the purview of this committee, but as you use your bully [phonetic] pulpit, I am very

1
2 concerned about the financial aid for dreamers
3 under the federal legislation, both for the
4 dreams, and for those who are not dreamers because
5 as it stands in the discussion set - - up until
6 now, we don't know what the legislation is going
7 to - - . They will not be eligible for financial
8 aid. It will be a very big mistake for our
9 federal government to deny federal financial aid
10 to those qualify under the DREAM Act, who are
11 going to be within two years permanent residents
12 of part and parcel of our society, eligible to go
13 into the military, do other things that would be
14 very beneficial, to start businesses, so that is
15 going to be a big issue. I think it's winnable in
16 my humble opinion at least for the dreamers, maybe
17 not for all of the people who are legalized, but
18 certain for the dreamers. I don't see why
19 Congress is going to be so careful with its funds
20 that it can't give financial aid to the dreamers,
21 and it's a relatively small pool as we are seeing
22 from the - - . We are talking about maybe 600,000
23 people.

24 CHAIRPERSON DROMM: Just for the
25 record before I forget, I was one of the people

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2 who fought very hard to keep that Vallone
3 scholarship because I realized the impact that it-
4 -

5 ALLAN WERNICK: [interposing] And
6 we appreciate that.

7 CHAIRPERSON DROMM: --on our
8 students, but even with the DACA you make
9 reference to that, and I am wondering if it's the
10 lower numbers than what we expected in terms of
11 DACA that we are seeing is just because people
12 don't know about it or is it because in fact those
13 are the numbers?

14 ALLAN WERNICK: My view is those
15 are the numbers, and we had predicted as much
16 internally within our own operation of CUNY 'cause
17 we interact with undocumented youth all of the
18 time as part of our university activities, and so
19 we knew that the numbers were what they are and we
20 expected a lower number. I would suggest that it
21 is what it is. There are some people--of course
22 there are people who are going to be 15 now that
23 will be able to qualify. There are some people
24 that don't have the filing fee who are trying to
25 put that together. We found a number of people

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were waiting to get some form of legal services,
but I don't expect them to go much higher on a
national level or in New York City.

CHAIRPERSON DROMM: Just to go back
to the freshman again, what is the retention rate?
Would you have any idea in terms of the number of
students who stay in CUNY for the freshman?

ALLAN WERNICK: I don't have that,
but I will make sure your office gets provided
that information.

CHAIRPERSON DROMM: I am curious to
know that, and what about the graduation rate?

ALLAN WERNICK: Again,
unfortunately I focus a little too much on
immigration services, but that information is
available, and I'll make sure it's--

CHAIRPERSON DROMM: [interposing]
Is it divided into documented/undocumented or--

ALLAN WERNICK: No.

CHAIRPERSON DROMM: --is there a
way to track that?

ALLAN WERNICK: There is no way to
track that. At CUNY since we first started
admitting undocumented students actually before

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2 the state legislation came into being we had long
3 admitted undocumented students, allowed them if
4 they met other requirements to pay in state
5 tuition. We have not tracked them. In
6 California, I met with a counselor there, and they
7 call them 540, which is the name of their statute.
8 They call them 540 students. They have a special
9 counselor, a special marking. CUNY has taken a
10 different approach. Our approach is to integrate
11 them into the population. There is always a
12 concern that if we kept too much detailed records
13 that somehow the feds will come in and grab them,
14 although I am not worried about that. I think the
15 people who started the program were worried about
16 that, so it's very hard to us to track them and to
17 estimate and the numbers are bad. Every time I
18 get a number from the--I find them to be off and
19 disappointing in terms of accuracy, but again,
20 they are what they are. We know how many people
21 have applied for DACA and CUNY. At least we have
22 an estimate. We estimated about 1700, 1800. We
23 know the number of people who went to other
24 organizations other than ours, so if that is the
25 reflection--of course, there are people that don't

1
2 qualify for DACA. we have a lot of older
3 students.

4 CHAIRPERSON DROMM: One of the
5 reasons I was asking those questions because I was
6 wondering if there was any way to track the number
7 of students who drop out due to financial
8 unaffordability.

9 ALLAN WERNICK: I will see whether
10 that number is available. Again, I will look into
11 this and the next time we have a panel of this
12 type I will make sure the director of admissions
13 is very knowledgeable of these issues joins me.

14 CHAIRPERSON DROMM: I guess for Mr.
15 McCalla, you spoke a little bit I think in terms
16 of the effect that this has on families, but can
17 you elaborate further on that for us? What does
18 the lack of financial aid do to families where
19 parents want to see children go to college, but
20 don't have the ability to?

21 JOCELYN MCCALLA: I think there are
22 two issues here, and one is the issue of financial
23 aid and the other obviously is the fact that if
24 the student is qualified, and obviously given all
25 of the attention that has been put on the

1
2 standards being used now by New York City's
3 Department of Education and the troubles that we
4 are having, it's for someone who graduates and
5 graduates with a good record to be stopped at the
6 door because now they cannot make it is a huge
7 issue. \$5,000 for impoverished families and we
8 deal with a lot of impoverished families in our
9 communities I mean in Crown Heights, in Jamaica
10 and so on and so forth in southeast Queens. It is
11 a huge burden. Even though compared to a lot of
12 other universities and lot of other colleges, CUNY
13 is one of the more affordable higher level
14 institutions, and that to me is a huge issue, and
15 this is why I think part of the resolution that
16 the state is supposed to be considering is the
17 idea of trying to build a college fund so that
18 people who can't afford tuition or financial aid
19 can then be eligible to apply for this fund based
20 on what they have been able to produce and their
21 intellectual abilities and so on and so forth, and
22 I think that is extremely important for New York
23 City and for New York State.

24 CHAIRPERSON DROMM: I am just
25 thinking as you are talking you know I graduated

1
2 college in 1977, and I started in '73, and in those
3 days we had national defense student loan. We had
4 a whole bunch of other grants that I don't think
5 are even available anymore even to--

6 JOCELYN MCCALLA: [interposing] You
7 and I both.

8 CHAIRPERSON DROMM: --American
9 students, and I was the only one in my family who
10 actually went to college. My family was pretty
11 impoverished in those days too, but it was really
12 me who had to push my mother to do the
13 applications, to do this and this and that, and I
14 just remember, it was a lot of work to get that
15 stuff done, and the impact that this has on
16 undocumented families or youth, it just seems like
17 a very difficult task to be able to actually get
18 it all done, and especially when the support is
19 not there, it doesn't exist to get anything at all
20 done. So one of the things that is in Resolution
21 1671 is criteria for the scholarships. I am
22 wondering if any of you can address that issue.
23 What do you believe should be the criteria for the
24 scholarships?

25 ALLAN WERNICK: I think that, of

1 course, this is not the chancellor's position. I
2 don't think he has been quite so specific about
3 this, but it seems to me that the approach is
4 reasonable and consistent. One thing that we
5 would want to do is make it simple to implement
6 and by basically tracking our state's policy
7 toward individuals who qualify for in state
8 tuition, it seems like a reasonable and simple
9 approach and one that is politically palatable.
10 Now I believe the chancellor and I would agree
11 that it's certainly a broader program that made it
12 eligible to any qualified student or perhaps
13 having some form of merit test, C plus average or
14 something of that nature I think would also be
15 better, but to me, the most important thing is to
16 keep it simple so that the registrars at both SUNY
17 and CUNY have an easy way to implement the
18 program, but it seems to be that politically we
19 are allowing these students, the state has already
20 taken a position that these students are deserving
21 of a break, right? It's a state policy that these
22 students deserve some form of opportunity that is
23 different from other students, so I think it makes
24 sense from that point of view to use that
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criteria.

CHAIRPERSON DROMM: Should the commission mandate a minimum amount of money into the DREAM fund? Do you know how that would actually be established so that would work?

ALLAN WERNICK: My understanding of the DREAM fund is that it's a commission--I support the DREAM fund, but I don't understand why frankly to be honest, why it's so important. What we are doing is we are setting up basically a foundation that a state sanctioned to provide scholarships to undocumented youth, I don't see why you and I can't just form a 501(c)3 and do the same thing. I don't believe that the commission has--the way I read the proposed statute--I don't believe there is an amount. Am I wrong about that?

CHAIRPERSON DROMM: I don't think that there is--

ALLAN WERNICK: [interposing] There is no amount, so if the state were to put some money into the fund then it seems to me makes sense, but without state funding, it is really sort of it seems like you are doing something that

1
2 you are not really doing, are you? I mean you are
3 setting up a commission that has to go out and
4 raise funds. Where are they going to get those
5 funds? Well, presumably from people that would
6 normally give money to something--I mean it does
7 give an imprimatur of I guess of fiscal management
8 to it.

9 CHAIRPERSON DROMM: [interposing]
10 They have oversight. I think the idea of
11 oversight, who would have oversight over that is
12 primarily what motivates this - - .

13 ALLAN WERNICK: I understand, and I
14 do think the idea that the state of New York would
15 be--there is some public relations value I think
16 that is why I do support it. I think there is
17 some public relations value to the state of New
18 York coming out and saying we support this, and
19 going to the philanthropies that are out there,
20 the Gates Foundation and whatever, and say give us
21 a billion dollars, I think that sounds like a good
22 plan.

23 CHAIRPERSON DROMM: Do we have any
24 idea if once this is implemented how long it would
25 take to actually get financial aid to students?

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2 ALLAN WERNICK: I don't believe the
3 statute--in reading the statutes I don't believe
4 it has a limit. I would assume it would take a
5 few months at least just to get the regulations in
6 order, but I don't see why it should take a long
7 time, especially if it's based again on the state
8 financial aid program that exists now at CUNY and
9 SUNY.

10 CHAIRPERSON DROMM: So if in the
11 next few weeks it may be on the table?

12 [crosstalk]

13 ALLAN WERNICK: I was hoping you
14 would get a text while we were here, Mr. Chairman,
15 saying that the budget had passed with money in
16 it, but I guess you haven't received it yet.

17 CHAIRPERSON DROMM: I haven't
18 gotten that text yet, but I see Senator Peralta's
19 chief of staff is here, so she will let us know if
20 that is the case as well. Okay. Thank you very
21 much for coming in. I appreciate your testimony,
22 and thank you. Okay, so now I'd like to call up
23 Kathleen Jordan from NYPIRG, Arthurine DeSola from
24 Professional Staff Congress CUNY, and Karla Rosero
25 Kahn from the Emerald Isle Immigration Center.

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Okay, do you want to begin over here?

KATHLEEN JORDAN: Sure. Is that working? So, hi. My name is Kathleen. I am the chairperson of NYPIRG's board of directors and a student at Brooklyn College. I'd like to thank the Immigration Committee for holding this important hearing, and thank everyone who is currently present and previously present for voting aye on this resolution. We appreciate the opportunity to share our support for Resolution 1671 2013 calling upon the New York State Legislature to pass and the Governor to sign the New York State DREAM Act. The New York Public Interest Research Group is the state's largest student-directed non-partisan research and advocacy organization. Our board of directors consists of college and university students elected from campuses with NYPIRG chapters across the New York state, and for my two years that I have been chairperson just the students who have shared with me, we don't keep track of people's immigration status, but we have always had two or three undocumented students on the board. So for 40 years we have been advocating for an accessible

1
2 and affordable higher education and undocumented
3 students are long overdue to receive state
4 financial aid. The comprehensive state DREAM Act
5 would for the first time allow immigrant students
6 to apply for state financial aid as well as create
7 a private DREAM fund that would provide private
8 scholarships. So while congressional gridlock has
9 made comprehensive reform out of reach, states
10 have taken the initiative to create their own
11 solutions. Texas, New Mexico and California have
12 already passed legislation that grants
13 undocumented students access to public resources
14 to attend college, such as TAP [phonetic].
15 Similar to the proposed New York DREAM Act TAP is
16 an independent state program, a cornerstone of New
17 York's commitment to access to higher education
18 for qualified students with financial need. It is
19 separate, distinct and wholly unconnected to the
20 current federal DREAM immigration reform
21 legislation. So New York can't wait for Congress
22 to address this issue. Each year opportunities
23 slip away for bright, ambitious, undocumented
24 immigrant children in the state to enter college,
25 and undocumented immigrants make up a substantial

1
2 part of the New York State economy. In 2008,
3 unauthorized immigrants contributed 28.7 billion
4 in economic activity, 12.7 billion in gross state
5 product and approximately 137,013 jobs to the
6 state according to a recent study. In 2010,
7 undocumented immigrants paid--that is a large
8 number--we will call it six million and change in
9 taxes to New York State ranking among the top five
10 states in terms of receiving tax revenue from
11 households headed by undocumented immigrants. So
12 they are paying their taxes, and it is well
13 documented that investments in higher education
14 contribute to the overall quality of life in the
15 state and serve as a catalyst for economic growth.
16 An investment in undocumented student higher
17 education would reap returns many times over for
18 New York. So in conclusion the DREAM Act enjoys
19 widespread support in New York--SUNY and CUNY
20 board of trustees and chancellors, New York State
21 board of regents, former SUNY board of trustees
22 chair Carl Hayden [phonetic], the Professional
23 Staff Congress, United University Professions, the
24 University Student Senate, New York State United
25 Teachers, New York City Council, New York City

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2 Mayor Bloomberg, college presidents from NYU,
3 Fordham, Manhattanville and Sarah Lawrence, and
4 more than 20 diverse groups representing a wide
5 range of constituents across the state. So we
6 urge you guys to keep voting aye as voting
7 continues today, and thank you so much for your
8 support.

9 CHAIRPERSON DROMM: Thank you.

10 Next please. Although I want to say that we have
11 been joined by Council Member Jumaane Williams,
12 and do you want to vote? Alright, so let's let
13 him vote because he also has a Brooklyn delegation
14 meeting.

15 COMMITTEE CLERK: Williams?

16 COUNCIL MEMBER WILLIAMS: Proudly
17 vote aye. I want to thank Council Member Dromm
18 and Rodriguez for the great resolution. Thank
19 you.

20 COMMITTEE CLERK: Final vote in the
21 Committee on Immigration five in the affirmative,
22 zero in the negative, no abstentions.

23 CHAIRPERSON DROMM: The measure
24 passes. Thank you very much, and you can begin.

25 ARTHURINE DESOLA: Good afternoon,

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2 Chairman Daniel Dromm and distinguished members of
3 the Immigration Committee, and thank you for the
4 opportunity to testify for the Professional Staff
5 Congress in support of the City Council Resolution
6 number 1671. Our union strongly supports the New
7 York State DREAM Act, Senate number 2378 and
8 Assembly number 2597 currently before the
9 legislature. The bill would provide the
10 opportunity for undocumented youth who are brought
11 to New York as children and who graduate from high
12 school or earn their GED here to have access to
13 state financial aid programs including tuition
14 assistance program benefits. The bill also
15 establishes a fund, which privately raises
16 donations and extends state sponsored 529 college
17 savings accounts by allowing individuals to sign
18 up with a tax identification number. As a
19 counselor at Queensborough Community College for
20 many years and now an elected official of the PSC,
21 I witness just how hard immigrant students
22 struggle to complete college. I know them to be
23 hungry for a college education. Like most CUNY
24 students, they have come from families of very
25 modest means, but unlike CUNY students who are

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2 citizens or legal residents, undocumented students
3 cannot receive federal or state financial aid or
4 even qualify for educational loans. For this
5 reason many of them work long hours under the
6 table and frequently take time off from school to
7 earn enough money to pay for the next semester's
8 tuition and fees. Research by CUNY's office of
9 policy research in 2011 compared the experience of
10 undocumented students to citizen and legal
11 resident students. The researchers speculated
12 that given the challenges associated with the lack
13 of documentation, undocumented college students
14 might be expected to struggle academically;
15 however, this turned out not to be the case.
16 Researchers found that undocumented students at
17 CUNY outperform their peers during the first years
18 of college as measured by their grade point
19 average, retention rates and college completion;
20 however, undocumented students were not able to
21 maintain this level of performance over time
22 because they were more likely to go to college
23 part time. In conclusion, data suggested the lack
24 of financial support for example, the Pell grant
25 available to undocumented students--I'll read that

1 sentence again. In conclusion, data suggests that
2 the lack of financial support such as the Pell
3 grants available to undocumented students as it
4 takes its toll over the longer term. It is time
5 to correct this problem. It is estimated that
6 65,000 undocumented students graduate high schools
7 in the United States every year, but only five
8 percent ever attend college. Many undocumented
9 students look forward to the hurdles of paying for
10 college and give up before they even graduate high
11 school. This is a terrible waste. We are
12 confident that these young immigrants will use
13 their college education to contribute to New
14 York's future economy as productive workers and
15 professionals. For these reasons, we of the
16 Professional Staff Congress recommit ourselves to
17 working for passage of the New York State DREAM
18 Act into law. I wish to make two final points.
19 First, there have been attempts to bypass the
20 comprehensive DREAM Act, which extends TAP and
21 introduces the private subsidized DREAM fund as a
22 standalone bill. The PSC strongly opposes this
23 action as insufficient and encourages the Council
24 to denounce such half weight measures. Second, we
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2 encourage the City Council to restore funding to
3 CUNY for the merit based Vallone and/or needs
4 based safety net scholarship programs in budget
5 deliberations. CUNY's ability to assist
6 undocumented students was severely reduced when
7 these scholarship programs we defunded several
8 years ago. We commend the council members for
9 introducing resolution 1671 and urge its swift
10 passage by the entire Council to send a message to
11 the New York State Legislature and to the Governor
12 as soon as possible. Thank you for the
13 opportunity to speak about this important
14 resolution.

15 CHAIRPERSON DROMM: Thank you, and
16 Emerald Isle?

17 KARLA ROSERO KAHN: Good afternoon.
18 Emerald Isle Immigration Center would like to
19 thank the New York City Council for the
20 opportunity to submit testimony regarding this
21 legislation affecting immigrant students in New
22 York. We especially thank Chairman Dromm, the
23 Committee on Immigration and New York City Council
24 for their continued support of our work to assist
25 New York City immigrant communities through the

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2 immigrant opportunity initiative. On June 15th,
3 2012, the Obama Administration moved the country
4 forward by providing the nation's youth with the
5 discretionary relief of deferred action. By
6 passing the New York State Development Relief
7 Education for Alien Minors Act of 2013, New York
8 State will become one of the pioneering
9 jurisdictions providing youth the opportunity to
10 reach higher education. With currently - -
11 million undocumented youths living in the United
12 States, 65,000 undocumented youths graduating from
13 high school, 400,000 immigrants youth living in
14 New York. The New York DREAM Act would help many.
15 The United States citizenship and immigration
16 services provide us statistics as to the federal
17 progress of deferred action. As of January 17th,
18 2013, about 407,000 undocumented youths nationwide
19 submitted deferred action requests. Of that
20 number, approximately 24,000 came from the state
21 of New York. So in conclusion, Emerald Isle
22 Immigration Center would urge the Council to pass
23 this legislation and to further the education of
24 our youths. Thank you.

25 CHAIRPERSON DROMM: Thank you.

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That DACA number, that is from--

KARLA ROSERO KAHN: It's from their website.

CHAIRPERSON DROMM: The last hearing I had, it was about 17,000. That I thought was about the number, so that is good news.

KARLA ROSERO KAHN: For New York, it was about--well, this is the ones that were requested. I don't know if you have the number as approved 17,000.

CHAIRPERSON DROMM: No, I don't.

KARLA ROSERO KAHN: Okay. Yeah, this was as of January 17th.

CHAIRPERSON DROMM: January 17th?

KARLA ROSERO KAHN: Mm-hmm.

CHAIRPERSON DROMM: Alright, so thank you everybody. I want to ask you something. What would be your response to critics of the New York State DREAM Act, who believe that this legislation would have an adverse impact on United States born students by potentially reducing available seats in colleges and universities and available financial aid? Have we thought that

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through as we move through this argument?

ARTHURINE DESOLA: I thought it through. Personally, I don't think it would affect the students. Education is basically competitive to begin with, and I don't think that the passage of this act would reduce the number of seats for students going forward into college.

KATHLEEN JORDAN: Also as cited in my testimony, undocumented households contribute a huge amount of tax funding, and I feel they should be able to be able to benefit from that tax funding. Also the capacity for CUNY and SUNY to take students and for TAP to fund students' educations is a matter of the state's budget, so as long as the state is willing to put that money in, there shouldn't be a problem.

CHAIRPERSON DROMM: What suggestions would you have if any to improve the current legislation? Any ideas on that? Do you know how it compares to other states?

ARTHURINE DESOLA: No, I don't know how it compares to other states, but I think more funding is needed. I mean we have undocumented students who are excellent students. I can say

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2 that because I have been a counselor with the City
3 University of New York for over 30 years. I
4 worked at several campuses. It is criminal not to
5 allow these men and women to go forward, and the
6 reason I say that is because I worked with
7 students from both ends of the continuum. I work
8 with special program students, who have special
9 needs and I work with honors students. In working
10 with undocumented students, I often joke with the
11 math department that if these students did not
12 have an opportunity, you would not be teaching
13 calculus 3 in a community college. Some of these
14 students are just outstanding in both science and
15 mathematics--areas that many students going into
16 the City University who are documented or
17 residents do not usually have that. Many of these
18 undocumented students, they will study. They
19 study hard. There has been some research on these
20 students that as they begin their life in college,
21 their first two semesters, they usually stay, but
22 over time, it makes it very difficult because they
23 start out full time but then over time they become
24 part time students, and part time students extends
25 their college completion, and that to me is a

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tragedy.

CHAIRPERSON DROMM: They become part time because of the financial burden?

ARTHURINE DESOLA: Because of the financial burden, absolutely.

CHAIRPERSON DROMM: I WAS A NEW York City public schoolteacher for 25 years before I got elected to the Council, and my thing was always just do it. Get it done now, and go through so that you get it done, and it's a discipline, but you have just got to get it done now because even as a teacher found when I had to get those extra 30 credits to go for my salary, it took me like ten years to finally do it because I stopped, and that is one thing that we certainly don't want to see have happen to people. What about any concerns from students? Have you heard anything from students saying that this is how we think it would be better, this is how it could be improved? Anything like that or parents? Any concerns?

KATHLEEN JORDAN: I haven't really hard any concerns, just huge anticipation to get this passed. NYPIRG's stance as a whole and

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2 people I have just talked to are kind of
3 ambivalent about the DREAM fund 'cause as far as
4 we can tell there is no--it can't reliably provide
5 funding every year to the students that need it,
6 so really focusing on the access to TAP. I think
7 another aspect of this issue of course is TAP and
8 the way it is structured and how it is funded, and
9 I could probably talk myself blue in the face on
10 all the ways TAP as a program as a whole needs to
11 be improved, but in terms of New York State DREAM
12 Act, access to TAP is the top thing on everyone's
13 mind.

14 CHAIRPERSON DROMM: What do you
15 hear as advocates about the New York City
16 Department of Education and their role in this?
17 Anybody care to comment on that?

18 KARLA ROSERO KAHN: Well, I have
19 heard that the Department of Ed has been very
20 supportive in getting all of the documents
21 prepared for the deferred action, so that is a big
22 step forward, and I think they are trying to
23 everyone as best as possible, so I have heard a
24 lot of positive on them.

25 CHAIRPERSON DROMM: Alright. Thank

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2 you very much all of you for coming in. I
3 appreciate your testimony. Thank you. Now I'd
4 like to call up Emily - - Park from the MinKwon
5 Center, Mae Lee [phonetic] I think it is from the
6 Chinese Progressive Association and Jacqueline
7 Vimo [phonetic] from New York Immigration. Do you
8 want to start us off, Jacqueline?

9 JACQUELINE VIMO: Sure. First of
10 all, I just want to thank the Council, and I want
11 to thank Chairman Dromm and Chairman Rodriguez for
12 holding this important hearing and passing the
13 resolution. I testified at a very similar Council
14 hearing last year, and I applaud the Council's
15 ongoing support of these issues and of young
16 people who are undocumented and of equality of
17 education, but since last year quite a bit has
18 changed, and for the better for once. We
19 reelected a president, an election which immigrant
20 votes were decisive and played a crucial role, a
21 tipping point role. In addition, immigrant votes
22 tipped the scales in state and local elections, so
23 I mean I think the message is clear. The time for
24 immigration reform on all levels of government is
25 now, right? In addition since last time we spoke,

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2 the White House announced the deferred action for
3 childhood arrivals program DACA, which has
4 allowed--has been discussed earlier--thousands of
5 young people to both receive work authorization
6 and to have a reprieve from the fear of constant
7 deportation and of being ripped away from their
8 families and homes. Recently Speaker Quinn
9 announced a proposed initiative that would bring
10 about \$12.8 million to help New Yorkers take
11 advantage of the DACA program. I know there are
12 an estimated 16,000 young people that would be
13 eligible for DACA, but cannot apply because they
14 can't meet the education requirements, and this
15 money as you know I am sure would open up more
16 seats to reduce the backlog in ESOL and adult
17 education classes, so I again applaud the Council
18 for this initiative and we are going to be pushing
19 really hard to make sure that that happens in this
20 year's budget process. So again, anything that we
21 can do to be supportive of that initiative, but
22 back to the issue at hand, and I can answer a few
23 of the specific questions that you just asked. I
24 am here on behalf of the New York Immigration
25 Coalition, but also as one of the founding and

1 steering committee members of the New York State
2 DREAM Coalition, which most of the people who have
3 testified here are members, so to begin with, the
4 notion that undocumented students steal resources
5 from documented students through the tuition
6 assistance program, it is a misunderstanding of
7 TAP. TAP is an entitlement program. It is not a
8 quid pro quo. If you are eligible and you meet
9 the eligibility requirements, i.e. you meet the
10 income requirements and you meet the grade point
11 average requirements, you are entitled to TAP. It
12 is just patently wrong. So I mean I think that
13 that is just something that we really want to make
14 sure that we are not continuing to allow that
15 debate to continue because it is patently false.
16 The second piece compared to other states, Texas,
17 California, and New Mexico, New Mexico has a two
18 sentence bill. I would love the New Mexico bill.
19 It is very simple. It just says undocumented
20 students can apply for TAP period. And that is
21 really all there is. The comprehensive bill,
22 which we support, also actually includes a private
23 fund and includes access to 529 savings accounts,
24 which of course, these are more bells and
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2 whistles, but our first priority has to be TAP.
3 One more question, and I want to get back to that
4 issue, which is the main point of my testimony,
5 which is where is the Department of Education?
6 Chancellor Tisch board of regents was the one who
7 actually really started the ball rolling on this
8 last year, when she actually--we held a press
9 conference on the steps of the New York Public
10 Library on 42nd Street. Commissioner King from the
11 State Education Department - - with Chancellor
12 Tisch. Dennis Walcott also was with us. And all
13 of them sat together and said this is a primary
14 initiative and priority for our respective
15 agencies, and it was actually Commissioner Tisch
16 who actually introduced the bill that had
17 Assemblywoman Glick introduce the bill. And also
18 Carl McCall [phonetic] from the SUNY board of
19 trustees also was behind these initiatives, so all
20 of the players that are directly affected are on
21 board with this. I think that the most important
22 thing to hear is the voices of people who are
23 directly affected. I also am a professor at the
24 City University of New York at City College, and I
25 can tell you that watching my students have to

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2 drop out year after year because they come to me,
3 and they say, Professor Vimo, I have to drop out
4 of your class. I am sorry. I enjoyed the class,
5 but I am working three jobs overnight as a
6 dishwasher, in the morning at wherever restaurant,
7 and I can't keep on doing this, and you know, like
8 any other person, not every single undocumented
9 student is a genius, but I can tell you that they
10 are disproportionately because in order to be in
11 class--in order to be keeping up with this and
12 paying for this out of your own pocket, you have
13 to try harder, you have to work harder than
14 anybody else, and to watch these young people have
15 to have their dreams crushed and the amount of the
16 times the person who ends up in tears in my office
17 hours is usually me because I wish there was
18 something I could do. I wish I had an extra
19 \$5,000 to give them, but City College pay is
20 another thing. The main issue that I want to just
21 sort of end with is just that the fund or having
22 private solutions to this are really unacceptable,
23 and I think there are many problems with drawing
24 parallels between the civil rights movement and
25 immigrant rights movement, but I think in this

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2 case, the phrase is actually relevant and needs to
3 be repeated. Separate is not equal. What kind of
4 message are we sending when we are saying this
5 type of student has access to this kind of funding
6 and this kind of student has access to a different
7 kind of funding? This is a public problem, and it
8 requires public solutions. I don't care if there
9 is private dollars that are matched penny for
10 penny with what the TAP offerings would be to
11 undocumented students. It sends the wrong
12 message. Texas doesn't do it. California doesn't
13 do it. New Mexico doesn't do it. New York
14 shouldn't do it, and I think that this is really
15 an issue of justice and equality, and I hope that
16 we really send a strong message that separate is
17 not equal and that New York State needs to do the
18 right thing for undocumented students by passing a
19 comprehensive DREAM Act, which includes equal
20 access to the tuition assistance program. Thank
21 you.

22 CHAIRPERSON DROMM: Thank you.

23 Next?

24 EMILY PARK: Hi. Thank you,
25 Chairman Dromm and New York City Immigration

1
2 Council Committee for this opportunity to submit
3 my testimony in support of the comprehensive New
4 York State DREAM Act. My name is Emily Park. I
5 am 24 years old undocumented young adult, living
6 and working in Flushing, Queens. I recently
7 graduated from Queens College, majoring in
8 neuroscience and received a deferred action as
9 well as work authorization. I now work at the
10 MinKwon Center for Community Action as the youth
11 program associate, which MinKwon Center is a
12 community advocacy organization located in
13 Flushing, New York. I am also an active member of
14 MinKwon's KORE, which stands for Korean Americans
15 Organized for Reform and Equality, which is a
16 group of undocumented young adults fighting for
17 immigration reform at MinKwon Center. I am here
18 to testify on behalf of MinKwon Center as well as
19 MinKwon's KORE members. In KORE, there are so
20 many motivated hard working students who strive to
21 fulfill their educational dreams. Unfortunately
22 some of us take six, seven years or even longer to
23 finish college because we have to take double
24 shifts at work to support our family and to pay
25 for our college tuition. I myself have gone

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2 through that journey and at times I was scared
3 that I might lose focus in studying or my dream
4 because going to college and supporting myself
5 without any financial aid was difficult. There
6 are very few scholarships that are available to
7 undocumented students, and they only cover a very
8 small percentage of the population. Without the
9 DREAM Act, without New York State's tuition
10 assistance program TAP, we are forever part time
11 super seniors who are stuck in limbo. I ask you
12 to remember your high school senior year--all
13 those exciting plans and dreams you had for
14 yourself because I vividly remember mine. In high
15 school I think towards the end of junior year-I
16 was a good student in every possible way. I had a
17 95 GPA. I had taken five college level
18 advancement placement classes, including AP
19 English, which I jumped from the ESL class to AP
20 English. I had a good amount of extracurricular
21 activities. I was the president of the Korean
22 club for two years. At the end of my junior year,
23 I was excited to apply to colleges and
24 universities just like every other student in my
25 class. I had planned out my next four years

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2 thinking about every possible opportunity out
3 there for me; however, at the moment I realized
4 that I was not eligible for any financial aid,
5 which meant that my options were extremely
6 limited, I felt hopeless. I felt like not only
7 just my dream of becoming a doctor one day to help
8 others, but also my parents' dream--my parents'
9 American dream of making me a successful
10 independent career woman was mercilessly crushed.
11 I do not think anyone should go through what I
12 went through when I was 17, and I hope you put
13 yourselves or your children in our shoes and think
14 about this issue very carefully. It is in your
15 hands to provide motivated hardworking young New
16 Yorkers with the tools they need to make their
17 dreams a reality. Thank you so much.

18 CHAIRPERSON DROMM: Thank you.
19 Next?

20 MAE LEE: Hello. Good afternoon.
21 My name is Mae Lee. I am the executive director
22 of the Chinese Progressive Association. I would
23 like to thank the New York City Immigration
24 Committee for introducing this resolution in
25 support of a New York State DREAM Act. The

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2 Chinese Progressive Association is in Lower
3 Manhattan on the border between Chinatown and the
4 Lower East Side, where many of the newer
5 immigrants have settled in and also a fair amount
6 of undocumented immigrants. We are also a member
7 of the New York State DREAM Coalition, and we also
8 have been a host to the I think it's called the
9 fund for public advocacy's DREAM fellow internship
10 program. They give scholarships to - - eligible
11 CUNY students, and we have hosted interns there
12 for the past two years. Also in the last six
13 months or so since last August we have also hosted
14 DACA information workshops and clinics for our
15 community. According to a study by the American
16 Immigration Council. China is one of the top ten
17 countries that have sent undocumented immigrants
18 to this country here, but through our DACA clinic
19 we have come to learn a lot more about the
20 undocumented youth here. So number one, many of
21 them are as we say hiding in plain sight. They
22 are actually active community activists. They are
23 part of honors societies in their schools. The
24 only thing is that they are undocumented and even
25 their own friends may not know it because they

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2 don't talk about it. The second thing is that
3 many of those college kids are also working many
4 hours in a restaurant or nail salon to finance
5 their education. We also have a group of young
6 people who have graduated from high school, but
7 can't go to college. It's not because of grades;
8 it's because they can't afford it, and they work
9 in low wage or entry level jobs. The third thing
10 about DACA is that although you may be granted
11 DACA, you still can't get financial aid because of
12 DACA. Jackie had talked about those who need more
13 education in order to be eligible for DACA. We
14 also know a lot of young people who will never be
15 eligible for DACA because they don't make the cut
16 in terms of their age or their residency. If you
17 came here one day or two days too late you are too
18 late for DACA and that is it. So that may be one
19 of the reasons why the numbers are not as high as
20 they should be. So I would just like to say that
21 we are particularly in support of a DREAM Act that
22 would give students access to TAP, to the tuition
23 assistance plan. I know there has been a lot of
24 other schemes and ideas about how to fund this,
25 but we think that--we'd like to emphasize that the

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2 only real way to fund this is through TAP. Thank
3 you.

4 CHAIRPERSON DROMM: Thank you, and
5 in Jackie's testimony, if I may, you said
6 something about in other states it is just
7 students shall be eligible for TAP period, end of
8 deal. I don't know why New York would make
9 everything so complicated, even in regard to our -
10 - Rikers bill and our cooperation with federal
11 authorities interestingly after we passed that
12 bill I guess it was last month through here, I met
13 with the mayor of Salt Lake City, and he just
14 outright refuses to honor detention retainers.
15 That is what he does, and I am wondering why we
16 don't just do the same in New York, and why we
17 have to make it so complicated to begin with?
18 With that being said, the reality is that it's a
19 little more complicated here. The politics
20 probably dictate that and hopefully, we will see
21 this DREAM Act passed. I wanted to ask Ms. Park
22 also, any suggestions you might have in terms of
23 how the bill could be improved or anything in that
24 regard?

25 EMILY PARK: I think for now not in

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2 terms of the bill, but in terms how the process of
3 a bill getting passed--as an advocate myself, I
4 get asked this question many, many times ever
5 since I decided to advocate for the New York State
6 DREAM Act, which is where do we find the funding?
7 We can't really pass the bill because we can't
8 find the source of the funding, and we can't
9 allocate money from anywhere. I think that
10 question needs to be asked differently. Instead
11 of asking us where should we find the money, I
12 think the state should figure out somehow to fund
13 us, the education we need, and I think it's a
14 matter of how you think about it. You should
15 think about it in the long term because if you
16 invest just four years in our education, you get a
17 lot more back. We are going to be working 40, 50
18 years paying taxes in return, so yeah, that is my
19 recommendation. Thank you.

20 CHAIRPERSON DROMM: So, I'll always
21 refer to people's age in my hearings, but it says
22 here that you are 24--so I think I am allowed to
23 do that--which means that probably about six years
24 ago you graduated from high school.

25 EMILY PARK: Yes, I did,

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CHAIRPERSON DROMM: I am wondering if you could just tell me a little bit more about the Department of--did you go to public school?

EMILY PARK: Yes, I went to a public high school.

CHAIRPERSON DROMM: And what was the experience like there having been undocumented? Did you ever get any help with any lessons that were taught? Were staff members ever open about helping undocumented students? Was there any visible sign of support or a person you could go to?

EMILY PARK: Well, for me it was a little bit different because I actually didn't know that I was undocumented until I applied, and even when I was applying I thought this was a problem that I could--if I had money that I could just buy a lawyer and solve. I thought it was that simple even until freshman year of college, but I know because I am a youth program associate and also a member of a youth organization, youth group, that a lot of other students who attended public school do not actually receive much help and it's really hard for them to open up to the

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2 counselors about their immigration status because
3 first, they just know about it. They just found
4 out themselves, and they can't really handle the
5 pressure and all of the negative emotions that
6 come from knowing that you are undocumented.

7 Also, I don't think we need to improve our system.
8 We need to educate our guidance counselors on the
9 issue.

10 CHAIRPERSON DROMM: I appreciate
11 the former panel. One of the people on the former
12 panel saying about the Department of Ed in terms
13 of giving out the paperwork, and from what I hear
14 and what they have testified at hearings that has
15 gone fairly smoothly which I am grateful for, but
16 more and more I hear from people in your situation
17 as well is that really not enough is being done in
18 the public schools to make our undocumented youth
19 one, comfortable just being there; two, if they
20 know their status, not enough is being done to
21 help them access services or to even know what
22 type of immigration relief there may be possibly
23 available. I know we can't get into the whole
24 area of advising people, but like if youth were to
25 know that DACA existed or that there is asylum or

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2 whatever. I had a former student that came to me.
3 He was a gay student. He didn't really realize he
4 was gay until he was 16. Then he came out at 17.
5 So he didn't even really know asylum was
6 available, and he didn't know he had a one year
7 window in which to apply and then he went through
8 that whole thing. I wish there was more
9 discussion on that for our youth, and that is why
10 I was asking you a little bit more questions about
11 that. I'd like to see that happen in the
12 Department of Ed.

13 EMILY PARK: Thank you.

14 MAE LEE: I think just in terms of
15 immigration if you are undocumented we find that
16 you know about DACA just because there has been a
17 lot of outreach, and if you are undocumented you
18 have a radar for that kind of stuff, but one of
19 the things about DACA is that some who came to our
20 clinic were not aware that--some were actually
21 eligible for other kinds of immigration relief and
22 they didn't know about it until they came to the
23 clinic because immigration lawyers are very
24 expensive, and it was the first time that they got
25 advice from a good lawyer.

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CHAIRPERSON DROMM: Thank you.

MAE LEE: So that has been a good benefit.

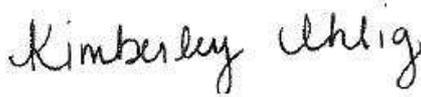
CHAIRPERSON DROMM: A very big benefit is right. I have seen that also personally happen. But anyway, thank you also for always coming to our hearings and for giving testimony. I appreciate it very much. For everybody else on the panel, thank you also for coming. Thank you. Okay, and that is it, so unless there is anybody else? Nobody wants to give testimony. Alright. Well, thank you everybody, and thank you for coming. This meeting is adjourned.

[gavel]

C E R T I F I C A T E

I, Kimberley Uhlig certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature

Handwritten signature of Kimberley Uhlig in cursive script, written over a horizontal line.

Date 4/3/13

Handwritten date 4/3/13, written over a horizontal line.